

THE UNDER SECRETARY OF LABOR

WASHINGTON, D. C.
20210



In the Matter of)
)
 EUGENE A. 'GINDA,)
 Complainant)
)
 v.)
)
 MONMOUTH COUNTY,)
 Respondent)
)
 The Board of Chosen)
 Freeholders of the County)
 of Monmouth)
 Petitioner)

81-CETA-319

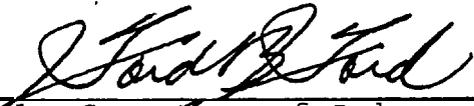
REMAND ORDER

Now before me is an Order by the U.S. Court of Appeals for the Third Circuit, in the matter of Eugene A. Ginda, Complainant v. Monmouth County, Respondent, The Board of Chosen Freeholders of the County of Monmouth, Petitioner, (Docket No. 83-3509, decided August 23, 1984) (Copy attached) remanding to me the Administrative Law Judge's (ALJ) decision in the above-captioned Departmental proceeding for reconsideration of the remedy ordered by the ALJ.

In particular, the court raises questions concerning the appropriateness of the ALJ's order in holding that Ginda should receive a back pay award. Specifically the court held that the ALJ's decision is inadequate when evaluated under the standard announced by that court under City of Philadelphia v. U.S. Department of Labor, 723 F.2d 330 (3rd Cir. 1983) (per curiam).

Since this matter was not Departmentally adjudicated beyond the ALJ level, and in view of the familiarity of the ALJ involved with the record therein, I am persuaded that this case should be remanded to the Office of Administrative Law Judges.

Accordingly, it is Ordered that the above-captioned matter is REMANDED to the Office of the Administrative Law Judges of this Department for further proceedings consistent with the court's opinion.


Under Secretary of Labor

Dated: OCT 29 1984
Washington, D.C.

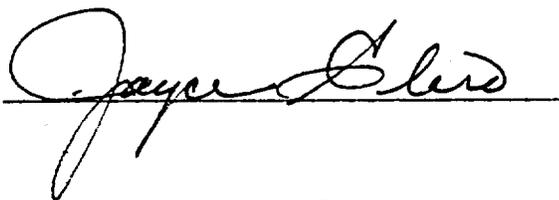
CERTIFICATE OF SERVICE

Case Name: Eugene A. Ginda, v. Monmouth County,
The Board of Chosen Freeholders of the
County of Monmouth

Case No.: 81-CETA-319

Document: REMAND ORDER

A copy of the above-referenced document was sent to the parties
listed below on OCT 29 1984 .



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