



Issue Date: 17 March 2020

Case No.: 2020-MIS-00005

In Re:

ADMINISTRATIVE NOTICE: RELAXATION OF FILING AND SERVICE REQUIREMENTS.

ADMINISTRATIVE NOTICE

In view of the risks presented by the novel coronavirus COVID-19, the United States Department of Labor, Office of Administrative Law Judges (OALJ) and the Board of Alien Labor Certification Appeals (BALCA) have suspended all in-person hearings, settlement judge conferences and mediations, effective Monday, March 16, 2020 through Friday, April 10, 2020. *See* Administrative Notice, 2020-MIS-00004 (Chief ALJ Mar. 13, 2020). During this period, OALJ national and district offices will endeavor to remain open for business and receive faxes and mail; however, many judges and staff will be teleworking, and those at the office will be practicing social distancing.

OALJ is aware that many law firms and other entities who appear in OALJ proceedings have implemented their own remedial measures, such as extended telework for attorneys and staff. In view of the unusual circumstances presented, OALJ has determined that relaxation of some filing and service requirements is warranted. *See* 29 C.F.R. § 18.10(c) (waiver, modification or suspension of rule when doing so will not prejudice a party and will serve the ends of justice); 29 C.F.R. § 18.30(b)(4) (a judge may allow papers to be filed, signed or verified by electronic means).

Filings Via Email Permitted; Fax Rule Relaxed

Effective immediately, OALJ will accept filings via email at the address of the office at which the case is pending. Here are the email addresses:

Washington, DC National and District Offices:

- OALJ-Filings@dol.gov (for National Office Docket; unassigned or new cases; and for cases assigned to Judges Henley, Colwell and Almanza)
- OALJ-DC-District@dol.gov (for cases assigned to Judges Bland, Annos and Applewhite)

District Offices outside Washington DC:

- OALJ-Boston@dol.gov
- OALJ-CherryHill@dol.gov
- OALJ-Cincinnati@dol.gov
- OALJ-Covington@dol.gov
- OALJ-NewportNews@dol.gov
- OALJ-Pittsburgh@dol.gov
- OALJ-SanFrancisco@dol.gov

Emailed filings shall not exceed 25 pages unless prior permission is granted by the presiding administrative law judge. A party who files a document by email shall not also file a hard copy.

For this period, OALJ will not require prior permission to fax up to 25 pages of materials.

Previously established filing deadlines remain in effect absent an extension from the presiding judge.

Service – Temporary Discontinuance of Certified Mail

Some regulations specify that OALJ serve parties or their representatives via certified mail for certain types of orders. Because of the need to practice social distancing during this period, OALJ will only serve parties via regular mail, or email if the person has so consented.

Any person who objects to waiver of statutory or regulatory certified mail requirements may file a notice with the presiding judge.

Duration of Modification of Rules

These modifications to rules about filing and service of documents will be in effect from today until April 10, 2020. OALJ will issue a subsequent Administrative Notice informing the public as to whether these modifications will continue past April 10.

SO NOTICED.



Digitally signed by STEPHEN R.
HENLEY
DN: CN=STEPHEN R. HENLEY,
OU=ADMINISTRATIVE LAW JUDGE,
O=US DOL Office of Administrative Law
Judges, L=Washington, S=DC, C=US
Location: Washington DC

STEPHEN R. HENLEY
Chief Administrative Law Judge
Chair, Board of Alien Labor Certification Appeals