

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

GIUMARRA VINEYARDS)	
CORPORATION AND GIUMARRA)	
FARMS INC.,)	Case No. 05-RC-7-VI
)	
Employer,)	ORDER REMANDING CASE TO
)	INVESTIGATIVE HEARING
and)	EXAMINER
)	
)	
UNITED FARM WORKERS OF)	Admin. Order No. 2006-3
AMERICA,)	
)	
<u>Petitioner.</u>)	

ORDER

The above-entitled case is hereby REMANDED to the Investigative Hearing Examiner (IHE) for reconsideration of his calculation of the potential effect on the outcome of the election from the number of votes he found to have been tainted by election misconduct. In determining the potential effect of employer misconduct on an identified number of affected voters, the number of tainted votes must be shifted from the “no union” to the “union” choice, rather than simply added to the “union” choice. By this Order, the Board makes no determination with regard to any other findings of fact or conclusions of law as recommended by the IHE.

Upon the issuance of a revised decision by the IHE, the Executive Secretary shall determine the deadline for filing exceptions to that decision.

By Direction of the Board.

JOSEPH A. WENDER, JR.
Acting Executive Secretary, ALRB