

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

OLIVE HILL GREENHOUSES,)	Case No. 2024-MMC-002
INC.,)	
)	
Employer,)	
)	
and)	
)	
UNITED FARM WORKERS)	ORDER REMANDING
OF AMERICA,)	MEDIATOR’S REPORT;
)	ORDER DISMISSING
)	PETITIONS FOR REVIEW
)	WITHOUT PREJUDICE
Petitioner.)	
)	Admin. Order No.: 2026-04
)	(April 24, 2026)

On November 22, 2024, the Agricultural Labor Relations Board (“ALRB” or “Board”) issued a decision and order directing Olive Hill Greenhouses, Inc. (“Olive Hill”) and the United Farm Workers of America (“UFW”) to Mandatory Mediation and Conciliation (“MMC”) pursuant to Labor Code section 1164 et seq. (*Mushroom Farms, Inc.* (2016) 42 ALRB No. 3.) The parties selected as their mediator Matthew Goldberg (the “Mediator”).

On-the-record proceedings were held on October 8 and 9, 2025. On March 25, 2026, the Mediator filed a report (“Report”) with the Board pursuant to Labor Code section 1164, subdivision (d). Olive Hill and the UFW both filed petitions for review of the Report pursuant to Labor Code section 1164.3, subdivision (a). Because the Board finds the Report fails to satisfy the requirements of Labor Code section 1164, subdivision (d), the Board remands this matter to the Mediator and dismisses the parties’ petitions, without prejudice to

seeking review of a mediator's report issued and filed in compliance with Labor Code section 1164, subdivision (d).

Labor Code section 1164, subdivision (d) requires:

Within 21 days, the mediator shall file a report with the board that resolves all of the issues between the parties and establishes the final terms of a collective bargaining agreement, including all issues subject to mediation and all issues resolved by the parties prior to the certification of the exhaustion of the mediation process. **The report shall also include a statement of the entire economic value of the collective bargaining agreement as determined by stipulation of the parties or by the mediator.** With respect to any issues in dispute between the parties, the report shall include the basis for the mediator's determination. The mediator's determination shall be supported by the record. (Emphasis added.)

The document submitted by the Mediator as the Report fails to include a statement of the entire economic value of the collective bargaining agreement, therefore we instruct the mediator to issue a supplemental report that includes such a statement.

In addition, we note there appears to be a typographical error on page 24 of the report. Under the "Order" heading the first phrase reads: "The Collective Bargaining Agreement in effect between the United Farm Workers of America and Olive Hill Greenhouses, Inc. from March 15, 2026, through March 14, 202..." However, on page 19 of the report, the mediator adopts the three-year contract duration in the UFW's proposed Article 28. The mediator is instructed to address this discrepancy in the supplemental report.

Accordingly, this matter will be remanded to the Mediator for further proceedings consistent with this Order. The petitions for review are dismissed without prejudice as premature.¹

ORDER

The Report filed by the Mediator in this matter does not satisfy the requirements of a mediator's report set forth in Labor Code section 1164, subdivision (d). Therefore, the petitions for review filed by Olive Hill and the UFW are premature and are, for that reason, DISMISSED WITHOUT PREJUDICE. The Board remands this matter to the Mediator for further proceedings consistent with this Order. The Mediator shall, within 21 days of the date of this order, file with the Board and serve on the parties a report pursuant to Labor Code 1164, subdivision (d). This time limit shall be extended only upon written leave of the Board's Executive Secretary, who is to grant such extensions only for good cause shown and only to the extent reasonably necessary.

DATED: April 24, 2026

Victoria Hassid, Chair

Barry Broad, Member

Ralph Lightstone, Member

¹ Because the Report submitted by the Mediator fails to satisfy the requirements of Labor Code section 1164, subdivision (d), the merits of the parties' petitions for review have not been considered.