

STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS

In the Matter of the Request for Review of:

**Antoun Jean Fata doing business as Fata Construction and Development** Case No. 18-0247-PWH

From a Civil Wage and Penalty Assessment issued by:

**Division of Labor Standards Enforcement**

**ORDER MODIFYING DECISION OF THE DIRECTOR OF  
INDUSTRIAL RELATIONS TO CORRECT CLERICAL ERROR**

Division of Labor Standards Enforcement (DLSE) moves for reconsideration of the Decision of the Director issued on July 14, 2020 (Decision) on the request to review the Civil Wage and Penalty Assessment (Assessment) issued against affected contractor Antoun Jean Fata dba Fata Construction and Development (Fata). DLSE's request to review is based on a clerical error contained in the Decision.

On page ten of the July 14, 2020 Decision, it is stated that workers employed on the Project by subcontractor Naya Services, Inc. were underpaid \$203,318.84. In the next paragraph it mistakenly states that under Labor Code section 1743, subdivision (a), Fata has joint and several liability for unpaid wages in the amount of \$84,010.00. The correct reference on page ten to Fata's joint and several liability for unpaid wages should read \$203,318.84, not \$84,010.00. The correct figure of \$203,318.84 as Fata's liability for unpaid wages, as intended by the Decision, is stated in the Findings of the July 14, 2020 Decision on pages 14 and 15, where \$203,318.84 in wages and \$203,318.84 in liquidated damages are listed as being due from Fata.

Labor Code section 1742, subdivision (b) states, in part, that “[w]ithin 15 days of the issuance of the decision, the director may reconsider or modify the decision to correct an error, except that a clerical error may be corrected at any time.” In this case, the correction sought by DLSE relates to a routine clerical error that does not affect the substance of the Decision.

Accordingly, it is within the Director’s authority to reconsider the Decision in order to make the correction. Good cause appearing,

IT IS ORDERED THAT DLSE’s request for reconsideration is granted and the Decision of the Director in this matter shall be and is hereby corrected as set forth in the attached Corrected Decision of the Director of Industrial Relations.

Dated: 7/22/20

/s/ Katrina S. Hagen   
Katrina S. Hagen, Director  
Department of Industrial Relations