

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 09 November 2017

BALCA Case No: 2018-TLN-00006
ETA Case No.: H-400-17227-311690

In the Matter of:

EL EXPRESO BUS COMPANY,

Employer.

ORDER OF REMAND

On October 26, 2017, the Board of Alien Labor Certification Appeals (“BALCA”) received a request for administrative review of the Certifying officer’s Notice of Deficiency in the above-captioned H-2B temporary labor certification matter.¹ This case was assigned to Administrative Law Judge Joseph E. Kane on October 27, 2017. On October 30, 2017, the undersigned issued a Notice of Docketing and Order Establishing Briefing Schedule.

On November 7, 2017, counsel for the Certifying Officer (the “Solicitor”) filed a motion requesting that this case be remanded to the Certifying Officer for additional processing of the Employer’s H-2B application. Counsel for the Employer has no objection to the Solicitor’s motion. In light of the foregoing, I hereby **REMAND** this matter to the Certifying Officer for additional processing consistent with the agreement of the parties.

SO ORDERED.

For the Board:

JOSEPH E. KANE
Administrative Law Judge

¹ On April 29, 2015, the Department of Labor and the Department of Homeland Security jointly published an Interim Final Rule amending the standards and procedures that govern the H-2B temporary labor certification program. Temporary Non-Agricultural Employment of H-2B Aliens in the United States; Interim Final Rule, 80 Fed. Reg. 24042 (Apr. 29, 2015) (to be codified at 20 C.F.R. Part 655).