UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES
ATLANTA BRANCH OFFICE

DOMSEY TRADING CORPORATION, DOMSEY FIBER CORPORATION AND DOMSEY INTERNATIONAL SALES CORPORATION, A Single Employer AND ARTHUR SALM, Individually

and

INTERNATIONAL LADIES' GARMENT WORKERS' UNION, AFL-CIO

LOCAL 99, INTERNATIONAL LADIES' GARMENT WORKERS UNION, AFL-CIO

Cases 29–CA–14548
29–CA–14619
29–CA–14681
29–CA–14735
29–CA–14845
29–CA–14853
29–CA–14896
29–CA–14983
29–CA–15012
29–CA–15119
29–CA–15124
29–CA–15137
29–CA–15147
29–CA–15323
29–CA–15324
29–CA–15325
29–CA–15332
29–CA–15393
29–CA–15413
29–CA–15447
29–CA–15685

Aggie Kapelman, Esq. **and** ***Kathy Drew King, Esq.,***
for the General Counsel.
Errol F. Margolin, Esq. **and** ***Philip Pierce, Esq.,***
for the Respondent Arthur Salm.
Scott Markowitz, Esq.,
for David Salm/Party in Interest.[1]

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[1] Attorney Markowitz appeared only for the first day of hearing on remand in order to make a motion on behalf of his client.

FIFTH SUPPLEMENTAL DECISION

MICHAEL A. MARCIONESE, Administrative Law Judge. The long and tortuous history of this case began in 1989 when employees of the Respondent, Domsey Trading Corporation and its affiliated companies, a single employer, began their union organizing drive. On March 23, 1993, the Board issued its initial decision in this case finding that the Respondent committed numerous unfair labor practices in response to its employees' efforts to seek union representation, including the unlawful discharge of several employees and the unlawful failure to reinstate 202 unfair labor practice strikers in August 1990. *Domsey Trading Corp.,* 310 NLRB 777 (1993). The Respondent was ordered to, inter alia, reinstate the discharged employees and unreinstated strikers and make them whole for any loss of earnings and benefits they may have suffered.[2] The Board's Order was enforced by the Court of Appeals on February 18, 1994. *Domsey Trading Corp. v. NLRB,* 16 F.3d 517 (2d Cir. 1994).

Because the parties were unable to agree on the amount of backpay owed the discriminatees, a compliance proceeding was commenced. I presided over the compliance hearing on various dates between October 27, 1997, and January 29, 1999. During the course of the hearing, approximately three quarters of the 202 discriminatees appeared and were questioned by the Respondent regarding their backpay claims. Following existing precedent, I limited Respondent's questioning of the discriminatees with respect to their immigration status.[3] On October 4, 1998, I issued the first supplemental decision in this case, awarding backpay to 187 named discriminatees.[4] On September 27, 2007, about 8 years later, the Board issued its first Supplemental Decision and Order addressing the Respondent's exceptions to my decision. *Domsey Trading Corp. II,* 351 NLRB 824 (2007). While the case was pending at the Board, the Supreme Court issued its decision in *Hoffman Plastics Compound v. NLRB,* 535 U.S. 137 (2002), holding that individuals not authorized to work in this country were not entitled to backpay under the Act. Based on *Hoffman Plastics,* the Board reversed the backpay award to four discriminatees who had admitted at the hearing that they were undocumented. The Board, inter alia, remanded the case to me for further determination as to the immigration status of six discriminatees. The Board upheld the award of backpay, with modifications, to the remaining discriminatees.

On September 25, 2008, the Board issued a Second Supplemental Decision and Order adopting the Regional Director's recalculation of backpay and adopting my findings on remand regarding the immigration status of the six discriminatees whose status was then in dispute. *Domsey Trading Corp. III,* 353 NLRB 86 (2008).[5] The Board thereafter sought

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[2] There is no dispute that the backpay period ended on August 20, 1991, the date the Respondent made a valid offer of reinstatement to the strikers as a group.

[3] *A.P.R.A. Fuel Oil Buyers Group, Inc.,* 320 NLRB 408 (1995), enfd. 134 F.3d 50 (2d Cir. 1997).

