

U.S. Department of Labor

Board of Alien Labor Certification Appeals
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Issue Date: 10 July 2020

OALJ Case No.: 2020-TLC-00090
ETA Case No.: H-300-20155-621549

In the Matter of:

WASHINGTON FRUIT ADMINISTRATIVE SERVICES II, LLC,
Employer.

Before: Jonathan C. Calianos
Administrative Law Judge

ORDER DISMISSING REQUEST FOR REVIEW

This matter arises under provisions of the Immigration and Nationality Act governing temporary agricultural employment of non-immigrant workers (“H-2A workers”), and the corresponding regulations at 20 C.F.R. Part 655, Subpart B. *See* 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184, 1188.

On June 30, 2020, the Office of Administrative Law Judges received a letter from Washington Fruit Administrative Services II, LLC (“Employer”) requesting expedited administrative review of the Final Determination issued by the Certifying Officer in the above-captioned H-2A temporary alien labor certification matter. *See* 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1188; 20 C.F.R. § 655.171(a). On July 9, 2020, I held a pretrial conference on the record regarding this matter. The only issue in contention is the daily meal charge for workers staying at the Fairbridge Inn & Suites. The Job Order indicated a daily meal rate of \$12.68 per worker, however Employer is seeking a rate of \$14.07 per day. After discussion, Employer agreed to accept the \$12.68 daily meal rate per worker as set forth in the

Job Order and dismiss this pending matter. Accordingly, for the reasons stated on the record during the July 9, 2020, conference and with the consent of the parties, it is ORDERED that:

- (1) Employer's request for administrative review is DISMISSED; and
- (2) The briefing order that issued on July 7, 2020 is VACATED as moot.

SO ORDERED.

JONATHAN C. CALIANOS
Administrative Law Judge

Boston, Massachusetts