STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

GRIMMWAY ENTERPRISES, INC.,	)	Case No. **2025-CE-028**
Respondent,	)	**ORDER DENYING RESPONDENT'S MOTION FOR CLARIFICATION OR RECONSIDERATION OF ADMIN. ORDER No.: 2026-14**
and	)	
GERARDO SAAVEDRA,	)	**Admin. Order No.: 2026-16**
Charging Party.	)	(November 10, 2026)

On October 20, 2026, the General Counsel filed an application for special permission to appeal an October 13, 2026 prehearing conference order issued by the Administrative Law Judge (ALJ) in the above-captioned matter requiring the production of the names of discriminatees prior to the hearing.

On October 23, 2026, the Agricultural Labor Relations Board (Board or ALRB) issued an order continuing the hearing until November 2, 2026 in order to provide adequate time for Respondent, Grimmway Enterprises, Inc. (Grimmway) to file a response and/or opposition to the application for special permission to appeal the ALJ ruling. (*Grimmway Enterprises, Inc*. (Oct. 23, 2026) ALRB Admin. Order No.: 2026-12.) Under sections 20242, subdivision (b) and 20170, subdivision (b) of the Board's regulations, Grimmway's response to the General Counsel's application was due October 27, 2026.[1]

[1] The Board's regulations are codified at California Code of Regulations, title 8, section 20100 et seq.

Grimmway was required to file its opposition to the General Counsel's Request for Special Permission to Appeal ALJ's Prehearing Conference Order no later than 5:00 p.m. on October 27, 2026. However, it filed its opposition after 9:00 p.m. Under Board regulation section 20169, subdivision (a)(2), the opposition was deemed filed on the next regular business day, October 28, 2026. As Grimmway's opposition was untimely, the Board did not consider it. (*Grimmway Enterprises, Inc*. (Oct. 29, 2026) ALRB Admin. Order No.: 2026-14, p. 4, fn 2.)

On October 30, 2026, Grimmway timely filed a motion for clarification or reconsideration of ALRB Admin. Order No.: 2026-14. In its motion Grimmway explains it had filed an application to have opposition deemed timely filed and/or consideration of opposition notwithstanding any untimeliness (deviation request) on October 28, 2026, and it was unclear whether the Board had ruled on the merits of that request in ALRB Admin. Order No.: 2026-14. If not, Grimmway requests the Board reconsider its ruling on the General Counsel's appeal in light of Grimmway's application to excuse any technical non-compliance with the Board's regulations.

On November 4, 2026, the Executive Secretary issued a notice to the parties regarding Grimmway's motion for clarification or reconsideration of ALRB Admin. Order No.: 2026-14 clarifying that he, rather than the Board considered the October 28, 2026 deviation request. The Executive Secretary declined to grant the request.

With respect to Grimmway's motion for reconsideration of ALRB Admin. Order No.: 2026-14, the standard for hearing a motion for reconsideration of a Board order or decision is that "the moving party must show extraordinary circumstances, i.e., an intervening change in the law or evidence previously unavailable or newly discovered." (*South Lakes*

Dairy Farms (2013) 39 ALRB No. 2, p. 2, emphasis in original.) There are no extraordinary circumstances presented by Grimmway in its motion. Moreover, the Board has consistently held that it will only consider an untimely filing where a party establishes good cause to excuse such untimeliness. (*Jacob Diepersloot* (2018) 44 ALRB No. 12, p. 6; *GJ Farms, Inc*. (2019) 45 ALRB No. 2, p. 7;) Grimmway's counsel's alleged unfamiliarity with ALRB procedures does not constitute good cause to support granting relief for the untimely filing. (*Allstar Seed Co*. (2003) 20 ALRB No. 2, p. 4; *Reveille Farms, LLC* (2019) 45 ALRB no. 6, pp. 6-7.)

ORDER

PLEASE TAKE NOTICE that Respondent, Grimmway Enterprises, Inc.'s motion for clarification or reconsideration of *Grimmway Enterprises, Inc*. (Oct. 29, 2026) ALRB Admin. Order No.: 2026-14 is DENIED.

IT IS SO ORDERED.

DATED: November 10, 2026

VICTORIA HASSID, Chair

BARRY D. BROAD, Member

RALPH LIGHTSTONE, Member