

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

<b>In the Matter of:</b>	)	
	)	Case No. 2010-RC-003-SAL
NURSERYMEN’S EXCHANGE INC.,	)	(36 ALRB No. 6)
	)	
<b>Employer,</b>	)	
	)	ORDER DENYING
and	)	MOTION FOR
	)	RECONSIDERATION
UNITED FARM WORKERS OF	)	
AMERICA,	)	
	)	
<b>Petitioner.</b>	)	Admin. Order No. 2011-01
_____	)	

On December 27, 2010, Nurserymen’s Exchange, Inc., (NEI) timely filed and served a Motion for Reconsideration of the Agricultural Labor Relations Board’s (Board) Decision and Order in 36 ALRB No. 6 (December 17, 2010) pursuant to California Code of Regulations, title 8, section 20393, subdivision (c). NEI’s motion is without merit and is hereby DENIED.

Both section 20393, subdivision (c), and section 20286, subdivision (c) of the Board’s regulations allow parties to move for reconsideration of a Board decision in representation proceedings and unfair labor practice proceedings, respectively, *because of extraordinary circumstances*. NEI fails to argue that there are “extraordinary circumstances” such as newly discovered evidence or a change in existing law that merit reconsideration of this matter. NEI “merely raise[s] arguments previously addressed by the Board and has failed to cite any

extraordinary circumstances justifying reconsideration.” (*Mario Saikhon, Inc.*  
(1991) 17 ALRB No. 6 at pp. 4-5).

ORDER

The Motion for Reconsideration filed December 27, 2010 is

DENIED.

By Direction of the Board.

Dated: January 7, 2011

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J. ANTONIO BARBOSA  
Executive Secretary, ALRB