



**Issue Date: 18 May 2016**

BALCA Case No.: 2016-TNE-00002

*In the Matter of:*

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

v.

HIS MACKINAC, LLC,  
d/b/a HARBOUR VIEW INN,  
*Employer.*

**DECISION AND ORDER ON CONSENT FINDINGS and  
ORDER CANCELING HEARING**

This case arises out of enforcement of the labor certification program for temporary and seasonal agricultural employment of nonimmigrant foreign workers (H-2B workers) under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. §1101, et seq., and its implementing regulations at 20 C.F.R Part 655, Subpart A. The Administrator, U.S. Department of Labor, Wage and Hour Division and Respondent HIS Mackinac, LLC have filed Consent Findings resolving all issues in dispute relating to Respondent's contest of the Administrator's Determination Letter of November 30, 2015 regarding Respondent's compliance with the H-2B program. The Consent Findings have been reviewed and are approved in their entirety. Accordingly, IT IS ORDERED:

1. Respondent shall pay a total of \$26,000.00 under the schedule established in Paragraph 8 of the Consent Findings by cashier's check or certified check made payable to "Wage and Hour Division, U.S. Department of Labor" (noting on the memo line "Case No. 2016-TNE-00002, Reference #1697289"), and shall deliver payment to U.S. Department of Labor, Wage and Hour Division Midwest Regional Office, P.O. Box 2638, Chicago, IL 60690-2638 on or before each due date.
2. These Consent Findings and this Order shall have the same force and effect as an Order made after full hearing.
3. The entire record on which this Order is based shall consist solely of the Determination Letter and the Consent Findings.
4. The Administrator and Respondent waive any further procedural steps before the Office of Administrative Law Judges.

5. The Administrator and the Respondent waive any right to challenge or contest the validity of the Consent Findings and this Order.
6. All violations set forth in the Determination Letter are deemed fully resolved by the Consent Findings and this Order.
7. This Order shall become final immediately upon its issuance, and constitutes full, final and complete adjudication of this proceeding.
8. The hearing scheduled to begin on May 24, 2016 is CANCELED.

**SO ORDERED.**

PAUL C. JOHNSON, JR.  
District Chief Administrative Law Judge