

STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD

GARGIULO, INC.,)	Case No. 2012-RC-001-VIS
)	
Employer,)	ORDER DENYING EMPLOYER'S
)	REQUEST TO AMEND
)	CERTIFICATION OF BARGAINING
)	REPRESENTATIVE
and)	
)	
UNITED FARM WORKERS OF)	
AMERICA,)	
)	Admin. Order No. 2012-11
)	
<u>Petitioner.</u>)	

On July 31, 2012, Employer, Gargiulo, Inc. sent a letter addressed to Agricultural Labor Relations Board (ALRB) Executive Secretary, J. Antonio Barbosa objecting to the definition of the bargaining unit in the above-referenced matter and requesting that the Certification of Representative be amended. The request is DENIED for the following reasons.

Employer's letter is not a proper filing of election objections and, even if it were, it is untimely. Section 20365 (a) of the Board's regulations require election objections to be filed within five days after an election. Among the contentions that must be addressed via election objections is that the ALRB Regional Director improperly determined the geographical scope of the bargaining

unit. In this matter, the Certification of Representative reflects the same unit description as was included in the Notice and Direction of Election, so Employer was on notice as to the definition of the bargaining unit prior to the election.

By Direction of the Board.

Dated: August 3, 2012

J. ANTONIO BARBOSA
Executive Secretary, ALRB