



Issue Date: 13 July 2020

OALJ Case No.: 2020-TLC-00089
ETA Case No.: H-300-20162-642836

In the Matter of:

CITRUS HARVESTING, INC.
Employer.

ORDER OF REMAND AND CANCELLING HEARING

On June 30, 2020, Citrus Harvesting, Inc. (“Employer”) requested a *de novo* hearing in regard to the Certifying Officer’s June 29, 2020 Final Determination Denial in the above-captioned H-2A temporary labor certification matter. *See* 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1188; 20 C.F.R. § 655.171(a). This matter was assigned to the undersigned administrative Law Judge for decision.

On July 9, 2020, the undersigned received the Administrative File from the Certifying Officer. In cases involving a *de novo* hearing, the Administrative Law Judge must “ensure that the hearing is scheduled to take place within 5 business days after the ALJ’s receipt of the OFLC administrative file, if the employer so requests.” 20 C.F.R. § 655.171(b)(ii). By Order dated July 10, 2020 a Notice of Hearing was issued scheduling this matter for a telephone hearing on July 15, 2020.

On July 10, 2020, the undersigned received by email communication through OALJ-Pittsburgh@dol.gov, the Certifying Officer’s Motion for Remand requesting that this case be remanded for further processing. The Certifying Officer states that “[t]he Certifying Officer and Citrus Harvesting, Inc. (“the Employer”) have reached an agreement in 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 further processing.” Said Motion for Remand further states that the Employer consents to the granting of this motion.

ORDER

After duly considering the foregoing, it is hereby **ORDERED** that this matter is **REMANDED** to the Certifying Officer for further processing. The July 15, 2020 hearing is hereby **CANCELLED**.

SO ORDERED.

PATRICIA J. DAUM
Administrative Law Judge