[4] Twelve discriminatees were found to have no backpay owed. In addition, during the course of the hearing, the Respondent satisfied the backpay claims of three employees whose claims were for nominal amounts.

[5] This Order issued at a time when the Board was reduced to two sitting members. After the Supreme Court's decision in *New Process Steel, L.P. v. NLRB,* 130 S.Ct. 2635 (2010), the Board

enforcement of its Second Supplemental Decision and Order in the Second Circuit. On February 18, 2011, the Court of Appeals denied enforcement of the Board's order. The court, in denying enforcement, found that the Board erred by failing to consider the Respondent's objections to my pre-*Hoffman Plastics* evidentiary rulings that limited the Respondent's questioning of backpay claimants regarding their immigration status. The court concluded that the Board had "abused its discretion by failing to remand the case to the administrative law judge for further proceedings consistent with *Hoffman." NLRB v. Domsey Trading Corp.,* 636 F.3d 33, 38 (2d Cir. 2011). On December 30, 2011, the Board issued its Fourth Supplemental Decision and Order Remanding. *Domsey Trading Corp. V,* 357 NLRB No. 164 (2011). The Board remanded the proceeding to me for "further appropriate action" consistent with the Second Circuit's decision. Specifically, the Board directed that I "afford the parties an opportunity to present evidence on the remanded issue subject to those limits generally approved by the court…." Id.[6]

I held a hearing on the remanded issues on various dates between June 26 and September 20, 2012. Thereafter, counsel for the Acting General Counsel and for Respondent Arthur Salm filed briefs.[7] Having considered the testimony and evidence and the parties' briefs and arguments made at the hearing, I issue the following supplemental decision.

The Issue on Remand

As noted above, the Board, in its remand order, directed that I "afford the parties an opportunity to present evidence on the remanded issue subject to those limits generally approved by the court." 357 NLRB No. 164, supra. In remanding the case, the Court of Appeals held that, post-*Hoffman,* an employer may question discriminatees regarding their immigration status. However, the court also recognized the Board's right to preserve the integrity of its proceedings by fashioning evidentiary rules regarding such questioning. The only guidance provided by the court with respect to such "evidentiary rules" can be found in the following quote:

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issued another Second Supplemental Decision and Order, from a three-member panel, reaffirming the earlier two-person decision. *Domsey Trading Corp. IV,* 355 NLRB 520 (2010).

[6] While this case was pending before the Board and the court, the Respondent went out of business and liquidated its assets. The General Counsel, in a separate proceeding before a different administrative law judge that was also part of the compliance phase of this case, sought to pierce the corporate veil and hold Arthur Salm, an owner of the Respondent, personally liable for the backpay award. On December 30, 2011, the Board issued its Third Supplemental Decision and Order finding Salm personally liable. *Domsey Trading Corp. V,* 357 NLRB No. 180 (2011). The Court of Appeals enforced this order on January 30, 2013. *Estate of Arthur Salm v. NLRB,* 12-378-cv(L) (2013). The other owners of the company have entered into settlement agreements contingent on a finding that Arthur Salm was personally liable.

[7] The Respondent corporate entities no longer exist. Respondent Arthur Salm appeared by counsel at the remanded hearing. Salm died on October 8, 2012, after the close of the hearing. His counsel has continued to represent his estate in this matter.

> The only limits the Board may place on cross-examination are the usual limits the presider may place on cross-examination. Such a limit may, for instance, require an employer, before embarking on a cross-examination of a substantial number of claimants, to proffer a reason why its IRCA-required verification of immigration status with regard to a particular claimant now seems questionable or in error.

636 F.3d at 38.

In *Flaum Appetizing Corp.,* 357 NLRB No. 162 (2011), issued the same day as the remand order in this case, the Board addressed the procedural requirements for raising an immigration related affirmative defense after *Hoffman Plastics*, supra. The Board noted the rationale of the Second Circuit in this case, including the court's recognition of the Board's right to fashion rules preserving the integrity of the Board's processes. The Board concluded that an employer raising immigration status of discriminatees as an affirmative defense must lay an evidentiary foundation for questioning a discriminatee's eligibility for backpay based on his or her immigration status. To hold otherwise would allow a respondent to abuse the Board's processes by essentially engaging in a baseless fishing expedition and thus shift the burden onto the General Counsel to prove that every discriminatee was either a U.S. citizen or documented immigrant.

