



**Issue Date: 21 April 2016**

**Case No: 2016-WIA-00002**

*In the Matter of:*

**NEW JERSEY DEPARTMENT OF LABOR  
AND WORKFORCE DEVELOPMENT,**  
*Complainant,*

v.

**UNITED STATES DEPARTMENT OF LABOR,**  
*Respondent.*

### **ORDER OF DISMISSAL**

This matter arises under the Workforce Investment Act, 29 U.S.C. § 2801 *et seq.*, and the implementing regulations at 29 C.F.R. Part 96 and 20 C.F.R. Parts 660 through 670.

On October 6, 2015, a Grant Officer of the United States Department of Labor (“DOL”), Employment and Training Administration (“ETA”) issued a final determination against the New Jersey Department of Labor and Workforce Development (“DLWD” or “Complainant”) regarding an audit of a program operated by the Superstorm Sandy National Emergency Grants, Audit Report Number OIG-02-15-204-03-390.<sup>1</sup> The final determination detailed administrative findings<sup>2</sup> and assessed a debt owed to the DOL in the amount of \$27,931.00. On November 2, 2015, the Office of Administrative Law Judges (“OALJ” or “Office”) received Complainant’s request for hearing pursuant to 29 C.F.R. § 96.63(b) and 20 C.F.R. § 667.800.

This Office issued a *Notice of Docketing and Prehearing Order* (“Notice”) on November 5, 2015. The Notice required each party to file certain prehearing exchange information with this Office within 45 days.<sup>3</sup> On December 28, 2015 and February 19, 2016, I granted joint

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<sup>1</sup> The audit report identified questioned costs in the total amount of \$3,234,897.00.

<sup>2</sup> The Grant Officer accepted the corrective actions taken by DLWD, but found, in Questioned Costs Finding No. 1, that Complainant failed to provide documentation showing that disallowed costs in the amount of \$27,931.00 had been paid and that “the amounts have been credited” to the National Emergency Grant (NEG).

<sup>3</sup> The prehearing exchange information requested includes a statement of the issues to be decided and the relief sought; the name and address of each witness expected to be called and a summary of the expected testimony; a list of all documents that the party expects to use as evidence; a statement identifying any other related proceedings; and an estimate of the number of days required for a hearing.

requests for extensions of time to file the prehearing exchanges to allow the parties to engage in settlement discussions.

On April 19, 2016, Respondent filed a *Joint Stipulation of Dismissal with Prejudice*, indicating that the parties entered into a Settlement Agreement on April 19, 2016, resolving all previously disputed issues.

As all the issues between the parties have been resolved, and a hearing is no longer necessary, the matter is hereby DISMISSED with prejudice.

SO ORDERED.

**STEPHEN R. HENLEY**  
Chief Administrative Law Judge