In the Matter of:

UNITED STATES DEPARTMENT OF LABOR, OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, 
PLAINTIFF,

v.

MANHEIM, INC.,

and

MANHEIM AUCTIONS GOVERNMENT SERVICES, LLC, d/b/a/ MANHEIM GOVERNMENT SERVICES,
DEFENDANTS.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Plaintiff:
Lydia A. Jones, Esq.; Channah S. Broyde, Esq.; Stanley E. Keen, Esq.; M. Patricia Smith, Esq.; United States Department of Labor, Atlanta, Georgia

For the Defendants:
Jason S. McCarter, Esq. and Matthew T. Parrish, Esq., Dow Lohnes PLLC, Atlanta, Georgia

BEFORE: Paul M. Igasaki, Chief Administrative Appeals Judge and E. Cooper Brown, Deputy Chief Administrative Appeals Judge
ORDER GRANTING AMENDED CONSENT DECREE

On June 14, 2011, a Department of Labor Administrative Law Judge (ALJ) issued a Recommended Decision and Order Granting Summary Decision to Plaintiff and Directing Defendants to Comply with Existing Law and Implementing Regulations under Threat of Imposed Sanctions (R. D. & O.) in this case arising under Executive Order 11246, as amended by Executive Order 11375; Section 503 of the Rehabilitation Act of 1973, 29 U.S.C. § 793; the Vietnam Era Veterans’ Readjustment Assistance Act, 38 U.S.C. § 4212, as amended; and implementing regulations at Title 41, Chapter 60 of the Code of Federal Regulations. The Administrative Review Board (ARB or the Board) has jurisdiction to review the Defendants’ exceptions to the ALJ’s R. D. & O. and to issue the Department’s final decision.1

On June 30, 2011, the Parties filed a proposed Consent Decree with the Board and requested the Board to adopt the Consent Decree as the Final Order in this matter. On August 15, 2011, the Parties filed an Amended Decree to correct a contract number for one of the General Services Administration contracts listed in the decree and to re-format the signature block for signature by the Administrative Review Board.

The parties to this action have negotiated and executed a Consent Decree in final resolution of OFCCP’s claims. The Consent Decree provides that it “shall constitute the final Administrative Order in this case.”2 Furthermore, “[a]ll further procedural steps to contest the binding effect of this Consent Decree, and any right to challenge or contest the obligations entered into in accordance with the agreement contained in this Decree, are waived by the parties.”3

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2 Consent Decree at 8.

3 Id. at 2.
We APPROVE the Consent Decree attached to this Order and hereby enter it as the final administrative order in this case.  

SO ORDERED.

PAUL M. IGASAKI  
Chief Administrative Appeals Judge

E. COOPER BROWN  
Deputy Chief Administrative Appeals Judge

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