



DATE: NOV 3, 1995
CASE NO. 94-MSP-18

In the Matter of

ROBERT L. REICH, SECRETARY OF LABOR
U.S. DEPARTMENT OF LABOR

Plaintiff

v.

ABEL SANTIAGO

Respondent

BEFORE: RUDOLF L. JANSEN
Administrative Law Judge

DECISION AND ORDER

This proceeding arises under the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. Section 1801, *et seq.*, and the regulations issued thereunder found at 29 C.F.R. Part 500. On August 31, 1994, an Order of Reference was issued whereby the Plaintiff asserted a civil money penalty in the amount of \$47,825 against the Respondent based upon violations of the Act. A hearing was requested by the Respondent on the determination made by the U.S. Department of Labor.

By agreement of the parties, consent findings have been duly executed and entered into, and are set forth in a document entitled "Consent Order and Settlement," a copy of which is attached hereto and incorporated herein by this reference. The agreement satisfies the procedural requirements stated at 29 C.F.R. Section 500.232.

IT IS ORDERED that imposition of civil money penalties, as modified by the Complainant, in the amount of \$5,000.00 is affirmed and that payment of these penalties shall be made by the Respondent in strict accordance with the terms of the settlement agreement.

IT IS ALSO ORDERED that in accordance with 29 C.F.R. Section 500.262(f) the

Consent Order and Settlement and this Decision and order shall constitute the Final Order of the Secretary of Labor and shall have the same effect as an Order issued following a formal hearing.

Rudolf L. Jansen
Administrative Law Judge