

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

November 28, 2001

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

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for November 14, 2001 4-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**

Executive Secretary Barbosa announced that the Annual Employment Development Department Farmworker Breakfast is scheduled for Friday, December 7, 2001 in Calexico, CA.

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 Visalia Regional Director issued his report on challenged ballots on November 19, 2001. The RD is recommending that 51 ballots be opened and counted; 1 ballot not be opened and counted; and 2 ballots remain unresolved. Exceptions, if any, are due December 3, 2001. The matter is also pending the Executive Secretary's ruling on the objections which will follow the conclusion of the challenged ballot proceeding.

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	0
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Total	2

The employer filed an election objections petition on November 19, 2001. The objections are under review.

COMPLAINT REPORT:

No new complaints have issued.

No prehearing conferences have been held.

No ALJ decisions have issued:

One case is pending post-hearing briefs:

Pictsweet Mushroom Farms, 01-CE-620-EC(OX)
Post-hearing briefs due December 20, 2001.

Three cases on calendar:

Pictsweet Mushroom Farms, 00-CE-332-EC(OX) .
Pending new date following order granting request for continuance.

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.

BOARD DECISIONS: No changes to report.

COURT LITIGATION:

Coastal Berry Company, H021585 (26 ALRB No. 3): The court issued its decision on November 27, 2001. The case is pending review by the Board.

Turco Desert Co., Inc., E030125 (27 ALRB No. 5): The petitioner's opening brief was received Monday, November 26, 2001. Board's response brief is due within 30 days.

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

COMPLIANCE: None.

6. BUDGET AND ADMINISTRATION:

- (a) **Information Technology and Web Site Development Project:** Analyst Massie reminded staff that the intranet service will be terminating on November 30, 2001. A basic subscription to the service will continue.
- (b) **Administration - Budget – Request for Further Operating Expenses and Equipment (O E & E) Budget Reductions:** The Board reviewed and approved its response to the Department of Finance's (DOF) request for a further reduction in the O E & E budget. The letter will be finalized and sent to DOF on November 28, 2001 by noon.
- (c) **Policies and Procedures – Policy on Privacy and Workplace Searches; Code of Conduct Policy:** The Board agreed to discuss the Privacy and Workplace Searches Policy and the Code of Conduct Policy on December 5, 2001 at 10:00 a.m.
- (d) **Regulations -Update:** Chairwoman Shiroma reported that the package of proposed regulatory changes has been sent to the Office of Administrative Law and will be posted on December 7, 2001. Board Member Mason reported that an initial draft of regulations implementing Senate Bill 1198 (Agricultural Employee Relief Fund) is nearing completion and will be ready for further review by the Board soon.
- (e) **Needs Assessment –** The Board agreed to review and update action items addressing its needs assessment report again next quarter.
- (f) **Oxnard Sub Regional Office –** Executive Secretary Barbosa reported that he will be scheduling a telephone conference call among Chairwoman Shiroma,

General Counsel, and Regional Directors (Visalia and El Centro).

7. **OUTREACH PROJECT** – Novela and Brochures Update; Ad Hoc Invitation Letter: Board Member Ramos Richardson reported that edits and comments on the brochures have been received, and that she will proceed with the translation of the brochures into Spanish. The Board reviewed a letter of invitation to potential ad hoc advisory committee members. The letter was revised and approved, and will be finalized and sent.
8. **LEGISLATION:** No new activity to report.
9. **PERSONNEL:** None.
10. **Compliance:** None.
11. **FUTURE AGENDA REVIEW:** Discussion of the Privacy and Workplace Searches Policy and the Code of Conduct Policy; discussion of application for exemption from hiring freeze.

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

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION