

UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES  
BOSTON, MASSACHUSETTS

**Issue Date: 16 September 2014**

OALJ Case No.: 2014-TLC-00099  
ETA Case No.: H-300-14225-665004

*In the Matter of:*

**FRESH HARVEST, INC.**  
*Employer.*

Before: Colleen A. Geraghty  
Administrative Law Judge

**ORDER GRANTING MOTION TO REMAND**

This matter arises under the temporary agricultural guest worker provisions of the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184 and 1188, and the implementing regulations set forth at 20 C.F.R. Part 655, Subpart B (collectively, H-2A program). A telephonic hearing was held before the undersigned on September 11, 2014, and at the close of the hearing the parties were directed to file position statements by September 16, 2014.

On September 16, 2014, the parties filed a joint request for remand to the Certifying Office (CO) for further processing. The request for remand indicated that the CO reviewed the evidence submitted by the Employer at the hearing and determined that the application may be processed under the emergency procedures found at 29 C.F.R. § 655.134, thereby resolving all outstanding issues in the matter. Having reviewed the request for remand, I find that remand is appropriate. Accordingly, it is hereby ORDERED that the above-captioned matter is REMANDED to the Certifying Officer for continued processing.

**SO ORDERED.**

**COLLEEN A. GERAGHTY**  
Administrative Law Judge

Boston, Massachusetts