

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of:)	
)	
VALLEY VIEW FARMS and)	Case No. 2006-MMC-02
VALLEY VIEW DAIRY,)	
)	
Employer,)	ORDER MAKING MEDIATOR’S
)	REPORT FINAL
)	
and)	
)	Admin. Order No. 2006-10
UNITED FOOD AND COMMERCIAL)	
WORKERS UNION, LOCAL 1096,)	
)	
Petitioner.)	
_____)	

PLEASE TAKE NOTICE that no timely petition for review of the mediator’s report,² dated November 21, 2006, in the above-captioned matter has been filed.

Therefore, the report shall take immediate effect as a final order of the Board pursuant to Labor Code section 1164.3, subdivision (b).

By Direction of the Board.

Dated: December 28, 2006

JOSEPH WENDER
Acting Executive Secretary, ALRB

¹ The provisions governing the mandatory mediation and conciliation process are found at Cal. Labor Code sections 1164-1164.13, and Cal. Code of Regulations, Title 8, sections 20400-20408.

² The document issued by the mediator is entitled “Award.” By letter dated December 6, 2006, the mediator explained that the parties had agreed to the terms of the “award,” but had sought that form of decision in order to make it subject to the normative enforcement procedures for arbitration awards. However, the Board finds that where, as here, the mandatory mediation and conciliation procedures of Labor Code sections 1164-1164.13 have been invoked, any determination by the mediator fixing the terms of a collective bargaining agreement must be deemed a report subject to the review and enforcement provisions of Labor Code sections 1164.3 to 1164.9.