

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

**Board Conference Room
915 Capitol Mall
Sacramento, CA 95814**

August 15, 2001

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Ramos-Richardson, Barrios, and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Murray, Levy, Wender; and Starkey, Analyst Massie, Legal Intern Tamashiro.
Others Present: General Counsel Turner.
Absent: Board Counsel Heyck, Chief of Administration Arviso.

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved, 4-0, the minutes for July 11, 25, and 26 (closed session only), 2001.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**
 - a. "State of the State's Labor Market," a report of the Department. of Employment Development concerning key factors affecting California's labor markets, is being circulated for information.
 - b. Reminder: SF Bay Area Labor Law Conference, September 14, 2001. Registration information circulated last week.
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.

Wilgenburg Dairy Farm, 01-RC-1-VI

Election held February 2, 2001.

Tally:

FFVW 1096	8
No Union	25
UCBs	<u>24</u>
Total	57

The Regional Director issued his Report on Challenged Ballots June 1, 2001, in which 14 challenges were sustained. Neither party filed exceptions to the report, which became final on June 14, 2001. The Regional Director conducted the opening and counting of the ballots on August 14, 2001. The amended tally is as follows:

FFVW 1096	8
No Union	34
UCBs	<u>1</u>
Amended Total	43

The Executive Secretary will issue his ruling on the objections upon conclusion of the challenged ballot proceedings.

United Farm Workers

(Excelsior Farms & Warmerdam Packing Co.), 01-UC-1-VI

The UFW filed a unit clarification (UC) petition on May 18, 2001, with the Visalia Regional Office seeking to clarify and/or amend the Board's certification in 94-RC-3-VI. The matter is under investigation and is pending the Regional Director's unit clarification report.

COMPLAINT REPORT:

One prehearing conference held:

California Redi-Date, Inc., 00-CE-25-EC, et al.

Mari's Farms, Inc., 00-CE-27-EC, et al.

Prehearing held: August 14, 2001

Three cases on calendar:

California Redi-Date, Inc., 00-CE-25-EC

Pre-hearing August 14, 2001

Hearing August 28, 2001.

The Elmore Company, 00-CE-306-EC

Backpay Specification issued, consolidated with complaint July 16, 2001
Pre-hearing August 17, 2001
Hearing September 11, 2001.

Grewal Enterprises, Inc., 98-CE-162-EC
Pre-hearing August 21, 2001
Hearing September 25, 2001.

SETTLEMENTS:

Earth Care Compost, LLC, 01-CE-628-EC (OX)
Charge withdrawn July 30, 2001, after private party settlement agreement.

C.C.J. Farming, Inc., 99-CE-27-SAL
Case closed August 8, 2001, as result of terms of an Informal Settlement Agreement being met.

BOARD DECISIONS: The Board issued its decision in Cieniga Farms, Inc., 27 ALRB No. 5, on August 10, 2001.

COURT LITIGATION:

Coastal Berry Company, H021585 (26 ALRB No. 3)
The Petitioner has requested oral argument by telephone conference.

COMPLIANCE: No new activity. Executive Secretary Barbosa will coordinate with the General Counsel's office to determine when the next compliance report will issue.

6. BUDGET AND ADMINISTRATION:

(a) Information Technology and Web Site Development Project

The T1 line is pending installation in the headquarters and regional offices. Jim Winston to request timeline for installation of T-1 from Capital Data. Ms. Massie to follow up with regional offices regarding satisfaction with service provided by Capital Data subcontractors.

(b) Administration:

- 1) **Budget—Update:** Chairwoman Shiroma noted that the Board must develop a plan to respond to a 2.5% budget reduction for the current year. Response is due to the Department of Finance (DOF) by September 6, 2001. Also, copies of the DOF Budget Letter concerning proposals for budget reductions for Fiscal Year 2002-2003 were distributed to the Board for review. The due date for submission of proposals is September 13, 2001. The Board discussed possible responses and discussed the work

plan to meet the due dates for proposals.

- 2) **BCP—Update:** The Board and the General Counsel discussed agency needs and tabled further discussion pending input from the Regional Directors.
- 3) **Interpreters Contract:** Further action is pending follow up by Chief of Administration Arviso.

Other Matters: Member Barrios will work with General Counsel Turner concerning building rehabilitation or possible re-location of the El Centro Regional Office.

- (c) **Policies and Procedures—Update:** Board Counsel Wender noted that a draft Press Policy was distributed for review yesterday.

Member Barrios noted that Fair Employment and other informational posters must be displayed at the ALRB headquarters and at the regional offices. The Executive Secretary will work with Chief of Administration Arviso and Personnel Officer Kojima to ensure that all mandatory informational posters are displayed.

- (d) **Annual Report – Update:** Member Barrios reported that the subcommittee will be setting up a meeting with the graphic arts contractor to discuss format and to obtain an estimate to produce the annual report.

7. **OUTREACH PROJECT:** Member Ramos-Richardson reported that translations of the novella and the annual report are being finalized.
8. **LEGISLATION:** Board Counsel Wender provided an update on legislation of interest to the Board. He reported that the Governor has signed AB 471, relative to labor relations for horse track backstretch employees, which permits the Horseracing Board to contract with the ALRB for assistance in investigating labor disputes. Mr. Wender also advised that federal legislation (HR 2736), relative to collective bargaining for farm workers, as presently written, does not supplant state laws on the subject.

9. **PERSONNEL:**

(a) **Intern Program – Update:** Board Counsel Starkey reported that law student interns, Brooke Pierman and Patricia Cano, are to begin their internships with the ALRB Headquarters Office this week. A revised announcement for continuing recruitment of student interns for all ALRB offices has been posted to the ALRB website and is being sent to California law schools.

10. **FUTURE AGENDA REVIEW:**

(a) Updating ALRB Educational Brochures—Calendar Item: Member Ramos-Richardson asked to set a date for review of brochures.

The Board re-calendared its next regular meeting for Thursday, August 23, 2001, at 10 a.m.

PUBLIC MEETING ADJOURNED AT: 11:00 a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.