

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

UNITED FARM WORKERS,)	Case No. 2013-CL-008-SAL
OF AMERICA,)	
)	ORDER SETTING BRIEFING
Respondent,)	SCHEDULE
)	
and)	
)	Admin. Order 2014-05
CORRALITOS FARMS, LLC,)	
)	
<u>Charging Party.</u>)	

On March 19, 2014, the General Counsel and the United Farm Workers of America (UFW) jointly filed a “Motion For Board Decision Based On Stipulated Facts And Record.” The stipulated facts include the admission by the UFW that it engaged in the conduct alleged in the complaint in the above-referenced case. Specifically, despite the Board’s decision in *Corralitos Farms, LLC* (2013) 39 ALRB No. 8, the UFW demanded to be recognized as the exclusive representative of the agricultural employees of the Employer and later threatened to picket until it received such recognition. In *Corralitos Farms, LLC* (2013) 39 ALRB No. 8, the Agricultural Labor Relations Board (Board) dismissed the UFW’s election objections as well as the General Counsel’s complaint, both of which alleged election misconduct by Corralitos Farms, LLC (Employer). The Board therefore certified the results of the election, in which the “No Union” choice received a majority of ballots cast.

Board Regulation 20260 (Cal. Code Regs., tit. 8, § 20260) is applicable where, as here, a hearing is not necessary because there are no material facts in dispute.

That regulation states, in pertinent part:

If there is no conflict in the evidence, the parties may, where appropriate, file with the Board a stipulated set of facts and briefs and request permission to make oral arguments concerning matters of law.

In this instance, the motion was not accompanied by briefs, nor was the need for oral argument explained.

PLEASE TAKE NOTICE THAT all parties may file briefs addressing, inter alia, the propriety of reconsidering the Board's decision in *Corralitos Farms, LLC* (2013) 39 ALRB No. 8 in this unfair labor practice proceeding, as well as any disputes regarding the content of the record. The briefs shall be filed and served by April 18, 2014. Reply briefs may be filed by April 25, 2014. All briefs shall be filed and served by facsimile transmission. (Cal. Code Regs., tit. 8, § 20168, subd. (d).)

PLEASE TAKE FURTHER NOTICE THAT the request for oral argument is hereby DENIED without prejudice to its renewal upon a showing that oral

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argument is necessary in this case.

Dated: April 8, 2014

William B. Gould IV, Chairman

Genevieve A. Shiroma, Member

Cathryn Rivera-Hernandez, Member