

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

HIROSHI UKEGAWA,	)	Case Nos.	75-CE-59-R
MIWAKO UKEGAWA, JOSEPH	)		75-CE-59-A-R
UKEGAWA, and JUNE	)		76-CE-18-R
UKEGAWA, individually and	)		76-CE-18-A-R
doing business as UKEGAWA	)		76-CE-49-R
BROTHERS, a general)		
partnership; and UKEGAWA	)		(16 ALRB No. 18)
BROTHERS, INC., a corporation,	)		(14 ALRB No. 15)
	)		(8 ALRB No. 90)
Respondents,)		
)		
and	)	ORDER GRANTING MOTION TO	
	)	MAKE CASES ELIGIBLE FOR	
	)	PAYOUT FROM THE	
	)	AGRICULTURAL EMPLOYEE	
	)	RELIEF FUND; ORDER	
UNITED FARM WORKERS OF	)	GRANTING MOTION TO CLOSE	
AMERICA,	)	CASES	
)		
Charging Party.	)	Admin. Order No. 2012-04	
)		

On March 6, 2012, the Visalia Acting Regional Director (RD) filed a Motion to Make Cases Eligible for Payout from Agricultural Employee Relief Fund (AERF)¹ and Motion to Close Cases in the above-entitled matters pursuant to Board

¹ The Board refers parties to section 1161(c)(1) of the Agricultural Labor Relations Act and section 20299(a)(1) of the Board's regulations which describe the source of funds for the Agricultural Employee Relief Fund (AERF) as limited to monies collected by the Board on behalf of employees who cannot be located within two years. Section 20299(b)(3) of the Board's regulations describes the method for calculating the amounts to be distributed to individuals who are eligible for the AERF. Given the funding source of the AERF, there is unfortunately no guarantee that full or any payment of claims will occur.

regulation 20299(b).² No responses to the motion were filed.³ As required by regulation 20299, subdivision (b), the RD has set forth the Regional Director's efforts to collect amounts owed from the Respondents as well as the basis for the RD's belief that collection of the full amount owing is not possible.

Upon review of the RD's motion and the declaration filed in support of the motion, we find that the RD is correct in his assertion that collection of the full amount owing is not possible and, thus, these cases meet the standard for eligibility for payout from the AERF.

PLEASE TAKE NOTICE that the Motion to Make Cases Eligible for Payout from the Agricultural Employee Relief Fund and the Motion to Close Cases are hereby GRANTED. Interest shall be calculated up to the date of this order.

By Direction of the Board.

Dated: March 23, 2012

J. ANTONIO BARBOSA
Executive Secretary, ALRB

² The Board's regulations are codified at Title 8, California Code of Regulations, Section 20100 *et seq.* Pursuant to section 20299, subdivision (d), a motion to make a case eligible for payout from the AERF is deemed to include a simultaneous motion to close the case pursuant to *John V. Borchard, et al.* (2001) 27 ALRB No. 1.

³ Parties had a 10-day period from the date of service of the motion to file responses pursuant to Board regulation section 20299(b). The deadline for filing a response to the motion was March 19, 2012.