Following the Board's remand, I held several conference calls and allowed the parties to submit memoranda in order to determine how to provide the Respondent the opportunity to question the discriminatees while ensuring that the integrity of the Board's processes, particularly in a backpay proceeding, were preserved.[8] The General Counsel argued that there were no more than 33 discriminatees whose immigration status was open to question based on the record from the prior hearing. In contrast, counsel for Respondent Arthur Salm insisted that, to comply with the Court's remand, it was necessary to recall all of the discriminatees who could still be located. Before the hearing opened and during the hearing, I offered the Respondent an opportunity to come forward with evidence that would establish an evidentiary foundation for questioning the disriminatees, noting that some of the discriminatees were citizens, others had their immigration status determined in prior decisions in this case and that there was evidence from an expert witness called by Respondent at the initial compliance hearing suggesting that a large number of discriminatees had valid social security numbers during their employment with the Respondent. In addition, discriminatees who were hired after enactment of the Immigration Reform and Control Act of 1986 would have been required to furnish documents establishing their authorization to work in this country when hired.[9] In the case of those individuals, the Respondent should provide at least some basis for questioning the validity of documents it previously found acceptable when it hired them. Nevertheless, throughout these proceedings, Respondent Arthur Salm, through counsel,

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[8] Nothing in the court's decision disturbed the longstanding rule in compliance proceedings that this issue, as any other issue that would reduce or eliminate a backpay award, is a respondent's burden to plead and prove. *Flaum Appetizing Corp.,* supra, slip op. at 4. See also *NLRB v. Mastro Plastics Corp.,* 354 F.2d 170, 178 (2d Cir. 1965); *NLRB v. Brown & Root, Inc.,* 311 F.2d 447, 458 (8th Cir. 1963); *Hansen Bros. Enterprises,* 313 NLRB 599, 600 (1993).

[9] That statute imposed penalties on employers who knowingly hired undocumented aliens and required submission of proof of work authorization for all new employees.

demanded that all discriminatees be required to appear at the hearing on remand. The only concession Respondent ultimately made was to agree that discriminatees whose status had already been determined by stipulation or decision would not have to testify again.

Before opening the hearing on remand, I ruled that the Respondent would be limited to questioning those 33 discriminatees identified by the General Counsel, absent some proffer of evidence that would justify recalling any additional discriminatees to answer questions regarding their immigration status. By the close of the hearing, the Respondent had not come forward with any such evidence. As will be shown, there is sufficient evidence in the record to make a determination as to the immigration status of all of those discriminatees who are not missing.

Evidence Regarding Immigration Status

As noted previously, Respondent, during the initial compliance hearing, called an expert witness on the social security system, Andrea Azarm. She did an analysis of the social security numbers of all of the discriminatees that the Respondent had on file and prepared a report showing whether the numbers were valid and whether more than one individual had utilized a particular number. Her report showed that 117 of the discriminatees had valid social security numbers. Although such evidence is not conclusive as to the question of lawful immigration status, it was some evidence that those individuals were authorized to work in this country. Absent contrary evidence, one may infer that the individual holding a valid social security number was authorized to work during the backpay period.

