



Issue Date: 25 September 2020

CASE NO.: 2020-TNE-00007

In the Matter of:

ADMINISTRATOR, WAGE & HOUR DIVISION,
Prosecuting Party,

v.

GENUINE BUILDERS, INC.,
Respondent.

ORDER APPROVING SETTLEMENT AGREEMENT

This matter arises under the H-2B provisions of the INA, as amended, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(b) *et seq.*, 1184(c)(14), and 20 C.F.R. Part 655, subpart A (2008) and the applicable procedural regulations at 29 C.F.R. Part 503 (2015). Attorney Aaron Bernard represented Respondent. Attorney Lindsey Rothfeder represents the Administrator. On October 23, 2019, the Administrator issued a Determination Letter identifying Respondent's alleged violations of the H-2B provisions of the Act.

On September 24, 2020, the parties submitted Settlement Agreement ("Settlement Agreement"), which resolved all issues pending for hearing and in the October 23, 2019, determination letter. Having reviewed the submitted documentation, I find that Settlement Agreement is appropriate in form and substance and clearly detail the respective duties and obligations of the parties pursuant to the agreement. Further, the Settlement Agreement lists the required findings as specified in 29 C.F.R. §§ 503.49. Specifically, this Order shall have the same force and effect as an order made after a full hearing; the entire record on which this Order is based shall consist solely of the Settlement Agreement together with the notice of determination (or amended notice if one were filed) and exhibits thereto; all further procedural steps before the Administrative Law Judge and the Administrative Review Board are waived; and any right to challenge or contest the validity of this Order are waived.

I approve the Settlement Agreement and adopt the terms and conditions as findings by this Office and incorporate them by reference into this Order. The parties are ordered to carry out the provisions of the Settlement Agreement.

The parties having resolved all the issues pending for hearing, the matter is now fully concluded. All dates are vacated. The matter is closed.

SO ORDERED.

RICHARD M. CLARK
Administrative Law Judge