



Issue Date: 10 February 2021

BALCA Case No.: 2021-TLN-00014
ETA Case Nos.: H-400-21001-988059

In the Matter of:

NATURCHEM, INCORPORATED,

Employer.

ORDER GRANTING CERTIFYING OFFICER'S MOTION TO REMAND

ORDER OF REMAND

This matter arises under 8 U.S.C. § 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act, and the H-2B rules and regulations governing temporary labor certification. The H-2B program permits employers to hire foreign workers to perform non-agricultural work within the United States on a temporary basis, as defined by the United States Department of Homeland Security. 8 U.S.C. § 1101(a)(15)(H)(ii)(b); 8 C.F.R. § 214.2(h)(6); 20 C.F.R. § 655.6(b).

On January 28, 2021, the Office of Foreign Labor Certification¹ ("OFLC") received a letter from NaturChem, Incorporated, (the "Employer") requesting administrative review of the Certifying Officer's Denial Letter dated January 21, 2021, in the above-captioned H-2B temporary labor certification matter. On February 10, 2021, the Certifying Officer filed a Motion to Remand with the court. In her Motion, the Certifying Officer stated that the parties had reached an agreement and that this matter "should be remanded to the Agency for further processing." Employer consented to the Motion.

Accordingly, it is hereby **ORDERED** that the Certifying Officer's Motion to Remand the Employer's Request for Administrative Review is **GRANTED**. This case is **REMANDED** to the Office of Foreign Labor Certification for further processing. The briefing schedule established in the court's February 4, 2021 Notice of Assignment and Order Setting Expedited Briefing Schedule is now moot and is **VACATED**.

SO ORDERED.

For the Board:

¹ A copy of Employer's letter was also mailed to the Board.

DANA ROSEN
Administrative Law Judge