In addition to this evidence, the Respondent had been permitted at the first compliance hearing to question employees who were hired before enactment of the IRCA of 1986 on the basis that the Respondent would not have examined their immigration status before it was legally required to do so by that statute. There were 14 discriminatees in this category who were in fact questioned by the Respondent's then-counsel.[10] As to three discriminatees whose backpay period was brief, the Respondent's then-counsel waived its right to question them regarding their immigration status during the first compliance hearing.[11] As noted above, in the First Supplemental Decision in this case, the Board had remanded the issue of the immigration status of six discriminatees. The documented status of three of those individuals was resolved in the Second Supplemental Decision.[12]

As noted, my prehearing ruling limited the number of discriminatees who would be recalled to testify to 33, absent a showing, never made, that additional discriminatees were subject to further examination regarding their immigration status. At the opening of the

[10] Virgelie Anier, Inovia Brutus, Ghislane Caristhene, Marie Jean Charles, Therese Jean, Leanna Joseph, Marie Rose Joseph, Nevius Lambert, Jean Michelet Louisma, Marie Louisma, Marie Mondestin, Milton Allan Ramos, Antoinette Romain, and Monique Samedy.

[11] Ana Hernandez, Feliciano Reyes, and Marie Thelismond.

[12] Atulie Balan, Bardinal Brice, and Marie Jose Francois were found to have been legally authorized to work based on a stipulation of the parties. The General Counsel withdrew the backpay claims of two individuals, Michelet Jean Exavier and Rose Marlene Ste. Juste. The sixth, Rene Geronimo, had gone missing after the first hearing and his status could not be determined.

hearing on remand and during the hearing, the Acting General Counsel withdrew the backpay claims of the following nine discriminatees based on an administrative determination that they did not have authorization to work during the backpay period:

Eloge Jean Baptiste
Marie C. Camille
Adrian Castillo
Rufino Guity
Marie May Joseph
Hilda Medina
Rufino Norales
Oscar Nuñez
Agare Victor.

After the hearing closed, counsel for the Acting General Counsel requested, by motion, to withdraw the claim of a 10th discriminatee, Andreze Andral. I hereby grant that motion.

During the course of the hearing, after several witnesses had testified and based on documentation provided by counsel for the Acting General Counsel, the Respondent stipulated that the following 15 individuals were legally authorized to work in this country during all or part of the backpay period:

Francois Alexandre	Joseph Aris
Eugenie Charles	Anne Cidieufort
Gertha Denaud	Jean Joseph Eliacin (a/k/a Jean Bonny)
Eduardo Roman Feliciano	Luis Ramos Frederick
Marie Gressau	Evodia Joseph
Idiemise Lovinske	Marie Narcisse
Juana Peralta	Romulo Ramirez
Kathy Touissaint[13]	

In addition to those discriminatees whose status was determined at the remanded hearing by stipulation or withdrawal of their claims, there were two other discriminatees, and the daughter of a third who had died since the first compliance hearing, who were questioned under oath by counsel for Respondent Arthur Salm at this hearing:

Jean Sigay Pierre had been missing at the time of the first compliance hearing. He appeared at the hearing on remand pursuant to subpoena and testified regarding his immigration status as well as his efforts to find interim employment during the backpay period. Pierre admitted that when he first came to the United States from Haiti in 1980 he

[13] Touissaint had been missing at the time of the first hearing. When she appeared at the hearing on remand, the Respondent was given the opportunity to question her regarding her immigration status as well as her efforts to find interim employment during the backpay period. The Respondent stipulated to her lawful immigration status and elected not to question her regarding mitigation issues.

was not legal. He testified that he was fleeing oppression in Haiti along with many others.[14] Pierre was arrested in Florida, where he entered the country, but ultimately was released and obtained work authorization papers, including a social security card and green card in 1981. The report by the Respondent's expert, Azarm, confirms that this number was issued in Florida in 1980 or 1981. Pierre produced his alien registration card (i.e., his "green card") and the parties stipulated that it showed he was admitted to this country on January 1, 1982, well before the backpay period. Pierre also testified that he looked for work during the backpay period. Although he could not recall any specifics regarding his search for work more than 20 years ago, documents produced by the General Counsel show that he did find interim employment, with Forward Industries, in the second quarter of 1991. The Respondent offered no evidence to rebut Pierre's testimony or to show that the alien registration card and social security number Pierre presented at the hearing were not valid. Accordingly, I find that the Respondent has not met its burden of showing that Jean Pierre Sigay was ineligible for backpay under *Hoffman Plastics Compound v. NLRB,* 535 U.S. 137 (2002). I also find that Pierre's testimony is sufficient to show that he attempted to mitigate backpay by seeking and obtaining interim employment during the backpay period, I note that his lack of recall is understandable due to the extraordinary passage of time since the backpay period. See *Laredo Packing Co.,* 271 NLRB 553, 556 (1984); *United Aircraft Corp.,* 204 NLRB 1068, 1068 fn. 4 (1973).

