



Issue Date: 12 February 2015

BALCA Case No.: 2015-TLN-00024
ETA Case Nos.: H-400-15005-376775

In the Matter of:

AMERICAN POOL ENTERPRISES, INC.

Employer.

Before: Alan L. Bergstrom
Administrative Law Judge

ORDER OF REMAND

On February 12, 2015, Counsel for the Certifying Officer filed a request that this matter be remanded to the Certifying Officer for additional processing. Counsel for the Certifying Officer avers he consulted the Employer's representative and that the Employer does not object to the matter being remanded for additional processing.

In view of the foregoing, **it is hereby ORDERED that the above referenced matter is REMANDED** to the Certifying Officer for additional processing in accordance with 20 CFR Part 655.¹

ALAN L. BERGSTROM
Administrative Law Judge

¹ The proposed revisions to federal regulations related to the H-2B program, 20 CFR Part 655, Subpart A, published in Vol. 77 Fed. Reg., No. 34 at 10038-10109 and 10147-10169 (Feb. 21, 2012) were stayed on May 16, 2012 following a U.S. District Court decision, Vol. 77 Fed. Reg., No. 95 at 28764 (May 16, 2012). See also *Bayou Lawn & Landscape Services, et. Al. v. Sec. of Labor*, 713 F3d 1080 (11th Cir. 2013) affirming the U.S. District Court for Northern Florida. Accordingly, the regulations promulgated at Vol. 73 Fed. Reg., No.245 at 78020-78069 (Dec. 19, 2008) apply in this matter.