

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 23 July 2013

OALJ Case Nos.: 2013-TLC-00044
2013-TLC-00045

ETA Case Nos.: H-300-13162-809443
H-300-13155-490646

In the Matter of:

PERI & SONS FARMS, INC.,
Employer

Certifying Officer: Chicago National Processing Center

ORDER OF REMAND

On July 5, 2013, Peri and Sons Farms (“Employer”) filed a request for a de novo review of the Certifying Officer’s (“CO”) denial of certification of the above captioned temporary agricultural labor certification applications. *See* Immigration and Nationality Act, 8 U.S.C. § 1101 et seq., and the implementing regulations at 20 C.F.R. Part 655. On July 9, 2013, the Office of Administrative Law Judges received the Administrative File from the CO.

The undersigned held a de novo telephonic hearing on July 18, 2013, during which both parties had the opportunity to present evidence.¹ On July 22, 2013, the Department of Labor’s counsel, Jonathan R. Hammer, Esq., filed a letter advising the Court that the CO has requested the matter be remanded for processing of the H-2A applications. The CO has spoken to Employer’s counsel, who joins in the request. Accordingly, good cause having been shown,

ORDER

IT IS HEREBY ORDERED that this matter be, and hereby is, REMANDED to the Certifying Officer for further processing consistent with the above discussion.

So Ordered:

STEPHEN R. HENLEY
Administrative Law Judge

¹ The Certifying Officer and the Employer’s Chief Strategy Officer/General Counsel were the only testifying witnesses. Director’s Exhibits 1 and Employer’s Exhibits 1-3 were admitted into evidence without objection. Closing briefs were due this office on July 26, 2013.