

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

M. CARATAN, INC.,)	
)	
Respondent,)	Case Nos. 80-CE-80-D
)	80-CE-91-D
and)	80-CE-114-D
)	
MIGUEL CASTRO, et al.,)	
)	
Charging Parties.)	8 ALRB No. 53
<hr/>)	(8 ALRB No. 41)

SUPPLEMENTAL DECISION AND REVISED ORDER

On July 8, 1982, we granted Respondent's motion for reconsideration of paragraph 2(d) of our Order in this matter which was issued June 10, 1982, and reported at 8 ALRB No. 41.

After such reconsideration, and in light of the briefs ^{1/} of the parties, we have decided to delete paragraph 2(d) of our original Order herein and to substitute therefor the paragraph 2(d) which appears in our Revised Order, infra. In addition, on our own motion, we hereby delete the language inadvertently included in our original Decision herein delegating authority to a three-member panel.

REVISED ORDER

By authority of Labor Code section 1160.3, the Agricultural Labor Relations Board hereby orders that Respondent M. Caratan, Inc., its officers, agents, successors, and assigns

^{1/}To the extent that General Counsel's response to Respondent's motion for reconsideration raises issues unconnected to the appropriate mailing period, it is untimely filed. (8 California Administrative Code section 20286 (c).)

shall:

1. Cease and desist from:

(a) Postponing or delaying work schedules or otherwise discriminating against any agricultural employee in regard to hire or tenure of employment or any other term or condition of employment because he or she has engaged in any concerted activity protected by section 1152 of the Act.

(b) In any like or related manner interfering with, restraining, or coercing any agricultural employee(s) in the exercise of the rights guaranteed them by Labor Code section 1152.

2. Take the following affirmative actions which are deemed necessary to effectuate the policies of the Act:

(a) Make whole each of the below-named employees for any loss of pay and other economic losses they have suffered as a result of the delayed work hours, reimbursement with interest to be made according to this Board's established precedent:

Affedi Y. Ahmed	Ali A. Mosad
Nagi Almansoob (Alman Soob)	A. M. Muflihi
Mosleh Ali Assayadi	Hassan A. Nasher
Ahmed Daifulla	Mohsin A. Nasser
Yahya B. Hasson	Mosed Ali-Noman
Hamood M. Mohsen	

(b) Preserve and, upon request, make available to this Board and its agents, for examination, photocopying, and otherwise copying, all payroll records, social security payment records, time cards, personnel records and reports, and all other records relevant and necessary to a determination, by the Regional Director, of the backpay period and the amount of backpay due

under the terms of this Order.

(c) Sign the Notice to Agricultural Employees attached hereto and, after its translation by a Board agent into appropriate languages, reproduce sufficient copies in each language for the purposes set forth hereinafter.

(d) Mail copies of the attached Notice, in all appropriate languages, within 30 days after the date of issuance of this Order, to all employees employed by Respondent at any time during the period from June 20, 1980, until September 18, 1980.

(e) Post copies of the attached Notice, in all appropriate languages, for 60 days in conspicuous places on its property, the period and place(s) of posting to be determined by the Regional Director, and exercise due care to replace any copy or copies of the Notice which may be altered, defaced, covered, or removed.

(f) Arrange for a representative of Respondent or a Board agent to distribute and read the attached Notice, in all appropriate languages, to all of its agricultural employees on company time and property at time(s) and place(s) to be determined by the Regional Director. Following the reading, the Board agent shall be given the opportunity, outside the presence of supervisors and management, to answer any questions the employees may have concerning the Notice or employees' rights under the Act. The Regional Director shall determine a reasonable rate of compensation to be paid by Respondent to all nonhourly wage employees in order to compensate them for time lost at this

reading and during the question-and-answer period.

(g) Notify the Regional Director in writing, within 30 days after the date of issuance of this Order, of the steps Respondent has taken to comply therewith, and continue to report periodically thereafter, at the Regional Director's request, until full compliance is achieved.

Dated: July 26, 1982

HERBERT A. PERRY, Acting Chairman

JOHN P. MCCARTHY, Member

ALFRED H. SONG, Member

JEROME R. WALDIE, Member

NOTICE TO AGRICULTURAL EMPLOYEES

After investigating charges that were filed in the Delano Regional Office, the General Counsel of the Agricultural Labor Relations Board issued a complaint which alleged that we have violated the law. After a hearing at which each side had an opportunity to present evidence, the Board found that we did violate the law by discriminatorily delaying the work hours of members of the Arab crew because of their participation in protected concerted activity. The Board has told us to post and publish this Notice. We will do what the Board has ordered us to do. We also want to tell you that the Agricultural Labor Relations Act is a law that gives you and all farm workers these rights:

1. To organize yourselves;
2. To form, join, or help unions;
3. To vote in a secret ballot election to decide whether you want a union to represent you;
4. To bargain with your employer to obtain a contract covering your wages and working conditions through a union chosen by a majority of the employees and certified by the Board;
5. To act together with other workers to help or protect one another; and
6. To decide not to do any of these things.

WE WILL NOT interfere with, or restrain or coerce you in the exercise of your right to act together with other workers to help and protect one another.

WE WILL reimburse the following employees for any loss of pay or other money they have lost because we postponed their work hours, plus interest computed at seven percent per annum:

Affedi Y. Ahmed	Ali A. Mosad
Nagi Almansoob (Alman Soob)	A. M. Muflihi
Mosleh Ali Assayadi	Hassan N. Nasher
Ahmed Daifulla	Mohsin A. Nasser
Yahya B. Hasson	Mosed Ali-Noman
Hamood M. Mohsen	

Dated:

M. CARATAN, INC.

By:

(Representative) (Title)

If you have a question about your rights as farm workers or about this Notice you may contact any office of the Agricultural Labor Relations Board. One office is located at 627 Main Street, Delano, California 93215. The telephone number is 805/725-5770.

This is an official Notice of the Agricultural Labor Relations Board, an agency of the State of California.

DO NOT REMOVE OF MUTILATE.