

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

GERAWAN FARMING, INC.,)	Case No. 2013-NO-003-VIS
)	
Employer,)	ORDER DENYING PETITIONER'S
)	REQUEST FOR REVIEW OF
and)	REGIONAL DIRECTOR'S
)	CONCLUSION THAT SHOWING
)	OF INTEREST ATTACHED TO
GERAWAN EMPLOYEES FOR)	NOTICE OF INTENT TO
A FREE ELECTION,)	ORGANIZE WAS INADEQUATE
)	
)	Admin. Order No. 2013-32
Petitioner.)	

On August 12, 2013, Petitioner Gerawan Employees for a Free Election (GEFE) filed a Notice of Intent to Organize (NO) the agricultural workers of Gerawan Farming, Inc. (Gerawan). In a letter dated August 22, 2013, the Regional Director of the Visalia Regional Office of the Agricultural Labor Relations Board (ALRB or Board) informed GEFE representative Silvia Lopez that the NO was not accompanied by an adequate showing of interest. Therefore, the Regional Director concluded that GEFE was not entitled to the list of Gerawan employees and their home addresses.¹ On

¹ The Regional Director stated in his August 22, 2013 letter that the regional office is still investigating whether GEFE is a labor organization within the meaning of Labor Code section 1140.4(f). It is important that this investigation be concluded because the Regional Director's decision on this issue will determine whether GEFE has standing to file a notice of intent to take access and notice of intent to organize. If GEFE is not a labor organization, then the procedures set forth in section 20910 of the Board's regulations are not available to GEFE.

August 28, 2013, GEFE sent a letter to the Board requesting review of the Regional Director's conclusion that the showing of interest was inadequate and of his decision to deny GEFE the names and addresses of Gerawan employees.

PLEASE TAKE NOTICE that the Petitioner's request for review is DENIED for the reasons discussed below.

As the Regional Director explained in his August 22, 2013 letter, the NO filed by GEFE did not comply with Board regulation section 20910 subsection (a) and section 20300, subdivision (j)(1). GEFE chose to use the NO process to obtain the employee list, and in doing so failed to meet the clear standards set forth in the Board's regulations. Therefore, the Regional Director properly concluded that GEFE was not entitled to the employee list.

By Direction of the Board.

Dated: September 9, 2013

J. ANTONIO BARBOSA
Executive Secretary, ALRB