

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

GERAWAN FARMING, INC.,)	Case Nos. 2013-RD-003-VIS
)	
Employer,)	
)	
and)	
)	ORDER DENYING UNITED
SILVIA LOPEZ,)	FARM WORKERS OF
)	AMERICA'S MOTION TO
Petitioner,)	VACATE DECISION OR, IN THE
)	ALTERNATIVE, RECONSIDER
and)	DECISION
)	
UNITED FARM WORKERS OF)	Admin. Order No. 2013-47
AMERICA,)	
)	
<u>Certified Bargaining Representative.</u>)	

On November 1, 2013 at approximately 5:26 p.m., the United Farm Workers of America (the "UFW") sent a facsimile transmission to the Agricultural Labor Relations Board (the "ALRB" or "Board") containing a "Motion for Board to Vacate Its Decision, or in the Alternative, for Reconsideration." The motion seeks an order vacating or reconsidering the Board's November 1, 2013 order vacating Regional Director Silas Shawver's decision to block the decertification petition in the above-captioned case.

The UFW's motion was not accompanied by a proof of service showing service on all parties. Under the Board's regulations, any document filed with the Board, including, specifically, a motion for reconsideration in a representation case,

must be accompanied by a proof of service showing service on all parties to the case. (Cal. Code Regs., tit. 8, §§ 20164, 20168 & 20393.) A fax cover sheet indicating fax transmission to the parties, but not including a sworn statement concerning service is not sufficient. Because the UFW's motion did not comply with the Board's regulations, the Board cannot consider it.

The United Farm Workers of America's motion is DENIED.

Dated: November 4, 2013

GENEVIEVE A. SHIROMA, Chair

CAHTRYN RIVERA-HERNANDEZ, Member

HERBERT O. MASON, Member