

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

DOLE BERRY NORTH,	)	Case Nos.	2013-RD-001-SAL
	)		(39 ALRB No. 18)
Employer,	)		(Admin. Order No. 2014-08)
)		
and	)	ORDER GRANTING	
	)	OPPORTUNITY FOR RESPONSE	
JOSÉ AGUILAR,	)	FROM PETITIONER TO UFW'S	
	)	REQUEST FOR	
Petitioner,	)	RECONSIDERATION	
)		
and	)	Admin. Order No. 2014-09	
)		
UNITED FARM WORKERS OF)		
AMERICA,)		
)		
<u>Certified Bargaining Representative.</u>)		

On May 15, 2014, the Agricultural Labor Relations Board (ALRB or Board) issued Administrative Order No. 2014-08 (Admin. Order No. 2014-08) with respect to this case, ordering that the decertification election ballots be opened and counted, and that a hearing be set on the three pending election objections. On that same day, the United Farm Workers of America (UFW) contacted the Board and moved, pursuant to section 20393(c) of the Board's regulations¹, for reconsideration of Admin. Order No. 2014-08².

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

² The UFW's motion incorporated by reference arguments presented in a letter that the UFW sent to the Board's Executive Secretary and served on all parties on May 14, 2014.

Pursuant to Board regulation section 20393(d), the Board hereby exercises its discretion to allow responses to the UFW's motion from all opposing parties in this case. The Board notes that Employer, through its counsel, has already submitted its response. Neither Employer nor the UFW may submit any further arguments with respect to the UFW's motion. Petitioner, José Aguilar, is hereby granted the opportunity, if he so chooses, to respond to the UFW's motion for reconsideration of Admin. Order No. 2014-08. Any such response must be received by the Board by 5:00 PM on Wednesday, May 21, 2014, and must be served in accordance with Board regulation sections 20160, 20164, 20166, and 20168, except that the Board will accept any response by FAX received by 5:00 PM on May 21, 2014.

The Board further ORDERS the Regional Director NOT to perform the opening and counting of the ballots in this matter, currently scheduled for 3:00 PM on May 19, 2014, at the Board's Salinas Regional Office. Such opening and counting will be stayed until a time and date after the Board rules on the UFW's motion.

Dated: May 16, 2014

William B. Gould IV, Chairman

Genevieve A. Shiroma, Member

Cathryn Rivera-Hernandez, Member