

**STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD**

**BOARD MEETING MINUTES**

**Board Conference Room  
915 Capitol Mall, 3<sup>rd</sup> Floor  
Sacramento, CA 95814**

**November 14, 2001**

Time: 10:00 a.m.  
Members Present: Chairwoman Shiroma, Board Members Ramos Richardson, Barrios and Mason.  
Staff Present: Executive Secretary Barbosa, Board Counsel Wender, Levy, Murray, Heyck, Analyst Massie and Board Staff Nuño.  
Others Present: General Counsel Turner, Chief Administrative Law Judge Sobel, Compliance Officer Blanco.  
Absent: Chief of Administration Arviso.

**OPEN SESSION**

1. **APPROVAL OF MINUTES:** The Board approved minutes for November 7, 2001 4-0.
2. **PUBLIC COMMENT:** General Counsel Turner reported on the training for ALRB regional staff that was held in Visalia, CA on November 5, 6, and 7, 2001.
3. **BOARD MEMBER COMMENT:** Chairwoman Shiroma reported on her meeting with Steve Smith, Director of the Department of Industrial Relations on Friday, November 9, 2001.
4. **ANNOUNCEMENTS:**
  1. Executive Secretary Barbosa announced that Rod Tuttle will be presenting a public affairs workshop on December 10, 2001 at the Sutter Club on demystifying the legislative process.
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

**Hure Brothers, 01-RC-3-VI**

The UFW filed election objections on November 1, 2001. The employer filed a reply to the union's objections. The matter is pending the Executive Secretary's ruling on the objections and the Regional Director's challenged ballot report.

**Peter Vander Ham, 01-RC-3-EC(R)**

The election was held November 9, 2001. The tally was:

Dairy Employees Union	2
No Union	0
No Unresolved Ballots	
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Total	2

Election objections, if any, are due November 19, 2001.

**COMPLAINT REPORT:**

No new complaints have issued.

No prehearing conferences have been held.

One ALJ decision was issued:

**The Elmore Company, 00-CE-306-EC.**

The ALJ issued his decision on this matter November 14, 2001. Exceptions are due on December 7, 2001. Reply is due on December 21, 2001.

Three cases are on calendar:

**Pictsweet Mushroom Farms, 00-CE-332-EC(OX) .**  
Hearing December 12, 2001.

**Seaview Growers, Inc., 00-CE-15-EC (OX) (new).**  
Pre-hearing January 15, 2002  
Hearing January 29, 2002.

**BLT Farms, Inc., 01-CE-501-EC(OX)**  
Pre-hearing March 12, 2002  
Hearing March 26, 2002.

**SETTLEMENTS:** None to report.

**BOARD DECISIONS:** No changes to report.

## **COURT LITIGATION:**

**Coastal Berry Company**, H021585 (26 ALRB No. 3): The matter is pending the decision of the Court of Appeal.

**Turco Desert Co., Inc.**, E030125 (27 ALRB No. 5): The petitioner's opening brief is due November 16, 2001. Employer is seeking a 30 day extension of time to file opening brief. The Board has agreed only to a 10 day extension. This matter is pending a ruling by the court.

**Cieniga Farms, Inc.**, B152844 (27 ALRB No. 5): The petitioner's opening brief is due November 30, 2001.

## **COMPLIANCE:**

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

#### **(a) Information Technology and Web Site Development Project:**

**Approval of Capital Datacorp Maintenance Agreement** – The Board approved the Capital Datacorp maintenance agreement 4-0. The agreement includes 432 hours of scheduled maintenance in the headquarters and regional offices. Analyst Massie announced that she is developing a system for reporting any problems that may arise so repairs can be carried out quickly.

**Intranet subscription-** Upon Ms. Massie's recommendation, the Board agreed to continue the agency's basic subscription to the Intranet service.

#### **(b) Administration, Budget:**

**10% O E & E reduction-** Chairwoman Shiroma reported that the agency's proposed 10% O E & E reduction was submitted on November 9, 2001. Upon the request of the Department of Finance, an additional spreadsheet showing priority items was submitted on November 13, 2001.

#### **Review of carry-over items from FY 1999/00 and 2000/01-**

The Board reviewed carry-over items from the previous two fiscal years' budgets to determine which non-essential items could be disencumbered.

#### **(c) Policies and Procedures:** No new activity to report.

#### **(d) Regulations, Update:** The Board discussed issues involved in the development of regulations to implement Senate Bill 1198 (Agricultural Employee Relief Fund). Board Counsel Wender and Murray and Chief Administrative Law Judge Sobel will begin drafting proposed language for the regulation.

- (e) **Oxnard Sub Regional Office:** The Board discussed the status of the Oxnard Sub Regional Office in light of recent budget cuts. The Board agreed that it was important for the agency to maintain a presence in the Oxnard area, and discussed possible strategies that would allow constituents to continue to access agency services even if office hours in the Oxnard Sub Regional Office are reduced.
- (f) **Needs Assessment Report:** The Board and General Counsel reviewed and updated a spreadsheet outlining the agency's commitments made in response to its 2001 Needs Assessment Report.
- 7. **OUTREACH PROJECT: Novela and Brochures Update-** Board Member Ramos Richardson reported that drafts of new brochures and revisions to existing brochures were circulated to Board Members and Board Counsel on November 13, 2001. Ms. Ramos Richardson reminded Board Members and Board Counsel to give their edits and comments on the brochures to Board Counsel Heyck by November 27, 2001.
- 8. **LEGISLATION:** No new activity to report.
- 9. **PERSONNEL:** No new activity to report.
- 10. **COMPLIANCE:** Chairwoman Shiroma reported that the General Counsel has accepted the Board's offer of assistance on compliance matters.
- 11. **FUTURE AGENDA REVIEW:** None.

**PUBLIC MEETING ADJOURNED AT:** 12:05 p.m. The Board then broke for lunch and reconvened at 1:30 p.m. to continue discussing above agenda items. The afternoon public meeting session adjourned at 2:50 p.m.

**CLOSED SESSION:** None