Jose Valentin is another discriminatee who had been missing at the time of the first compliance hearing but was located by the General Counsel in time to testify at the remanded hearing. He appeared pursuant to subpoena and was questioned under oath regarding his immigration status. Although given an opportunity to question him regarding his efforts to find interim employment, counsel for Respondent did not do so. According to Valentin, he came to the United States from Honduras on February 24, 1987. His father was already living here and arranged for his entry into the country. Valentin produced his alien registration, or "green," card and the parties stipulated that it showed he was admitted on February 24, 1987, and that it is valid through April 15, 2018. Valentin also produced his social security number and testified that it is the only number he has used since 1987. The report by the Respondent's expert, Azarm, also revealed that the social security number provided by Valentin to the Respondent during his employment was issued in 1987. The Respondent offered no evidence to contradict Valentin's testimony, nor did the Respondent attempt to show that the green card produced at the hearing was not valid. Accordingly, I find that the Respondent has not met its burden of showing that Jose Valentin was ineligible for backpay under *Hoffman Plastics,* supra. Because Respondent chose not to question Valentin regarding mitigation issues, it has not met its burden of showing any willful loss of earnings or other failure to mitigate backpay.

Marie Ahrendts testified at the initial compliance hearing but had passed away by the time of the remand. Her daughter, Betty Ahrendts, appeared and testified regarding her mother's immigration status. Betty Ahrendts testified that her mother came to the United States from Haiti in 1976 when her father, who was already here, sent for her. Betty Ahrendts testified that her mother received her green card at the airport and that she had authorization to work during the backpay period. The Respondent offered nothing to contradict this

[14] I will take notice that Haiti was ruled by the Duvalier regime at the time that Pierre and many of the other Haitian employees came to the United States, seeking freedom.

testimony and I find no reason to discredit it. The testimony is consistent with evidence that the General Counsel obtained from the Department of Homeland Security, US Citizenship and Immigration Services (USCIS), to be discussed infra, regarding the status of individuals who enter the US as a relative of a permanent resident or citizen. Accordingly, I find that the Respondent has not met its burden of proving that Marie Ahrendts was ineligible for backpay under *Hoffman Plastics,* supra.

Finally, five of the discriminatees who were required to appear and testify at the hearing on remand did not appear, despite having been subpoenaed by counsel for the Acting General Counsel. Counsel for the Acting General Counsel has requested that they be treated as missing discriminatees and that any backpay they are owed be placed in escrow in accordance with *Starlite Cutting I,* 280 NLRB 1071 (1986), as clarified in *Starlite Cutting II,* 284 NLRB 620 (1987). Counsel for the Respondent argues that an adverse inference should be drawn from their failure to appear and no backpay should be awarded to these discriminatees.

Counsel for the Acting General Counsel, at my request, placed in evidence the subpoenas that were served and the report of attempts at service. The documents in evidence do not show that four of the five ever received the subpoenas.[15] Although sent to each discriminatee's last known address, they were either left at the front door, or returned as undeliverable, or signed for by someone else. As the Board noted in the Second Supplemental Decision, addressing Geronimo's absence during the first remand

> Because the General Counsel could not locate Geronimo, we cannot know why Geronimo failed to participate in the remand proceeding. Thus, it would be inappropriate to draw an adverse inference from his absence.

Domsey Trading Corp. III, 353 NLRB 86, 87 (2008).

