



Issue Date: 19 June 2017

Case No.: **2016TNE00013**

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
UNITED STATES DEPARTMENT OF LABOR,
Prosecuting Party,

v.

Casa Real, Inc.
Employer.

DECISION AND ORDER APPROVING CONSENT FINDINGS

This action arises under the Immigration and Nationality Act of 1952 (“the INA”), P.L. 82-414, Stat. 163 codified as amended at 8 U.S.C. § 1101 *et seq.*, as amended by the Immigration Act of 1990, P.L. 101-649, 104 Stat. 4978, the Miscellaneous Technical Immigration and Naturalization Amendments of 1991, P.L. 101-232, 105 Stat. 1733 and 112 Stat. 286 1-641. Jurisdiction over the hearing in this matter is vested in the U.S. Department of Labor Office of Administrative Law Judges by INA § 212(n)(2), 20 C.F.R. §§ 655.2 and 29 C.F.R. Part 503. This case was assigned to me on August 4, 2016, to hold a hearing and issue a decision. A mediator was appointed on November 1, 2016. In a Supplemental Order Concluding Mediation issued on April 26, 2017, the Chief Judge returned the case to me to enter a decision because the parties had reached a settlement. The parties filed their Consent Findings on June 15, 2017. I have reviewed the parties’ Consent Findings and find them to be a fair, adequate and reasonable settlement.

IT IS HEREBY ORDERED:

1. The parties’ Consent Findings are incorporated by reference in this Order and are approved.
2. Respondent shall pay \$11,694.73 in back wages and \$8,772.00 in CMPs related to its violations of the H-2B Provisions of the INA.
3. Respondent shall comply with the H-2B Regulations, 20 C.F.R. § 655 Subpart A at 20 C.F.R. 655.1 *et seq.*, including, but not limited to, complying with the requirement to pay the offered wage and to not recoup labor certification fees from the workers.

4. This Decision and Order shall have the same force and effect as an order made after a full hearing pursuant to Subpart A of 20 C.F.R. Part 655 in accordance with 29 C.F.R. § 18.9(b)(1).

5. The entire record on which this Decision and Order is based shall consist solely of the Determination Letter issued by the U.S. Department of Labor, Wage and Hour Division (“Complainant”) on June 30, 2016 (Investigation No. 1732180), and the parties’ Consent Findings.

6. The Parties have waived any future procedural steps before an Administrative Law Judge of the U.S. Department of Labor regarding this matter.

7. The Parties have waived any right to challenge or contest the validity of the Consent Findings entered into in accordance with the Agreement.

8. All violations alleged in the Determination Letter issued by the Complainant in the above-referenced case are fully resolved by this Decision and Order Approving Consent Findings.

9. Each Party shall bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Alice M. Craft
Administrative Law Judge