

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

SAN JOAQUIN TOMATO	)	Case No.	2011-MMC-001
GROWERS, INC.,	)		38 ALRB No. 9
	)		(38 ALRB No. 7)
	)		(38 ALRB No. 2)
	)		(37 ALRB No. 5)
)		
Employer,	)	ORDER PROVIDING EMPLOYER	
	)	OPPORTUNITY TO SUBMIT A	
	)	RESPONSE TO PETITIONER'S	
	)	MAY 20, 2014 LETTER TO THE	
and	)	BOARD REGARDING ITS	
	)	APRIL 14, 2014 POSITION	
UNITED FARM WORKERS OF	)	STATEMENT	
AMERICA,)		
	)	Admin. Order No. 2014-18	
Petitioner.)		

On October 9, 2012, the Agricultural Labor Relations Board (ALRB or Board), in its decision and order in *San Joaquin Tomato Growers, Inc.* (2012) 38 ALRB No. 9, implemented a collective bargaining agreement (CBA or contract) between the United Farm Workers of America (UFW or Petitioner) and San Joaquin Tomato Growers, Inc. (SJTG or Employer) that had been reached via the Mandatory Mediation and Conciliation procedures specified by the Agricultural Labor Relations Act (ALRA or Act) and the Board's regulations¹. SJTG appealed the Board's decision and order implementing the CBA, but the Fifth District Court of Appeal denied SJTG's petition

¹ The Act is codified at Labor Code sections 1140 et seq. The Board's regulations are codified at California Code of Regulations, title 8, section 20100, et seq.

for review on October 3, 2013², and SJTG did not pursue any further appeal. On April 14, 2014, the UFW sent a position statement to ALRB Visalia Regional Director Silas M. Shawver, alleging that SJTG had, on multiple occasions, failed to comply with the terms of the CBA. On May 15, 2014, the Regional Director wrote the UFW a letter to the effect that the position statement should be sent to the Board itself. On May 20, 2014, the UFW filed its position statement with the Board via letter, with proper service on SJTG.

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² *San Joaquin Tomato Growers, Inc. v. Agricultural Labor Relations Board*, case No. F066074.

The Board hereby formally provides SJTG with an opportunity to respond to the UFW's position statement. SJTG's response, should it choose to make one, must be filed with the Board by 4:00 p.m. on June 30, 2014, and must be served on all parties in accordance with sections 20160, 20166, and 20168 of the Board's regulations.

Dated: June 23, 2014

William B. Gould IV, Chairman

Genevieve A. Shiroma, Member

Cathryn Rivera-Hernandez, Member