

**U.S. Department of Labor**

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**Issue Date: 28 October 2020**

Case No.: **2020-TNE-00011**

*In the Matter of:*

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

v.

**ACAPULCO CORPORATION,**  
*Respondent.*

**DECISION AND ORDER APPROVING CONSENT FINDINGS**

The Immigration and Nationality Act (INA) of 1952, codified at 8 U.S.C. § 1101 et seq., authorized a temporary foreign worker program referred to as the H-2 program, which covered both agricultural and nonagricultural workers. The 1986 Immigration Reform and Control Act (IRCA) amended the INA and divided the H-2 program into the current H-2A and H-2B programs on the basis of whether the temporary labor involved an agricultural position (H-2A) or a nonagricultural position (H-2B). This case involves the latter, H-2B position. I have been assigned this matter for a hearing and decision.

On October 2, 2020, pursuant to 29 C.F.R. § 18.71(b), the parties submitted Consent Findings and Settlement Agreement for my approval signed by counsel for both parties. Having reviewed the submitted documentation, I find that the submitted consent findings are appropriate in form and substance and clearly detail the respective duties and obligations of the parties pursuant to the agreement. Accordingly, the signed and submitted Consent Findings are incorporated by reference into this Decision and Order, and are hereby adopted and approved. The parties are ordered to fulfill the obligations undertaken in the Consent Findings.

The parties, having agreed to resolve all issues pending for hearing and having agreed to Consent Findings, the matter is hereby dismissed.

**SO ORDERED.**

JOSEPH E. KANE  
Administrative Law Judge