

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

RBI PACKING, LLC,)	Case No. 2013-CE-002-VIS
)	
)	CORRECTED
Respondent,)	ORDER GRANTING THE
)	GENERAL COUNSEL'S
and)	REQUEST TO SEEK COURT
)	ORDER REQUIRING
UNITED FARM WORKERS OF)	COMPLIANCE WITH SUBPOENA
AMERICA,)	DUCES TECUM
)	
<u>Charging Party.</u>)	Admin. Order No. 2014-03

On March 19, 2014, the General Counsel of the Agricultural Labor Relations Board (General Counsel) filed a Request for Leave to Seek Court Order Requiring Compliance with its February 26, 2014 subpoena duces tecum in the above captioned matter. The subpoenaed party, Sun World International (Sun World) has not filed an opposition to the request.

The General Counsel alleges that Sun World has failed to provide any records sought by the subpoena and has failed to file a petition to revoke pursuant to subdivision (k) of section 20250 of the Agricultural Labor Relations Board's (Board) regulations.¹ The General Counsel further requests that she be delegated the authority to seek court enforcement in this instance in lieu of the Board initiating its own court

¹ The Board's regulations are codified at California Code of Regulations, title 8 section 20100 et seq.

proceeding. Sun World has neither provided the requested documents to the General Counsel, nor did it file a petition to revoke.

Section 20250, subdivision (b) of the Board's regulations requires that subpoenas duces tecum seek information that is material to the issues involved in the case. The Board has reviewed the subpoena in the instant matter and finds that it seeks materials consistent with the standard set forth in subdivision (b). Subdivision (f) of section 20250 provides that a petition to revoke a subpoena issued pursuant to section 20250 must be filed within five days after service of the subpoena. As stated previously, Sun World has not filed any such petition.

PLEASE TAKE NOTICE that the General Counsel's request is GRANTED pursuant to Board regulation section 20250, subdivision (k).

PLEASE TAKE FURTHER NOTICE that in this matter the General Counsel is delegated the authority on behalf of the Board to initiate the appropriate court proceedings, as necessary.

Dated: April 8, 2014

William B. Gould IV, Chairman

Genevieve A. Shiroma, Member

Cathryn Rivera-Hernandez, Member