

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

Issue Date: 03 May 2016

OALJ Case No.: 2016-TLC-00044
ETA Case No.: H-300-16048-836037

In the Matter of:

PATOUT EQUIPMENT COMPANY,
Employer.

Before: JONATHAN C. CALIANOS
Administrative Law Judge

ORDER OF 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). The initial application was denied because the Employer failed to provide evidence that it had hired or contracted with workers lawfully authorized to transport its workers. Subsequent to the filing of this matter the parties continued to discuss the deficiencies and the Employer was submitting additional evidence. On May 2, 2016, I held a conference call with the parties to discuss the status. The parties informed me that the Employer has now provided sufficient evidence regarding the transportation of workers. The parties are agreeable to remanding this matter to the certifying officer to evaluate the new evidence and process the application.

In light of the foregoing and with consent of the parties, it is hereby **ORDERED** that this matter is **REMANDED** to the certifying officer for further action consistent with the parties' understanding.

SO ORDERED.

JONATHAN C. CALIANOS
Administrative Law Judge