

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

CALIFORNIA ARTICHOKE AND	)	Case Nos.	2012-CE-044-VIS
VEGETABLE CORPORATION dba	)		2013-CE-012-VIS
OCEAN MIST FARMS,	)		(41 ALRB No. 2)
	)		
Respondent,	)		
	)		
and,	)	ORDER DENYING APPROVAL	
	)	OF [PROPOSED] BILATERAL,	
JUAN MARTIN HERNANDEZ and	)	FORMAL AND PARTIAL	
JAIME BOYZO ARAUJO,	)	SETTLEMENT AGREEMENT,	
	)	WITHOUT PREJUDICE	
Charging Parties.	)		
	)	Admin. Order No. 2017-14	
	)		
	)		
	)	(October 17, 2017)	
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	)		
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On October 4, 2017, the Regional Director of the Salinas Regional Office submitted to the Board for approval a [Proposed] Bilateral, Formal and Partial Settlement Agreement (“Agreement”) between Respondent, charging party Jaime Boyzo Araujo, and the Salinas Regional Director. The Agreement resolves the final outstanding backpay dispute with respect to charging party Jaime Boyzo Araujo, and is signed as approved by Administrative Law Judge William Schmidt, who presided over the October 3 compliance hearing at which the Agreement ultimately was concluded.

Paragraph 11 of the Agreement states, in part: “This agreement shall be filed with the Board. This agreement is subject to the approval of the Board, and it shall be of no force and effect until the Board has granted such approval.”

Board regulation<sup>1</sup> 20298, subdivision (f)(1)(A) requires a formal bilateral settlement agreement must be submitted to the Board for approval “with a full statement submitted on behalf of the General Counsel in support of the agreement.” Here, the Regional Director has submitted to the Board a copy of the parties’ Agreement, but the Regional Director has not submitted any separate statement in support of the settlement as required by the Board’s regulations. (See, e.g., *P & M Vanderpoel Dairy* (July 20, 2017) ALRB Admin. Order No. 2017-07.)

Accordingly, the Board hereby DENIES approval of the parties’ Agreement as submitted by the Regional Director without prejudice to resubmission of the Agreement in compliance with the Board’s regulations.

DATED: October 17, 2017

GENEVIEVE A. SHIROMA, Chairwoman

CATHRYN RIVERA-HERNANDEZ, Member

ISADORE HALL III, Member

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<sup>1</sup> The Board’s regulations are codified at California Code of Regulations, title 8, section 20100 et seq.