

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

RINCON PACIFIC, LLC,)	Case No.	2014-CE-044-SAL
)		
Respondent,)		(46 ALRB No. 4)
)		
)		
and)	ORDER CERTIFYING GOOD	
)	CAUSE EXISTS TO EXCEED	
)	TIME LIMIT IN LABOR CODE	
JUAN ALVAREZ, et al.,)	SECTION 1149.3	
)		
Charging Parties.)		
)	Administrative Order No. 2021-11	
)	(December 15, 2021)	
)		

On November 12, 2020, the Executive Secretary released the above-captioned case for compliance with the Agricultural Labor Relations Board’s (Board) Decision and Order, *Rincon Pacific, LLC* (2020) 46 ALRB No.4. In its decision, the Board concluded that Rincon Pacific, LLC (Rincon) violated Labor Code section 1153, subdivision (a) of the Agricultural Labor Relations Act (ALRA or Act) by failing to rehire 12 laid-off agricultural employees because they had engaged in a work stoppage several months earlier. The Board ordered, in addition to standard noticing remedies, that the employees be made whole for wages and economic losses for these violations.

On November 2, 2021, the Regional Director filed a request with the Board for certification of good cause to exceed the one-year period for completing the compliance process as set forth in Labor Code section 1149.3.¹

In her request, the Regional Director states that the COVID-19 pandemic impacted the ALRB's operations and delayed the preparation of the compliance specification in this matter. Several staff members assigned to the case were on extended leave during various times during the past year. Despite these delays, the case is currently moving forward, with a pre-hearing conference set for December 20, 2021, and a hearing on compliance scheduled to begin on January 18, 2022.

PLEASE TAKE NOTICE that for the reasons set forth in the Regional Director's Request for Certification of Good Cause Pursuant to Labor Code section 1149.3, the Board hereby CERTIFIES that there is good cause for exceeding the one-year time limit to process to a final board order a decision concerning the amount of the monetary award owed to eligible employees in the above-captioned matter.

¹ Under Labor Code section 1149.3, subsection (b), if the Board has made a finding that an employer is liable for a makewhole, backpay, or other monetary award, and a compliance proceeding is necessary to determine the specific amount owed by the employer, "the board shall process to final board order a decision concerning the amount or amounts owed within one year of the time that a final decision on employer liability has been made by the board, unless the board certifies to the parties that there is good cause for exceeding this time limit and provides a reasoned explanation for the assertion of good cause."

DATED: December 15, 2021

Isadore Hall, III, Member

Barry D. Broad, Member

Ralph Lightstone, Member

Cynthia N. Flores, Member