

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 04 June 2014

BALCA Case No.: 2014-TLC-00091
ETA Case Nos.: C-14113-187518

In the Matter of:
R & R HARVESTING, INC.,
Employer

Certifying Officer: William L. Carlson
Chicago Processing Center

ORDER OF REMAND

This case involves the labor certification for temporary and seasonal agricultural employment of nonimmigrant foreign workers (H-2A workers) under the Immigration and Nationality Act (INA), as amended, 8 USC 1101, et seq., and its implementing regulations at 20 CFR Part 655, Subpart B. On May 19, 2014, the Employer filed a timely request for an expedited administrative review of the Certifying Officer's actions in the Notice of Deficiencies issued May 12, 2014 pursuant to 20 CFR §655.141 and as related to the Employer's application for temporary employment certification filed under the H-2A program (Case No. 2014-TLC-00091).

On June 2, 2014, Counsel for the Solicitor filed "Certifying Officer's Motion for Remand" regarding 2014-TLC-00090 and 00091. He stated that "After further review the Certifying Officer has decided to accept these two applications. Therefore we request that these matters be remanded so that processing of these applications can proceed."

In view of all the foregoing, **this case is hereby REMANDED to the Certifying Officer pursuant to 20 CFR §655.171 for action pursuant to 20 CFR Part 655, Subpart B.**

DANA ROSEN
Administrative Law Judge

DR/jcb
Newport News, Virginia