

U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

In the Matter of)	
)	
JOSEPH GLENN)	
)	
v.)	Case No. 80-CETA-397
)	
CITY OF CINCINNATI)	

ORDER

Now before me for consideration is an application, by the City of Cincinnati, for an Order by me staying the implementation of the decision by Chief Administrative Law Judge (CALJ) Nahum Litt of this Department (issued June 21, 1983; amended July 20, 1983) concerning the above-captioned matter pending review of that decision by the United States Court of Appeals for the Sixth Circuit. In its application for stay (mailed July 26, 1983) the City states its intention to seek such review, and that the City will suffer irreparable damage if it is forced to comply with the **CALC's** decision.

Counsel for the U.S. Department of Labor Grant Officer involved in this case advise that the Grant Officer is agreeable to such a stay.

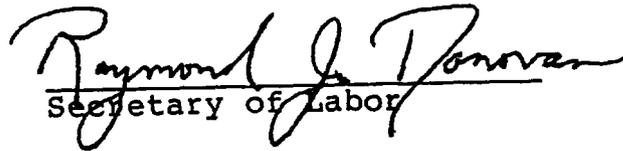
Upon consideration of the matter, I am persuaded that the City's application should be granted.

Accordingly, it is Ordered that:

1. Implementation of the above-referenced CALJ decision IS STAYED pending review of it by the U.S. Court of Appeals for the Sixth Circuit; and that

2. The stay IS CONDITIONED UPON the submission to me, by the City of Cincinnati, within 30 days of the date of issuance of this Order, of: (1) evidence that it has filed with the U.S. Court of Appeals for the Sixth Circuit a petition for review of the CALJ decision; (2) a supersedeas bond equal in amount to the maximum back pay award that the City's Civil Service Commission (or an equivalent tribunal) would be reasonably expected to grant to Mr. Glenn if (a) the holding of a job-termination hearing by such tribunal were held, pursuant to the CALJ decision and/or the U.S. Court of Appeals order, following completion of that court's review and determination in the matter; (3) an explanation and appropriate documentation establishing that the amount of the bond is in accordance with clause (2) of this paragraph; (4) a statement by the City promising that, within 30 days of a court order affirming the CALJ decision, the City will initiate and expeditiously conduct the implementation of the ordering provisions of that decision; and (5) certification that copies of the bond and other items described in this paragraph have been served upon Mr. Glenn and his counsel, and upon counsel for the other party or parties, including this Department's Associate Solicitor for Employment and Training; and that

3. CETA funds shall not be used for the satisfaction of ordering paragraph 2 supra.


Secretary of Labor

Dated: September 30, 1983
Washington, D.C.

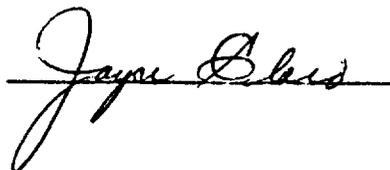
CERTIFICATE OF SERVICE

Case Name: Joseph L. Glenn v. City of Cincinnati

Case No.: 80-CETA-397

Document: Order

The above-referenced document was mailed to the persons listed below on Sept 30, 1983.



CERTIFIED MAIL

Associate Solicitor for
Employment and Training
U.S. Department of Labor
200 Constitution Ave., N.W.
Room N-2101
Washington, D.C.

Joseph L. Glenn
3141 Durell Avenue
Cincinnati, Ohio 45207

Everett E. **Landen**, Esq.
c/o Sidney C. Brant Co., L.P.A.
1400 Tri-State Bldg.
Cincinnati, Ohio 45202

Everett E. **Landen**, Esq.
1200 Mercantile Library Bldg.
414 Walnut Street
Cincinnati, Ohio 45202

Henry Christmon, Director
801 Linn Street (Room 201)
Cincinnati, Ohio 45203

Grant Officer
Employment and Training Administration
U.S. Department of Labor
230 South Dearborn Street
Chicago, Illinois 60604

Bill Gustavson, Esq.
Assistant City Solicitor
City Hall (Room 214)
Cincinnati, Ohio 45202

Office of the Solicitor
U.S. Department of Labor
230 South Dearborn Street
Chicago, Illinois 60604
ATTN: Ronald T. Spann, Esq.

REGULAR MAIL

Office of Administrative Law Judges
U.S. Department of Labor
1111 20th Street, N.W. (7th Floor)
ATTN: Docket Room, Library