

Department of Justice
U.S. Attorney's Office
Western District of Wisconsin

FOR IMMEDIATE RELEASE

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Rusk County Man Sentenced to 18 Months for False Statements to Federal Agencies Regarding Non-Citizen Workers

MADISON, WIS. – A Bruce, Wisconsin man was sentenced today for making false materials statements to the U.S. Department of Labor and to U.S. Citizenship and Immigration Services (USCIS), an agency of the U.S. Department of Homeland Security concerning foreign workers. The sentencing is announced by Timothy M. O'Shea, United States Attorney for the Western District of Wisconsin.

Alfredo Aguilar, 52, was sentenced today by Chief U.S. District Judge James D. Peterson to eighteen months in prison. Aguilar was ordered to pay restitution to the non-citizen workers in the amount of \$1,144,693.56 and a civil penalty in the amount of \$210,696.39. Aguilar pleaded guilty to these charges on January 13, 2023 and has paid over the full fine and restitution for the immigrant workers.

From 2015 until December 2018, Aguilar was a co-owner of Northwoods Forestry, Inc., a business based in Elewa, Wisconsin. Aguilar recruited workers from Mexico and Central America, known as H-2B workers, to work in forestry by planting and caring for trees and clearing and developing woodland. Through the H-2B program, employers are permitted to hire temporary workers from other countries to perform labor to address one-time, seasonal, intermittent, or peak needs. Northwoods Forestry agents made statements and attestations under oath to the Department of Labor and USCIS regarding the type of work the workers would do and the wages they would receive.

Aguilar admitted that he placed Northwoods Forestry H-2B workers with non-forestry employers, including in meat packing, construction, roofing, agriculture, painting, fur processing, and landscaping businesses, and that he assured those employers that the H-2B employees could legally work at their businesses when he knew that was not true. Aguilar also admitted that Northwoods Forestry did not pay the workers the highest applicable wages, did not pay the workers overtime, deducted the cost of safety boots from the wages of employees sent to work in meat packing, and deducted expenses and subsistence for transportation to and from the United States from the H-2B employees' pay, all contrary to their sworn statements to the Department of Labor.

"My office is committed to holding accountable those who exploit vulnerable workers," said U.S. Attorney O'Shea. "We will continue to work with the Department of Labor and our other law enforcement partners to investigate and prosecute such offenses."

"Alfredo Aguilar and co-conspirators made false statements to the U.S. Department of Labor in order to fraudulently obtain H-2B work visas. Aguilar and his co-conspirators failed to pay the required prevailing wages to the foreign workers he employed pursuant to that program. Today's sentencing is an affirmation of our efforts, along with those of our law enforcement partners and the U.S. Department of Labor's Wage and Hour Division, to pursue individuals who abuse the H-2B program for financial gain," said Irene Lindow, Special Agent-in-Charge, Great Lakes Region, U.S. Department of Labor Office of Inspector General.

“The Wage and Hour Division’s investigation that led to this result is a significant accomplishment on behalf of workers seeking to use the nonimmigrant visa programs. The resulting collaboration with our federal criminal law enforcement was nothing short of seamless and outstanding,” explained Wage and Hour Regional Administrator Michael Lazzeri in Chicago. “The widespread placement of workers in unapproved job classifications and falsification of payment records during the investigation by this employer demonstrated a reckless disregard for the respective visa program. Today the victims have been made whole through restitution and this egregious employer has been debarred from participation in the H-2B Visa program for the next five years. Employers who seek to abuse these programs should take note of this result and reconsider.”

The investigation in this matter was conducted by the U.S. Department of Labor’s Office of Inspector General and Wage and Hour Division, with assistance from the U.S. Department of State and the Wisconsin Department of Justice Division of Criminal Investigation. U.S. Attorney O’Shea and Assistant U.S. Attorney Julie Pfluger handled the prosecution.

Topic(s):

Labor & Employment

Component(s):

USAO - Wisconsin, Western