



Issue Date: 23 June 2020

CASE NO.: 2019-TNE-00044

In the Matter of:

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

v.

**GREAT LAKE SERVICES, LLC,
D/B/A GREAT WOLF LODGE, SANDUSKY, OHIO,**
Respondent.

DECISION AND ORDER APPROVING CONSENT FINDINGS

The above-captioned matter arises from the Secretary of Labor’s enforcement of H-2B provisions of the Immigration and Nationality Act (“INA”)¹ and the implementing regulations promulgated by the Department of Labor (“Department”) and the Department of Homeland Security governing the administration and enforcement of the H-2B temporary labor certification program.²

On July 26, 2019, the Administrator of the U.S. Department of Labor’s Wage and Hour Division issued a determination under the INA against Great Lake Services, LLC, doing business as Great Wolf Lodge, Sandusky, Ohio (the “Respondent”). Following an investigation, the Wage and Hour Division assessed civil money penalties against the Respondent due to alleged violations of the H-2B regulations. By letter dated August 20, 2019, the Respondent appealed.

This matter was assigned to the undersigned on September 18, 2019. By order dated November 26, 2019, Mediator Beth S. Slavet was appointed to serve as a mediator in this matter. By order dated March 3, 2020, mediation proceedings were extended. By order dated March 16, 2020, mediation proceedings were concluded. The parties filed with the undersigned a Settlement Agreement and Consent Findings (the “Consent Findings”) dated May 15, 2020. The parties agreed that the Respondent shall pay the Department \$24,000.00 in civil money penalties related to its alleged violations of the H-2B provisions of the INA, which occurred from

¹ 8 U.S.C. §§ 1101(a)(15)(H)(ii)(b), 1184(c)(1), 1184(c)(14), as amended.

² Temporary Non-Agricultural Employment of H-2B Aliens in the United States; Interim Final Rule, 80 Fed. Reg. 24042 (Apr. 29, 2015) (to be codified at 20 C.F.R. part 655, subpart A, and 29 C.F.R. part 503). All citations to 29 C.F.R. part 503 refer to the Interim Final Rule.

February 1, 2017, to September 15, 2018. The parties further agreed that the Respondent will be debarred from participating in the H-2B program, only with respect to its location at 4600 Milan Road in Sandusky, Ohio, 44870, and all operations used exclusively for that work site, for a period of two years from May 15, 2020.

Having reviewed the record, I am satisfied that the Consent Findings conform to the requirements of 29 C.F.R. § 503.49(b). Moreover, they adequately resolve the issues the parties previously contested. Therefore, I hereby **APPROVE** the Consent Findings.

ORDER

It is **ORDERED** that, pursuant to 29 C.F.R. § 503.49(d):

1. I hereby **APPROVE** the Consent Findings dated May 15, 2020;
and
2. I hereby **ADOPT** and **INCORPORATE IN FULL** the Consent Findings in this Decision and Order.

JOHN P. SELLERS, III
ADMINISTRATIVE LAW JUDGE