



**Issue Date: 27 November 2018**

BALCA CASE NO.: 2019-TLN-00017

ETA CASE NO.: H-400-17361-243910

*In the Matter of:*

BEP/LYMAN LLC DBA CARPENTRY CONTRACTORS CO.,  
Employer.

**ORDER OF REMAND**

On February 20, 2018, the Certifying Officer for the Office of Foreign Labor Certification granted certification for 15 Helpers-Production Workers for the period of April 1, 2018, to December 1, 2018, based on the H-2B Application for Temporary Employment Certification (“Application”) of BEP/Lyman LLC dba Carpentry Contractors Co. (“Employer”). On October 26, 2018, Employer requested an extension of the work period to December 23, 2018, due to delays caused by cold and wet weather. On November 7, 2018, the Certifying Officer denied the extension because it would extend the work period into late December, which Employer asserted in its Application was “not ideal” for its work. *See* 20 C.F.R. § 655.60. Employer timely appealed on November 9, 2018.

On November 27, 2018, the Certifying Officer filed a Motion for Remand, representing that the parties reached an agreement that Employer’s H-2B extension request should be remanded to the agency for additional processing. The Certifying Officer represented that Employer has no objection.

Accordingly, it is ordered that this matter is remanded to the Certifying Officer for additional processing.

SO ORDERED.

RICHARD M. CLARK  
Administrative Law Judge