

**Board Memorandum Describing the Delegated Authority and Assigned
Responsibilities of the General Counsel of the
Agricultural Labor Relations Board Under Labor Code Section 1160.4**

The Board hereby adopts the following internal management memorandum concerning the authority and responsibilities of the General Counsel, as delegated by the Board, with respect to seeking injunctive relief pursuant to section 1160.4 of the Agricultural Labor Relations Act (ALRA).

Section 1160.4, subdivision (a) provides that the Board shall have the power, upon finding reasonable cause to believe that any person has engaged in or is engaging in an unfair labor practice, to petition the appropriate superior court for temporary relief or a restraining order pending the outcome of the unfair labor practice proceeding. Section 1149 of the ALRA provides that the General Counsel shall have such other duties as the Board may prescribe. Thus, the Board may delegate to the General Counsel appropriate duties and authority reserved to the Board by statute. Pursuant to these powers and authorities, the Board makes the following delegation of authority to the General Counsel.

The General Counsel shall have full and final authority, without approval of the Board, to seek injunctive relief pursuant to section 1160.4 of the ALRA in all cases which in the discretion of the General Counsel warrant such relief. Such authority shall extend to the pursuance of any appeals or defenses to appeals that may follow the initial filing in the superior court.

The General Counsel shall notify the Board when injunctive relief is sought pursuant to this delegation, provide to the Board copies of all court filings by any party to the action and any orders entered by the court, and report to the Board as to the outcome of all court proceedings. The obligations under this paragraph shall not include the provision to the Board of any facts or other information which would constitute prohibited communications under sections 20700 of the Board's regulations. (Cal. Code Regs., tit. 8, § 20700.)

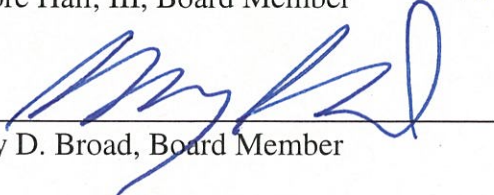
This delegation of authority supersedes any and all provisions governing the same subject matter which may be contained in any previous delegations or agreements, including the delegation adopted by the Board on August 7, 2015, and may be rescinded by the Board at any time. This delegation does not otherwise alter the terms of the delegation previously entered into between the Board and the General Counsel on July 8, 2010 and under which the agency has been functioning since then.


Cathryn Rivera-Hernandez, Board Member

7/30/19
Date


Isadore Hall, III, Board Member

7/30/19
Date


Barry D. Broad, Board Member

7/30/19
Date