

U.S. Department of Labor

Office of Administrative Law Judges
Washington, DC



In the Matter of :

ASSOCIATION OF FARMWORKER
OPPORTUNITY PROGRAMS
Claimant

DATE: AUG 21 1987
CASE NO. 86-JSA-11

v.

TRI-COUNTY GROWERS
Respondent

DECISION AND ORDER DENYING COMPLAINANT'S
MOTION FOR RECONSIDERATION

By Decision and Order dated October 6, 1986, the Complaint herein was Dismissed. I determined that Judge Tureck's decision dated November 13, 1985, holding that the Complainant lacked standing to file a complaint under the regulations constituted the law of the case and controlled the disposition of the complaint herein.

The complainant on October 15, 1986, filed a Motion for Reconsideration for the reason complainant was not offered the opportunity for briefing mandated by 20 C.F.R. § 658.424(b). It seeks to have the Motion for Reconsideration Granted, the decision of the RA vacated, the decision of the state hearing officer reinstated, or in the alternative the Motion for Reconsideration should be granted and a schedule for briefing set.

The Complainant's Motion, however, does not address the basic principle involved in my decision of October 6, 1986. Complainant argues the merits of its complaint avoiding the threshold issue of standing to bring a complaint.

ORDER

The Motion for Reconsideration is hereby DENIED.

ROBERT J. SHEA
Administrative Law Judge

RJS:ga