The facts regarding Rachelle Louissaint, the other discriminatee who failed to appear, are somewhat different. There is no dispute that she received the subpoena to appear at the opening of the remanded hearing in June. Counsel for the Acting General Counsel spoke to her at that time and gave her a date and time to appear. Counsel spoke to her again, after she did not show up on her scheduled date and reported that Louissaint had explained that she did not come to the hearing because she had been unable to get the day off from work. At my instruction, counsel for the Acting General Counsel served another subpoena on Louissaint to appear when the hearing resumed in September after a hiatus. This time, the delivery service reported that the subpoena had been left at the front door at the same address where Louissaint had received the first subpoena. Louissaint did not appear, nor did she attempt to contact counsel. Efforts by counsel for the Acting General Counsel to contact her were unsuccessful. Under these circumstances, I conclude that this is not the case of a "missing" discriminatee, but rather of a witness who has been located but does not wish to testify. Accordingly, I shall draw an adverse inference from Louissaint's failure to appear per subpoena on two occasions and shall deem her ineligible for backpay.

[15] Rene Geronimo, Nilda Matos, Alta Meuze, and Marcos Pitillo.

As briefly noted above, the record contains evidence obtained by counsel for the Acting General Counsel from USCIS. This evidence consists of a sworn statement from Trisha Sparrow, identified as a Supervisory Immigration Services Officer for Adjudications at the DHS USCIS National Benefits Center in Lee's Summit, Missouri. At the request of counsel for the Acting General Counsel, Sparrow had reviewed the records of USCIS to determine the status of 11 discriminatees whose names were submitted by counsel for the Acting General Counsel. Counsel for the Respondent, while noting that there were foundational and admissibility issues with respect to Sparrows' declaration, stated on the record that he accepted it as factual. Based on the facts contained in Sparrow's statement, the Respondent stipulated to the eligibility of a number of the discriminatees, as set forth above. In addition, based on information provided by Sparrow, counsel for the Acting General Counsel withdrew the claim of one of the discriminatees.

While not objecting to Sparrow's statement, counsel for the Respondent requested that I direct the Acting General Counsel to make a similar request for information regarding the immigration status for all remaining discriminatees whose backpay claims were still outstanding and whose status had not been resolved. Counsel for the Acting General Counsel objected on the basis that the Respondent had not met its burden of showing a basis for questioning the immigration status of the remaining 100 plus discriminatees. After careful consideration, and tempted by the prospect of an efficient means of resolving any question regarding the discriminatees' immigration status, I nevertheless rejected the Respondent's request. Nothing in the court or the Board's decisions remanding this case overturned the well-established precedent regarding the parties' respective burdens in a compliance case. I was concerned with establishing a dangerous precedent if I were to require the General Counsel in this case to submit the names of all of the remaining discriminatees to USCIS in order to determine whether each had authorization to work in this country during the backpay period. To do so would essentially shift the burden to the General Counsel in a backpay proceeding to prove that a discriminatee was eligible to receive backpay under *Hoffman Plastics,* supra. Such a change in precedent is for the Board to decide. Accordingly, I adhere to my ruling denying the Respondent's request.

CONCLUSION

Having resolved the issue with respect to the immigration status of the 33 discriminatees for whom a legitimate question was raised on remand, and the Respondent not having come forward with any evidence that would warrant subjecting the remaining discriminatees to further inquiry regarding their immigration status during the backpay period, I conclude that the amount owed to each of the named discriminatees is as set forth in the attached appendix A and that the Respondent must pay those amounts, with interest, to comply with the Board's Order in the underlying unfair labor practice case.

On these findings of fact and conclusions of law and on the entire record, I issue the following recommended[16]

[16] If no exceptions are filed as provided by Sec. 102.46 of the Board's Rules and Regulations, the findings, conclusions, and recommended Order shall, as provided in Sec. 102.48 of the Rules, be adopted by the Board and all objections to them shall be deemed waived for all purposes.

ORDER

The Respondent, Domsey Trading Corporation, Domsey Fiber Corporation, Domsey International Sales Corporation, Brooklyn, New York, and Arthur Salm, individually, their officers, agents, successors and assigns, shall pay to each of the discriminatees named in attached appendix A the amounts set forth opposite their respective names, with interest at the rate prescribed in *New Horizons for the Retarded*, 283 NLRB 1173 (1987), compounded daily as prescribed in *Kentucky River Medical Center,* 356 NLRB No. 8 (2010).

