



**Issue Date: 28 July 2016**

**Case No.: 2016-TNE-00005**

*In the Matter of:*  
**ADMINISTRATOR, WAGE AND HOUR DIVISION,  
UNITED STATES DEPARTMENT OF LABOR,**  
*Prosecuting Party*

v.

**GRAND HOTEL, L.L.C.,  
d/b/a GRAND HOTEL,**  
*Respondent.*

**DECISION AND ORDER APPROVING CONSENT FINDINGS**

This matter arises under the Immigration & Nationality Act, as amended by the Immigration and Reform Control Act of 1986, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(b) and 1184(c), including the implementing regulations at 20 C.F.R. Part 655, Subpart A and 29 C.F.R. Part 503, as well as the Temporary Agricultural Alien Employment – Immigration & Nationality Act, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), including the implementing regulations found at 29 C.F.R. Part 501. On July 21, 2016, the parties informed the undersigned that this matter had settled, and submitted the executed Consent Findings and Order (Consent Findings) for my review. The contents of the Consent Findings and attached Exhibit A, are incorporated by reference as if fully set out herein.

The parties agree that the monetary provisions of these Consent Findings shall be deemed satisfied by Respondent upon the satisfaction of the following terms:

1. Respondent shall pay civil money penalties of \$105,129.03 at the time of Respondent's execution of these Consent Findings. Respondent agrees to make payment in the form of a certified check made payable to "Wage and Hour Division, U.S. Department of Labor" (noting on the memo line "Case No. 2016-TNE-00005, Reference #1697288"), and to deliver payment to: U.S. Department of Labor, Office of the Solicitor, 230 S. Dearborn Street, Chicago, IL 60604. This payment constitutes full satisfaction of all civil money penalties assessed in this matter.
2. At the time of its execution of these Consent Findings, Respondent shall deliver separate certified checks for each employee named in Exhibit A for whom it has neither an electronic- payment process in

place nor a current, up-to-date address. Said checks should be delivered to the address listed above, made payable to the order of the employee or the “Wage and Hour Div., Labor,” as alternative payees (e.g. the first check should read “PAY TO THE ORDER OF \*\*\* or the Wage and Hour Div., Labor”) and be equal to the total amount due to each such employee as listed in Exhibit A attached hereto and made part hereof. For those employees for whom Respondent is in possession of a current, up-to-date mailing address, Respondent shall mail such checks to those employees rather than to the address above. To the Extent that Respondent has previously arranged an electronic-payment process with any individual employee listed on Exhibit A, Respondent may execute an electronic transfer of the back wage payments due to such employee as set forth in Exhibit A in lieu of issuing a check.

3. In the event that within 60 days of its execution of these Consent Findings 1) Respondent is unable to locate an employee, 2) Respondent is unable to complete and confirm an electronic transfer of back wage payments, or 3) any check sent directly to an employee is not deposited, Respondent shall deliver a single certified check representing the amount of the balance of back wage payments due to those employees who have not received or negotiated back wage payments to the address: Mary O’Rourke, District Director, U.S. Department of Labor, Wage and Hour Division, Grand Rapids District Office, 800 Monroe Avenue, N.W., Suite 315, Grand Rapids, MI 49503-1451.

Accordingly,

**IT IS HEREBY ORDERED** that the Consent Findings filed on July 21, 2016, are **APPROVED**, and thereby become the final order of the Secretary and may be enforced pursuant to 29 C.F.R. §1982.113.

**IT FURTHER ORDERED** that the complaint filed in this matter is **DISMISSED WITH PREJUDICE**.

John P. Sellers, III  
Administrative Law Judge