



**Issue date: 09Sep2002**

Case No. 2002-LCA-9

In the Matter of

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

Prosecuting Party

v.

MILLENNIUM WORLDWIDE CONSULTING, LLC

Respondent

Before: RUDOLF L. JANSEN  
Administrative Law Judge

DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT

The U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division issued a determination letter alleging violations of the H-1B provisions of the Immigration and Nationality Act of 1952 as amended by the Immigration Act of 1990, the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991 and the American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) (Title IV of Pub. L. 105.277, Oct. 21, 1998; 112 Stat. 2681) found at 8 U.S.C. §1101, et seq.; 8 U.S.C. 1101(a)(15)(H)(i)(b). The Prosecuting Party determined that the Respondent had failed to pay wages required in violation of §§ 655.731 and 655.805(a)(2) of the regulations; and had failed to maintain documentation as required by §§ 655.731(b) and 655.760(c).

On August 29, 2002, the parties filed a Settlement Agreement and Consent Findings which were signed by counsel for both parties and also by a management representative of Millennium Worldwide Consulting, LLC. The agreement seeks to settle and resolve all controversies and claims existing as a result of the Prosecuting Party's investigation. By way of the settlement, the Respondent agrees to pay in full and complete settlement of all issues the sum of \$7,200.00 representing an agreed amount of back wages, plus interest, to be paid to the H-1B non-immigrant identified in Appendix A which is attached to the Consent Findings. The back wage payments are

to be made in thirty-six monthly installments of \$209.38 which includes interest at the rate of three percent on the outstanding balance as set forth and described in Appendix A. The payments are to commence on September 1, 2002 and conclude on August 1, 2005. The total payments represent back wages plus interest and require a total gross wage payment of \$7,537.84. Certain other conditions also attach to the payments all as outlined in the Settlement Agreement and Consent Findings.

The Rules of Practice and Procedure for Administrative Hearings for the Office of Administrative Law Judges found at 29 C.F.R. Part 18 are applicable to this proceeding. 20 C.F.R. §655.825(a).

### ORDER

Upon a review of the record, the Settlement Agreement and Consent Findings are formally approved. IT IS ORDERED that:

1. This Order shall have the same force and effect as an Order made after full hearing;
2. The entire record upon which this Order is based shall consist solely of the Administrator's Determination Letter and the Settlement Agreement executed by the parties;
3. Any further procedural steps before this office are waived; and
4. Any rights to challenge or contest the validity of this Order entered into in accordance with this agreement are hereby waived.

IT IS FURTHER ORDERED that this matter is hereby dismissed with prejudice.

Rudolf L. Jansen  
Administrative Law Judge