

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 15 April 2015

OALJ Case No.: 2015-TLC-00031
ETA Case No.: H-300-15072-337350

In the Matter of
FARM LABOR CONTRACTOR, LLC,
Employer.

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. The Employer filed a timely request for an administrative review of the Certifying Officer's actions in the Notice of Deficiencies issued March 19, 2015, pursuant to 20 CFR §655.141 and as related to the Employer's application for temporary employment certification filed under the H-2A program.

The Administrative File was received in this office on April 14, 2015. However, on April 13, 2015, counsel for the Solicitor filed the Certifying Officer's Motion for Remand, in which he averred:

The Certifying Officer and her attorney have reviewed the above referenced case and have determined that the employer's H-2A application for temporary labor certification should be remanded to the agency for additional processing. The employer was contacted and has no objection to the granting of this request. Therefore, the Certifying Officer respectfully requests that this case be remanded to the agency for further processing of the employer's H-2A application.

In light of the foregoing, **IT IS HEREBY ORDERED** that this matter be, and hereby is, **REMANDED** to the Certifying Officer for further processing.

JOHN P. SELLERS, III
Administrative Law Judge