

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

GEORGE AMARAL RANCHES,)	Case Nos.	2012-MMC-03
INC.,)		(38 ALRB No. 5)
)		
Employer,)		
)		
and)	ORDER DIRECTING PARTIES	
)	TO MANDATORY MEDIATION	
UNITED FARM WORKERS)	AND CONCILIATION	
OF AMERICA,)		
)	Admin. Order No. 2012-31	
Petitioner.)		

The United Farm Workers of America (UFW) filed a declaration requesting Mandatory Mediation and Conciliation (MMC) on November 9, 2012 pursuant to Labor Code section 1164, subdivision (a)(2) and Section 20400, subdivision (b) of the Board's regulations.¹ Pursuant to this provision, a declaration requesting referral to MMC must be signed under penalty of perjury and include: 1) a statement that the parties are subject to a certification of representative issued after January 1, 2003; 2) a statement that there was a request to bargain at least ninety days prior to the request for referral to MMC; 3) a statement that the parties have failed to reach an agreement; 4) the date of the initial request to bargain; and 5) a statement that employer has employed or engaged 25 or more agricultural employees during a calendar week in the year preceding the filing of the declaration.

¹ The Board's regulations are codified at Title 8, California Code of Regulations section 20100 et seq. Section 20400 was amended April 18, 2012.

The declaration filed by the UFW, on its face, meets all the requirements listed above. The employer, George Amaral Ranches, Inc., did not file an answer to the declaration. Accordingly, pursuant to Labor Code section 1164(b) and section 20402 of the Board's regulations, the parties in the above-captioned matter are hereby directed to mandatory mediation and conciliation.

The mandatory mediation process is governed by Labor Code sections 1164 – 1164.13 and sections 20400- 20408 of the Board's regulations. Upon issuance of this Order, the Board shall request that a list of nine mediators be compiled by the California Mediation and Conciliation Service and be provided to the parties. The parties shall then have seven (7) days from the receipt of the list to select a mediator in accordance with Labor Code section 1164 (b) and section 20403 of the Board's regulations.

By Direction of the Board.

Dated: November 20, 2012

J. ANTONIO BARBOSA
Executive Secretary, ALRB