The Respondent. Domsey Trading Corporation, Domsey Fiber Corporation, Domsey International Sales Corporation, Brooklyn, New York, and Arthur Salm, individually, their officers, agents, successors, and assigns, shall pay the amounts set forth in appendix B opposite the name of each missing discriminatee to the Regional Director for Region 29 of the National Labor Relations Board, with said amounts to be held in escrow for a period not to exceed 1 year from the date the Respondent complies with this order by making such payment, or the date the Board's Supplemental Decision and Order becomes final including any enforcement thereof. At the end of the 1-year period, funds deposited in the name of any discriminatee whom the General Counsel has still not located shall be returned to the Respondent and the backpay award shall lapse as to that individual unless the individual demonstrates at a later date some compelling reason for failing to come forward within the escrow period.

Dated, Washington, D.C. May 22, 2013

Michael A. Marcionese
Administrative Law Judge

APPENDIX A

Last Name	First Name	Net Backpay
Abreu	Rosa	1,664.00
Adolphe	Jean Max	10,320.20
Ahrendts	Marie	4,208.00
Alexandre	Francois	6,143.55
Amador	Cesar	148.37
Andre	Andrea	588.00
Anier	Viergelie	4,716.00
Aris	Joseph	7,627.75
Armand	Marie Rose	5,313.00
Arzu (Zapata)	Alberto	2,574.64
Augustin	Marie	7,004.38
Balan	Atulie	5,500.95
Balan	Jean	6,917.40
Jean Baptiste	Ronald	700.00
Benoit	Gerda	3,658.00
Bernard	Gladys	3,454.00
Blanc	Edaize	1,408.60
Bonny Eliacin	Jean Joseph	3,714.15
Brice	Bardinal	4,401.00
Brutus	lnovia	7,438.00
Camille	Claire	554.23
Camilus	Gertha	6,396.00
Carasco	Solange	564.00
Caristhene	Ghislaine	5,815.55
Casseus	Marie	5,545.36
Castillo	Simion	5,738.87
Castor	Rose Marie	1,817.54
Ceptus	Wilner	8,182.15
Charles	James Anthony	12,150.55
Charles	Brigitte	586.50
Charles	Cecile	3,319.82
Charles	Eugenie	783.40
Jean-Charles	MarieS.	4,014.94
Choute	Alourdes	3,278.00
Cidieufort	Anne	2,176.00
Contreras	Ana	5,590.00
DeLeon	Jose	6,802.00
Delva	Christian	7,578.30
Denaud	Gertha	5,534.00
Denis	Jesula	5,338.11
Dormetus	Francesca	196.03
Dormeville	Antoine L.	928.75
Duvivier	Adeline	2,213.75
Estivaine	Marie	2,044.00

Feliciano	Eduardo Roman	6,843.00
Fleurimonde	Yvette	368.00
Flores	Marion D.	3,952.00
Jean Francois	Marie	5,457.10
Frederick	Luis Ramos	3,241.25
Georges	Murat	1,562.60
Gomez	Rafael	59.84
Gresseau	Marie	6,528.35
Guerrier	Banilia	4,777.00
Guervara	Tomas	291.00
Guity	Pablo	1,254.00
Hernandez	Ana	6,008.00
Heurtelou	Yolanda	6,976.00
Jacques	Marie	320.00
Jean	Louis P.	767.82
Jean	Therese	6,633.10
Joseph	Acces	4,033.14
Joseph	Clorina	380.00
Joseph	Evodia	4,416.00
Joseph	Ghislaine	4,341.07
Joseph	Julmene	4,793.00
Joseph	Leanna	5,323.51
Joseph	Marc Olyns	5,040.00
Joseph	Marie Rose	3,101.77
Kernizan	Ucemeze	4,118.86
Lacayo	Maximo	2,584.75
Lacrois	Mimose	323.63
LaFleur	Mureille	665.40
Lambert	Nevius	5,456.55
Leconte	Marie	1,031.44
Louisma	Marie	8,747.11
Louis	Alma	456.85
Louis	Marie N.	493.28
Louisma	Jean Michelet	3,994.53
Lovinske	Idiemese	644.00
Mack	Andrew	570.00
Malbranche	Pierre	855.69
Massena	Jesula	384.00
Mathieu	Marie Nicole	7,848.67
Mauvais	Rose Andre	1,293.38
Midy	Jean Demard	8,687.20
Mondestin	Marie	4,001.33
Narcisse	Marie	6,988.00
Olivier	Jean	2,893.00
Olivo	Carolina	1,008.00
Peralta	Juana	2,650.00
Philogene	Josette	576.00

