

**STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD**

**BOARD MEETING MINUTES**

**Board Conference Room  
915 Capitol Mall, 3rd floor  
Sacramento, CA 95814**

**June 19, 2002**

Time: 10:00 a.m.  
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.  
Staff Present: Executive Secretary Barbosa, Board Counsel Wender, Levy, Heyck and Murray, Analyst Massie, Accounting Officer Davis  
Others Present: Fresno Bee reporter Leslie Maxwell  
Absent:

**OPEN SESSION**

1. **APPROVAL OF MINUTES:** The Board approved minutes for June 12, 2002, 3-0.

2. **PUBLIC COMMENT:** None.

3. **BOARD MEMBER COMMENT:** None.

4. **ANNOUNCEMENTS:**

The Board's public meeting notice for July, 2002 is issuing this week.

The Board's response to CASE's public record act request will be sent out today.

The Board meeting next week is on June 25, 2002. There will be no Board meeting the first week of July.

5. **WEEKLY STATUS REPORT ON ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, HEARINGS AND COURT LITIGATION:**

**ELECTIONS REPORT:**

**NOTICE OF INTENT TO TAKE ACCESS AND NOTICE OF INTENT TO ORGANIZE:** No new filings reported.

## **Election Petitions:**

### **Sonoma Cutrer Vineyards, Inc., 02-RC-1-SAL**

The Regional Director issued his report on challenged ballots on May 17, 2002. The UFW filed exceptions to his report on June 14, 2002. Board review of the exceptions will follow. Also, review of the UFW's election objections petition is ongoing.

### **Albert Goyenette Dairy, 02-RC-1-VI**

The Employer filed exceptions to the IHE's decision on June 7, 2002. The petitioner did not file a reply. The matter is now ripe for decision.

### **Ventura Coastal Corporation, 02-RC-2-EC(R)**

The Regional Director issued his report on challenged ballots on May 24, 2002. The employer filed exceptions to his report on June 6, 2002. Review of the UFW's and Employer's objections petitions to the election are ongoing.

### **Robert R. Hall, 02-UC-1-EC (SD)**

An investigative hearing is set for August 5, 2002.

### **San Bernabe Vineyards, et al.**

The Executive Secretary's office has been informed by the Salinas Regional Director that the UFW will be filing an election petition.

## **COMPLAINT REPORT:**

Two new complaints issued:

### **Apple Packing, 01-CE-1012-EC**

A Complaint issued June 6, 2002, alleging that the employer discharged one employee because she inquired as to whether employees would receive standing pay for the one half hour the crew was waiting for the tractor.

### **D'Arrigo Bros. of California, 01-CE-84-EC**

A Complaint issued June 17, 2002, alleging that the employer made unilateral changes in conditions of employment (employees' work schedule, workload, work equipment and uniforms) without providing notice to and the opportunity to bargain with the certified bargaining representative.

No pre-hearing conferences held.

Six cases are on calendar:

**California Redi-Date**, 00-CE-336-EC  
Pre-hearing conference July 9, 2002  
Hearing July 23, 2002.

**Robert R. Hall**, 02-UC-1-EC(SD)  
Hearing set for August 5, 2002.

**Rivera Vineyard**, 01-CE-317-EC(R)  
Pre-hearing conference August 13, 2002  
Hearing August 27, 2002.

**Cocopah Nurseries, Inc.**, 00-CE-399-EC  
Pre-hearing conference September 17, 2002  
Hearing September 24, 2002.

**Desert Citrus Properties, Inc.**, 01-CE-178-EC(R)  
Pre-hearing conference October 10, 2002  
Hearing October 29, 2002.

**Pete Vanderham Dairy, Inc.**, 01-CE-996-EC(R)  
Pre-hearing conference December 10, 2002  
Hearing December 17, 2002.

One ALJ decision issued:

**Pictsweet Mushroom Farms**, 00-CE-332-EC(OX)  
Decision issued June 19, 2002.  
Exceptions due July 12, 2002  
Reply due July 25, 2002.

One case pending exceptions/reply:

**McCaffrey Goldner Roses**, 00-CE-92-VI  
Exceptions due June 20, 2002  
Reply due July 3, 2002.

One settlement has been submitted to the assigned ALJ for approval:

**Long Family Partners LTD**, 01-CE-19-SAL  
The Regional Director's Statement of Reasons in Support of Formal Bilateral Settlement Agreement was received June 14, 2002.

No new cases have been transferred to the Board for decision.

**BOARD DECISIONS:** No new decisions have issued.

## **COURT LITIGATION:**

**Turco Desert Co., Inc.**, E030125 (27 ALRB No. 4): The Board has waived oral argument in this matter.

**The Elmore Company**, D040054 (28 ALRB No. 3)

Petitioner's opening brief was filed with the court on June 14, 2002. The Board's response brief is due July 15, 2002.

**Ranjit Grewal**, 24 ALRB 7 and 26 ALRB 5

The El Centro Regional Office has been unable to locate Ranjit Grewal to serve him with the pleadings in the Board's petition for court enforcement of its orders in 24 ALRB No.7 and in

26 ALRB No.5. Accordingly, the Regional Director advises that he is unable to proceed with the pending July 19, 2002 Order to Show Cause (OSC) hearing.

**COMPLIANCE:** No new activity to report.

## **6. BUDGET AND ADMINISTRATION:**

- (a) **Information Technology and Web Site Development Project** – Analyst Massie will work with Capitol Data on problems accessing the ALRB web site from remote locations. She is currently working on correcting omissions from the ALRB Case Digest on the web.
- (b) **Regulations** – No new activity. 2001 Regulations went into effect June 8, 2002.
- (c) **Budget**– Accounting Officer Davis will provide the Board with an updated budget report.
- (d) **Policies and Procedures** – Update – The Committee will meet next week to determine priorities and to update assignments.
- (e) **The Labor and Workforce Development Agency:**  
Nothing new to report.

**7. OUTREACH PROJECT:** Novella – Javier Juarez is adding the English translation to now further revised novella. When completed, Executive Secretary Barbosa will transmit the novella and brochures to the ad hoc committee for its review and comments.

**8. LEGISLATION** – Update on Pending Bills that may Affect the ALRB:

1) **Senate Bill 1236** (Labor and Workforce Development Agency):

On June 13, 2002 the legislation was amended and referred back to the Committee on Appropriations. The amendments strengthen the language pertaining to the source of funds for the new agency, now stating that no funds shall come from the General Fund or from the ALRB.

2) **Senate Bill 1736** (Agricultural Employer-Employee Disputes: Binding Arbitration):

The legislation is to be amended. We do not yet know what the amendments will be.

3) **Senate Bill 1818** (Backpay Awards):

No changes.

4) **Senate Constitutional Amendment 7** (Access to Information)

This is set for hearing on June 20, 2002.

**9. PERSONNEL:**

Nothing new to report.

**10. COMPLIANCE:**

The Board has signed a contract with Professor Phil Martin to identify and analyze alternative methods to compute bargaining makewhole remedies.

**11. FUTURE AGENDA REVIEW:**

The Regional Director's Quarterly meeting currently scheduled for July 17, 2002 will be cancelled.

**PUBLIC MEETING ADJOURNED AT: 11:15 a.m.**

**WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.**