

ALRB MMC Decisions 2002-2015

Decision No.	Name	Case No.	Date	Union	What happened
29 ALRB No. 3	Pictsweet Mushroom Farms	2003-MMC-02	08/01/03	United Farm Workers of America	Board directed Parties to mandatory mediation. Successor employer was bound by certification issued when predecessor owned operation. Where the successor did not assume an existing contract, the relationship was analogous to an initial coll. barg. relationship following certification of union. UFW did not abandon bargaining unit; bargaining had been resumed and regularly pursued since 1999.
29 ALRB No. 6	Hess Collection Winery	2003-MMC-01	10/16/03	United Food and Commercial Workers Union, Fresh Fruit and Vegetable Workers 1096	Board dismissed review of Mediator's report.
33 ALRB No. 1	D'Arrigo Bros. of California	2007 MMC-01	01/24/07	United Farm Workers of America	Board directed parties to mandatory mediation and concialtion. The board had found D'Arrigo had committed ULPs in four cases, now final. Section 1164.11 means a binding contract entered into after the certification of the union.
35 ALRB. No. 3	Hess Collection Winery	2003-MMC-01 (29 ALRB No. 6)	05/19/09	United Food and Commercial Workers, Local 5	Board directed Hess and Local 5 to submit to Board for approval any settlement agreement that purports to compromise the full implementation of the imposed contract resulting from Case No. 2003-MMC-01 (29 ALRB No. 6).
36 ALRB No. 1	Frank Pinheiro Dairy	2009-MMC-02 (35 ALRB No. 5)	03/24/10	United Food and Commercial Workers, Local 5	Board vacated previous decision and ordered hearing on matters relevant to determining whether preliminary requirements for participation in MMC process were met.

## ALRB MMC Decisions 2002-2015

Decision No.	Name	Case No.	Date	Union	What happened
37 ALRB No. 5	San Joaquin Tomato Growers, Inc.	2011-MMC-001	12/23/11	United Farm Workers of America	Board ordered evidentiary hearing set to determine if request for referral to MMC met statutory prerequisites. Parties ordered to present evidence on issue of whether either party failed or refused to implement, enforce, or abide by the terms of the CBA, or whether either party renounced/disavowed the CBA such that they should be estopped from asserting/denying existence of a binding agreement that would preclude referral to MMC.
38 ALRB No. 2	San Joaquin Tomato Growers, Inc.	2011-MMC-001	03/29/12	United Farm Workers of America	Board directed parties to MMC. Parties did not previously have a binding agreement between them because there was evidence that the understanding and intent of both parties was that the agreement would not be binding and enforceable until it was formalized and executed.
38 ALRB No. 6	Ace Tomato Company, Inc.	2012-MMC-001	07/25/12	United Farm Workers of America	Board affirmed the mediator's report in full.
38 ALRB No. 7 (38 ALRB No. 2) (38 ALRB No. 5)	San Joaquin Tomato Growers, Inc.	2011-MMC-001	08/03/12	United Farm Workers of America	Board granted review so that the mediator could clarify his intent. Mediator to issue second report clarifying or modifying specified provisions or explaining why they have not been modified.
38 ALRB No. 8	Ace Tomato Company, Inc.	2012-MMC-001	08/10/12	United Farm Workers of America	Board found no legal basis to grant at that time UFW's request that the Board seek enforcement of the Board's decision in <i>Ace Tomato Co.</i> (2012) 38 ALRB. No. 6.
38 ALRB No. 9 (38 ALRB No. 7) (38 ALRB No. 2) (38 ALRB No. 5)	San Joaquin Tomato Growers, Inc.	2011-MMC-001	10/09/12	United Farm Workers of America	Board ordered that mediator's second report take immediate effect as a final order of the Board.

ALRB MMC Decisions 2002-2015

Decision No.	Name	Case No.	Date	Union	What happened
39 ALRB No. 5	Gerawan Farming, Inc.	2013-MMC-003	04/16/13	United Farm Workers of America	Board directed parties to MMC. Section 1164.11(a) requires only that parties failed to reach an agreement for at least one year; it doesn't require sustained bargaining or good faith. 1164.11(b) requires only that the employer has committed a ULP, not a specific type of ULP.
39 ALRB No. 7	Arnaudo Brothers, Inc.	2013-MMC-01	06/05/13	United Farm Workers of America	Board ordered mediator to resume the MMC process. The question of whether a mediator will conduct the MMC process is within the authority of the Board. Mediator has broad authority in the MMC process as to how he/she conducts the mediation but does not have authority to stop the MMC process completely.
39 ALRB No. 10	George Amaral Ranches, Inc.	2012-MMC-003	07/18/13	United Farm Workers of America	Board affirmed the mediator's report in full.
39 ALRB No. 11	Gerawan Farming, Inc.	2013-MMC-003	07/29/13	United Farm Workers of America	Board dismissed Lupe Garcia's (an employee of Gerawan) petition for intervention.
39 ALRB No. 13	Gerawan Farming, Inc.	2013-MMC-003	08/21/13	United Farm Workers of America	Board denied Garcia's motion for reconsideration. The public interest in the process of reaching an agreement as to the terms of a CBA is not served by public presence during that process.
39 ALRB No. 16 (39 ALRB No. 13) (39 ALRB No. 11) (39 ALRB No. 5)	Gerawan Farming, Inc.	2013-MMC-003	10/25/13	United Farm Workers of America	Board granted review as to specified provisions of the mediator's report. Board ordered mediator to file a second report addressing matters upon which review was granted.

ALRB MMC Decisions 2002-2015

Decision No.	Name	Case No.	Date	Union	What happened
39 ALRB No. 17 (39 ALRB No. 16) (39 ALRB No. 13) (39 ALRB No. 11) (39 ALRB No. 5)	Gerawan Farming, Inc.	2013-MMC-003	11/19/13	United Farm Workers of America	Board ordered mediator's second report to take immediate effect as a final order of the Board.
40 ALRB No. 1	Perez Packing, Inc.	2014-MMC-001	03/26/14	United Farm Workers of America	Board ordered an evidentiary hearing to resolve questions of fact.
40 ALRB No. 2	Arnaudo Brothers, Inc.	2013-MMC-001 (39 ALRB No. 7)	03/27/14	United Farm Workers of America	Board dismissed without prejudice the petitions for review because the Board had not received a proper mediator's report.
40 ALRB No. 5	Perez Packing, Inc.	2014-MMC-002	05/23/14	United Farm Workers of America	Board directed parties to mandatory mediation and conciliation.
40 ALRB No. 7	Arnaudo Brothers, LP, and Arnaudo Brothers, Inc.	2013-MMC-001 (39 ALRB No. 7) (40 ALRB No. 2)	06/27/14	United Farm Workers of America	Board remanded to Mediator for further mediation proceedings.
40 ALRB No. 9	Arnaudo Brothers, LP, and Arnaudo Brothers, Inc.	2013-MMC-001 (39 ALRB No. 7) (40 ALRB No. 2) (40 ALRB No. 7)	10/03/14	United Farm Workers of America	Board remanded matter to Mediator for further proceedings.

ALRB MMC Decisions 2002-2015

Decision No.	Name	Case No.	Date	Union	What happened
41 ALRB No. 1	San Joaquin Tomato Growers, Inc.	2011-MMC-001 (38 ALRB No. 9) (38 ALRB No. 7) (38 ALRB No. 2) (37 ALRB No. 5)	01/13/15	United Farm Workers of America	Board denied UFW's request for intervention.