

U.S. Department of Labor

Board of Alien Labor Certification Appeals
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Issue Date: 05 October 2016

BALCA Case No.: 2016-TLN-00071

ETA Case No.: H-400-16199-501421

In the Matter of:

KLEIN SMOKED MEATS, LLC,
Employer.

Before: Jennifer Gee
Administrative Law Judge

ORDER OF REMAND

This case involves the labor certification for temporary employment of non-immigrant foreign workers (H-2B workers) under the Immigration and Nationality Act (“INA”), as amended, 8 USC § 1101, et seq., and its implementing regulations at 20 CFR § 655, Subpart A. On September 1, 2016, the U.S. Department of Labor’s Employment and Training Administration’s Office of Foreign Labor Certification issued a partial certification of Respondent’s request for H-2B temporary labor certification for five Slaughterers and Meat Packers certifying only two Slaughterers and Meat Packers.

Respondent file a timely appeal of the partial certification on September 27, 2016. On September 29, 2016, my office received a request from the Certifying Officer asking that the case be remanded because Respondents and the Certifying Officer have reached an agreement and they parties want the case remanded for additional processing. The request is GRANTED.

It is hereby ORDERED that this case be REMANDED to the Certifying Officer.

JENNIFER GEE
Administrative Law Judge