



Issue Date: 01 February 2021

CASE NO.: 2021-TNE-00001

IN THE MATTER OF

**ADMINISTRATOR, WAGE & HOUR DIVISION,
Prosecuting Party**

v.

**A & A LANDSCAPE & MAINTENANCE
Respondent**

ORDER APPROVING CONSENT FINDINGS

This matter arises under the H-2B provisions of 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 and 29 C.F.R. Part 503.

On January 28, 2021, the Administrator, U.S. Department of Labor, Wage and Hour Division (“Administrator”) and Respondent A & A Landscape & Maintenance (“Respondent”) filed Consent Findings resolving all issues in dispute in this case relating to Respondent’s contest of the Administrator’s Determination Letter dated September 8, 2020.

According to the Consent Findings submitted by the parties, the Administrator and Respondent have agreed as follows:

1. Respondent has paid the assessed back wages in total amount of \$5,453.45, found due to seven of its current or former employees;
2. Administrator, in consideration of the facts of this case and other pertinent litigation factors has agreed to reduce the aggregate civil money penalties to \$8,800.00. The parties set forth the terms of payment in the Consent Findings, Specific Provisions, ¶ 2;
3. The order approving these Consent Findings will have the same force and effect as an order made after a full hearing;
4. The record on which the Consent Findings and order approving same are based will consist of the notice of administrative determination, request for hearing, and the agreement set forth in the Consent Findings;
5. The parties have waived all further procedural steps before an ALJ; and

6. The parties have waived any right to challenge or contest the validity of the Consent Findings and this Order.

I find that the Consent Findings are appropriate in form and substance and include the required findings specified in 29 C.F.R. § 503.49. The Consent Findings resolve all issues in contest between the Administrator and Respondent in this matter. I thus approve the Consent Findings and adopt the terms and conditions as findings by this Office, and I incorporate them by reference into this Order.

ORDER

Accordingly, IT IS ORDERED that the Consent Findings are APPROVED in full and incorporated herein by reference. The Consent Findings shall be effective immediately and constitute full, final, and complete adjudication of the proceeding. All other dates have been vacated, and the matter is closed.

ORDERED this 1st day of February, 2021, at Covington, Louisiana.

**ANGELA F. DONALDSON
ADMINISTRATIVE LAW JUDGE**