

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

T.T. MIYASAKA, INC.,	)	Case Nos.: 2016-CE-011-SAL
	)	(42 ALRB. No. 5)
Respondent,	)	
	)	
	)	
and,	)	ORDER GRANTING JOINT
	)	MOTION TO AMEND NOTICE TO
	)	AGRICULTURAL EMPLOYEES
	)	
ALFONSO MAGAÑA,	)	Admin. Order No. 2018-08
	)	
	)	
Charging Party.	)	(July 10, 2018)
_____	)	

On November 18, 2016, the Agricultural Labor Relations Board (the ALRB or Board) issued its decision and order in *T.T. Miyasaka, Inc.* (2016) 42 ALRB No. 5. The Board held that T.T. Miyasaka, Inc. (Respondent) violated section 1153(a) of the Agricultural Labor Relations Act (ALRA) because its employees would reasonably construe the language of an arbitration policy maintained by Respondent as prohibiting their filing of unfair labor practice charges with the ALRB. The Board ordered Respondent to amend its arbitration policy and agreement to provide specifically that employees have the right to file unfair labor practice charges with the ALRB and to utilize other services that the ALRB provides. Charging party, Alfonso Magaña, filed a petition for writ of review of the Board’s decision on December 1, 2016, and the Sixth

District Court of Appeal denied the petition on May 15, 2018. (Court of Appeal Case No. H044175.) The matter was released for compliance on June 11, 2018.

On June 22, 2018, T.T. Miyasaka, Inc. and the General Counsel of the ALRB (the General Counsel) filed a joint motion to amend the Notice to Agricultural Employees (Notice) that Respondent is required to mail, post, and read to its agricultural employees to reflect changes to Respondent's arbitration policy, since the Board issued its decision and order in 2016. In particular, Respondent amended its arbitration policy in January 2017 in compliance with the Board's order. In addition, the General Counsel and Respondent have proposed edits to the Notice to avoid confusion when the text is translated into Spanish and Mixteco. A proposed amended Notice is attached to the joint motion.

PLEASE TAKE NOTICE that the joint motion to amend the Notice to Agricultural Employees filed in the above-captioned matter is GRANTED. The Notice shall be amended as proposed.

Dated: July 10, 2018

GENEVIEVE A. SHIROMA Chairwoman

CATHRYN RIVERA-HERNANDEZ, Member

ISADORE HALL, III, Member