

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

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| PREMIERE RASPBERRIES, LLC, |) | Case Nos.: 2016-CE-010-SAL |
| |) | (42 ALRB. No. 4) |
| |) | |
| Respondent, |) | |
| |) | |
| |) | |
| and, |) | ORDER GRANTING JOINT |
| |) | MOTION TO AMEND NOTICE TO |
| |) | AGRICULTURAL EMPLOYEES |
| |) | |
| |) | |
| ENOCH CRUZ, |) | Administrative Order No. 2018-09 |
| |) | |
| |) | (August 2, 2018) |
| Charging Party. |) | |
| _____ |) | |

On November 18, 2016, the Agricultural Labor Relations Board (the ALRB or Board) issued its decision and order in *Premiere Raspberries, LLC dba Dutra Farms* (2016) 42 ALRB No. 4. The Board held that Premiere Raspberries (Respondent) violated section 1153(a) of the Agricultural Labor Relations Act (ALRA) because its employees could 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, Enoch Cruz

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. H044179.) The matter was released for compliance on June 11, 2018.

On June 21, 2018, Respondent 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 December 2016 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. Finally, Respondent and the General Counsel request that "dba Dutra Farms" be struck from the Notice because Respondent has not operated as Dutra Farms since 2016. 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: August 2, 2018

GENEVIEVE A. SHIROMA Chairwoman

CATHRYN RIVERA-HERNANDEZ, Member

ISADORE HALL, III, Member