Pierre	Jean Sigay	21,628.13
Pierre	Marie	412.00
Pierre-Louis	Ludovic	5,958.50
Porsenna	Miracia	6,047.46
Ramirez	Romulo	2,970.21
Ramos	Milton	7,516.00
Ramos	Orlando	4,123.00
Reyes	Chano	1,040.00
Raymond	Loficiane	460.00
Raymond	Violette	5,760.00
Robinson	Giles	28,376.29
Rochez	Rene	4,232.58
Rodrigue	Eddy	344.00
Romain	Antoinette	2,605.80
Romain	Marie	216.00
Rousseau	Marie	474.30
St. Felix	Margarett	2,938.26
Saintval	Joseph	3,462.34
Samedy	Monique	2,736.00
Simon	Richard	1,460.20
Suazo	Justo	6,578.44
Surin	Pierre-Antoine	255.40
Thelismond	Marie	530.69
Thomas	Anna	156.00
Toussaint	Kathy	4,519.49
Valentin	Jose L.	3,116.00
Vaval	Josette	6,916.00
Velasquez	Victor	8,007.18
Virgile	Joseph	2,087.15
Virgile	Wilfrid	460.00
Williams	Lourdes	1,781.25
Zama	Auguste	460.00
Zama	Dieulenveuz	5,107.78
Zama	Mulert	4,916.75
	Total Located	**485,040.26**

APPENDIX B

MISSING DISCRIMINATEES

Aquilar,	Dennis	5,298.15
Arzu,	Longina	8,356.00
Boni,	Hubert Florent	8,176.00
Camille,	Bertha	8,889.40
Castro,	Marcial Santos	8,889.40
Chiekh,	Sy	8,416.00
Cyprien,	Jean Robert	8,296.00
Delhia,	Immacula	8,416.00
Devillar,	Mercedes	8,416.00
Desinor,	Mezinette	7,360.00
Diawara,	Alama Amine	41.25
Diego,	Aparicia	6,952.00
Dorcius,	Voltaire	8,856.25
Dunn,	Jerome	8,308.00
Estimond,	Wilmide	8,416.00
Figueroa,	Hipolito	10,600.00
Frederique,	Marc	8,416.00
Germaine,	Michelet	8,416.00
Geronimo,	Rene	8,435.20
Gonzales,	Jose	12,958.50
Gonzalez,	Jose L.	12,587.50
Hernandez,	Maximo	8,416.00
Idiessa,	Sako	8,416.00
Labissiere,	Lourdes	8,416.00
Lacombe	Jean	8,416.00
Louis,	Marc Dala	8,889.40
Mayadou,	Diankha	8,416.00
Martinez,	Eduardo	8,416.00
Mathurin,	Fernande	5,186.00
Matos,	Nilda	6,996.00
Meredith,	Emilio	8,416.00
Meuze,	Alta	10,812.00
Miranda,	Miguel Flores	7,016.75
Morales,	Roberto	10,076.63
Nuñez-Reyes,	Irene S.	8,416.00
Ortiz,	Jose Angel	8,416.00
Ortiz,	William	9,168.25
Osias,	Freda	8,889.40
Palacios,	Alejandro	6,798.00
Pierluisse,	Reynaldo	845.00
Pierre,	Jacqueson	12,091.95

Pitillo,	Marcos	7,180.39
Senteno,	Laborian	8,680.00
Verrier,	Imanite	6,916.00
Total Missing		**359,789.42**
Total for all discriminates		**844,829.58**