



Issue Date: 01 July 2020

Case Number: 2020-TNE-00042

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party,

v.

ALPINE COUNTRY CLUB,
Respondent.

ORDER APPROVING CONSENT FINDINGS

This matter arises under the Immigration and Nationality Act (“INA”), as amended, 8 U.S.C. §§ 1101 *et seq.*, and the implementing regulations at 20 C.F.R. Part 655, docketed in the Office of Administrative Law Judges (“Office”) and assigned to me for a decision.

An Assistant District Director of DOL’s Wage and Hour Division issued an Administrator’s Determination (Reference #1855590) on April 30, 2020 to Alpine Country Club (“Respondent”), finding several violations of certain H-2B provisions of the INA regarding an Application for Temporary Employment Certification covering the period from January 1, 2017 to December 31, 2018. As a consequence of the violations, Respondent was assessed \$438.79 in back wages owed to six (6) workers and civil money penalties (“CMP”) in the amount \$6,142.64. 29 C.F.R. § 503.23. While paying the \$438.79 in back wages owed, Respondent requested a hearing on the CMP, which is currently scheduled to be held on September 2, 2020.

However, on June 30, 2020, counsel for the Administrator filed *Consent Findings* and a proposed *Order* indicating that the parties had reached a resolution on all issues, thereby obviating the need for a formal hearing. The Administrator agrees to modify the Determination Letter by reducing the CMP to \$4,950.00. Respondent agrees to withdraw its request for hearing and exception to the administrative determination and pay the abated CMP by July 30, 2020.

The administrative procedures relevant to the approval of consent findings are set forth at 29 C.F.R. § 503.49. After reviewing the terms of the agreement, I am satisfied that they conform to the requirements of 29 C.F.R. § 503.49(b) and are a satisfactory resolution of the issues previously contested. Accordingly, the *Consent Findings* are adopted and incorporated in full into this Order. The video hearing scheduled for September 2, 2020 is CANCELLED. Upon payment of the CMP, this matter is DISMISSED.

SO ORDERED:

STEPHEN R. HENLEY
Chief Administrative Law Judge