

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 09 May 2019

Case No: 2019-WIA-00008

In the Matter of:

GREATER MIAMI SERVICES CORPS,
Complainant,

v.

**EMPLOYMENT AND TRAINING ADMINISTRATION,
UNITED STATES DEPARTMENT OF LABOR,**
Respondent.

ORDER OF DISMISSAL

This matter arises under the YouthBuild provisions of the Workforce Innovation and Opportunity Act (“WIOA”), Section 171, codified at 29 U.S.C. § 3226, and the regulations at 29 C.F.R. § 96.63. On September 26, 2018, the United States Department of Labor, Employment and Training Administration (“Respondent”), through a Grant Officer, issued a Final Determination to Greater Miami Service Corps (“Complainant”) on an audit of programs operated by Complainant, grant numbers YB-26200-14-60-A-12 and YB-23483-12-60-A-12. On December 6, 2018, the Office of Administrative Law Judges (“Office”) received Complainant’s request for hearing pursuant to 29 C.F.R. § 96.63(b).

On January 7, 2019, I issued a *Notice of Docketing and Order to Show Cause* (“Order to Show Cause”) instructing Complainant to submit a written response showing cause why this matter should not be dismissed due to its failure to transmit a timely request for hearing. On February 7, 2019, Respondent notified this Office that it did not oppose a hearing on the merits. On February 8, 2019, Complainant filed a response to the Order to Show Cause. On February 12, 2019, I found good cause to proceed to hearing and subsequently scheduled the hearing for August 22, 2019 in Florida.

On May 7, 2019, Complainant filed a letter seeking to withdraw its request for administrative review, advising that they have “elected to withdraw the appeal and remit the disallowed funds totaling \$54,412.16 related to” the above YouthBuild grant numbers. Complainant further explains that it “is in the process of submitting its payment via the Payment Management System” and that “[p]ayment will be submitted no later than Wednesday, May 15, 2019.”

With all issues between the parties having been resolved, the hearing scheduled for August 2, 2019 in Miami, Florida is CANCELLED and this matter is hereby DISMISSED with prejudice.

SO ORDERED:

STEPHEN R. HENLEY
Chief Administrative Law Judge