

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
BOSTON, MASSACHUSETTS

Issue Date: 17 June 2024

CASE NO.: 2024-TNE-00011

In the Matter of:

**ADMINISTRATOR, WAGE AND HOUR DIVISION,
UNITED STATES DEPARTMENT OF LABOR,**
Prosecuting Party,

v.

**TECTA AMERICAN CORPORATION
d/b/a THE MELANSON COMPANY,**
Respondent.

ORDER APPROVING CONSENT FINDINGS

This proceeding arises from a complaint filed under the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(b); 1184(c)(14) (the “Act”), and the implementing regulations set forth at 20 C.F.R. Part 655, subpart A (2015) and 29 C.F.R. Part 503 (2015).

On June 14, 2024, the parties filed Settlement Agreement and Consent Findings (“Consent Findings”) wherein the parties agreed to the civil monetary penalty Respondent will pay in the amount of \$28,829.17. By paying these amounts and entering into this Agreement, Respondent neither admits nor denies the Administrator’s allegations in this case.

The parties further agree, as required by 29 C.F.R. § 503.49(b)(1)-(4) and 29 C.F.R. § 18.71(b), that: (1) the entire record upon which this Order is based shall consist of the Administrator’s determination letter and attachments thereto and the parties’ agreement; (2) the parties waive any further procedural steps before the Administrative Law Judge and waive any right to challenge or contest the validity of the Consent Findings and this Order issued in

accordance with the parties' agreement; and (3) the Consent Findings and this Order shall have the same force and effect as an order made after a full hearing.

Section 503.49(d) provides that the presiding Administrative Law Judge shall accept any agreement containing consent findings if he or she "is satisfied with its form and substance." 29 C.F.R. § 503.49(d). After reviewing the terms of the agreement, I am satisfied that the agreement conforms to the requirements set forth in section 503.49(b)(1)-(4) and is a satisfactory resolution of the issues previously contested.

The terms of the Consent Findings are **APPROVED**, and they are adopted and incorporated in full into this Order.

SO ORDERED.

JONATHAN C. CALIANOS
Administrative Law Judge

Boston, Massachusetts

SERVICE SHEET

Case Name: Wage_and_Hour_Divisi_v_Mucha_

Case Number: **2024TNE00011**

Document Title: **ORDER APPROVING CONSENT FINDINGS**

I hereby certify that a copy of the above-referenced document was sent to the following this 17th day of June, 2024:

Matthew M. Schmall
PARALEGAL SPECIALIST

zzWHD-ALJ-Orders@dol.gov
Administrator
Wage and Hour Division
U. S. Dept. of Labor
Room S-3502, FPB
200 Constitution Ave., N.W.
WASHINGTON DC 20210

{Electronic - Regular Email}

Associate Solicitor Fair Labor Standards
FLS-Filings@dol.gov
Associate Solicitor
Division of Fair Labor Standards
U. S. Department of Labor
Room N-2716, FPB
200 Constitution Ave., N.W.
WASHINGTON DC 20210

{Electronic - Regular Email}

Boston Regional Solicitor
Regional Solicitor
U. S. Department of Labor
JFK Federal Building
25 New Sudbury Street, Room E-375
BOSTON MA 02203

{Electronic - Regular Email}

Sheila Gholkar
gholkar.sheila.a@dol.gov
DOL-SOL
JFK Federal Building-Suite E-375
BOSTON MA 02203
{Electronic - Regular Email}

Matthew Mucha
mattmucha@gmail.com
The Melanson Company, A Tecta America Company, L
PO Box 523
KEENE NH 03431
{Electronic - Regular Email}

