

**UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

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ADMINISTRATOR, WAGE AND
HOUR DIVISION,

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Case No. 2002-LCA-5

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Complainant

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v.

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FRONTIER CONSULTING, INC., a
corporation,

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Respondent.

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DECISION AND ORDER

This is a proceeding under the H-1 B provisions of the Immigration and Nationality Act, (“INA” or “the Act”), 8 U.S.C. § 1101 *et seq.* and the implementing regulations at 20 C.F.R. § 655.700 *et seq.* The Administrator and Frontier Consulting, Inc. have filed Consent Findings resolving all issues in dispute. The Consent Findings are marked for identification as ALJ No. 1, and are attached hereto and made a part hereof. The Court has examined the stipulations of fact and conclusions of law contained therein, and concludes that all issues in contest between the Administrator and Frontier Consulting, Inc. have been resolved. Accordingly,

IT IS ORDERED that the Consent Findings (ALJ No. 1) be, and the same hereby are APPROVED, and

IT IS FURTHER ORDERED that Frontier Consulting, Inc. shall pay to the Administrator, Wage and Hour Division, in the amount of \$2,500, within fifteen (15) days of the entry of this Order.

FINALLY, IT IS FURTHER ORDERED that the Consent Findings be made part of the record.

DATED: March 1, 2002

LEE J. ROMERO, JR.
Administrative Law Judge

Respondent hereby consents to entry of this
Decision and Order:

Complainant hereby requests entry of this
Decision and Order:

EUGENE SCALIA
Solicitor of Labor

WILLIAM E. EVERHEART
Regional Solicitor

MARGARET T. CRANFORD
Counsel for Wage and Hour

s/_____
ADAN G. VEGA
Attorney

Adan G. Vega & Associates, P.C.
2918 Bagby, Suite 200
Houston, Texas 77006

s/_____
MADELEINE T. LE
Attorney

U.S. Department of Labor
Office of the Solicitor
525 Griffin Street, Suite 501
Dallas, TX 75202

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Respondent.

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CONSENT FINDINGS

Comes now Complainant, the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, and Respondent, Frontier Consulting, Inc. and file the following Consent Findings:

1. Frontier Consulting, Inc. was at all times relevant a corporation with its principal place of business and mailing address at 10101 Southwest Freeway, Suite 400, Houston, Texas 77074.

2. During the period from April 1998 through April 2000, Respondent employed H-1B nonimmigrants and were covered by the H-1B provisions of the Immigration and Naturalization Act ("INA" or "the Act"), 8 U.S.C. § 1101 *et seq.* and the implementing regulations at 20 C.F.R. § 655.700 *et seq.*

3. Complainant agrees to withdraw the Administrator's determination letter. Respondent agrees to withdraws its objections to the Administrator's determination letter and request for hearing.

4. Without admitting that it has violated the Act and to avoid incurring additional litigation expenses and attorney's fees, Respondent stipulates and agrees that it will pay to the United States Department of Labor, Wage and Hour Division the sum of \$2,500.

5. Complainant and Respondent agree that the order submitted to the Court along with these Consent Findings shall have the same force and effect as an order made after full hearing.

6. Complainant and Respondent agree that the entire record on which any order of the Court may be based shall consist solely of these Consent Findings.

7. Complainant and Respondent waive any further procedural steps before the Office of Administrative Law Judges and the Administrative Review Board regarding the matters that are the subject of these consent findings and order.

8. Complainant and Respondent waive any rights to challenge or contest the validity of the decision and order entered into in accordance with these consent findings.

9. Complainant and Respondent agree to bear their own attorney's fees, costs and other expenses incurred by such party in connection with any stage of the above-referenced proceeding including, but not limited to, attorney's fees which may be available under the Equal Access to Justice Act, as amended.

EUGENE SCALIA
Solicitor of Labor

WILLIAM E. EVERHEART
Regional Solicitor

MARGARET T. CRANFORD
Counsel for Wage and Hour

s/_____
ADAN G. VEGA
Attorney

Adan G. Vega & Associates, P.C.
2918 Bagby, Suite 200
Houston, Texas 77006

Signed this 13th day of
February, 2002.

s/_____
MADELEINE T. LE
Attorney

U.S. Department of Labor
Office of the Solicitor
525 Griffin Street, Suite 501
Dallas, TX 75202

Signed this 25th day of
February, 2002.