

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

March 19, 2002

Time: 2:30 p.m.
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Wender and Heyck, Board Staff Nuño, Analyst Massie.
Others Present:
Absent: Board Counsel Levy and Murray.

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for March 13, 2002, 3-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**
 1. Board Members and the Executive Secretary attended a hearing before the Little Hoover Commission regarding the Governor's Reorganization Plan on March 19, 2002 from 9:00 a.m. to 11:00 a.m.
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 United Farm Workers Union (UFW) filed a representation petition with the Salinas Regional Office on March 8, 2002 seeking an election at Sonoma Cutrer Vineyards, Inc. The election was held March 15, 2002, with the following tally:

UFW	62
No Union	37
UCBs	51
Total	150

The unresolved challenged ballots are outcome determinative. The Regional Director's investigation of the challenges is in progress. Election objections, if any, are due March 22, 2002.

Albert Goyenette Dairy, 02-RC-1-VI

Fresh Fruit and Vegetable Workers Local 1096 filed a representation petition with the Visalia Regional Office seeking an election at Goyenette Dairy. The election was held on February 22, 2002. The Regional Director issued his challenged ballot report on March 8, 2002. Exceptions to his report were filed March 15, 2002. The matter is now pending assignment to the Board.

COMPLAINT REPORT:

No new complaints have issued.

No Pre-hearing conferences have been held:

One case pending reply:

Pictsweet Mushroom Farms, 01-CE-620-EC(OX)

Both the General Counsel and Charging Party's reply briefs were received on March 19, 2002.

Two cases pending post-hearing briefs and ALJ decision:

Pictsweet Mushroom Farms, 00-CE-332-EC(OX).

McCaffrey Goldner Roses, 00-CE-92-VI.

Eight cases on calendar:

BLT Farms, Inc., 01-CE-501-EC(OX)

Pre-hearing conference March 12, 2002

Hearing March 26, 2002.

Jasmine Vineyards, Inc., 00-CE-110-VI

Pre-hearing conference March 11, 2002

Hearing March 28, 2002.

Long Family Partners, Ltd. LP, 01-CE-19-SAL

Pre-hearing conference March 27, 2002

Hearing April 9, 2002.

California Redi-Date, Inc., 00-CE-25-EC
Pre-hearing conference (completed)
Hearing April 23, 2002.

Pacific Sod and Pacific Earth Resources, 01-CE-588-EC(OX)
Pre-hearing conference May 7, 2002
Hearing May 21, 2002.

Cameiro Heifer Ranch, Inc., 01-CE-638-EC
Pre-hearing conference June 4, 2002
Hearing June 18, 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 16, 2002
Hearing October 29, 2002.

No new cases transferred to the Board for decision.

SETTLEMENTS: No new cases reported.

BOARD DECISIONS: No new cases issued.

Coastal Berry Company, 99-CE-1-SAL

On March 13, 2002, the Board issued an order to show cause why the Board should not conduct an in camera inspection of declarations filed in case nos. 98-RC-1-SAL, and 99-RC-4-SAL. Parties' response to the order, if any, is due March 25, 2002. Replies are due April 4, 2002. Executive Secretary Barbosa reported that United Food and Commercial Workers (UFCW) president, Pete Maturino had informed him that the UFCW will now be administering the contract on behalf of the Comite. Copies of relevant documents in the case were sent to Mr. Maturinio on March 19, 2002.

COURT LITIGATION:

Turco Desert Co., Inc., E030125 (27 ALRB No. 4): The matter is pending notification from the court on the need for oral argument.

Cieniga Farms, Inc., B152844 (27 ALRB No. 5): Petitioner filed its opening brief on February 26, 2002. The Board's brief is due March 28, 2002.

COMPLIANCE: No new activity to report.

6. BUDGET AND ADMINISTRATION:

- (a) **Information Technology and Web Site Development Project :** Analyst Massie reported that she is continuing to evaluate web-based telephone systems to determine potential savings.
- (b) **Regulations:** Board Counsel Wender reported that he has drafted the final statement of reasons and final informative digest for the set of proposed amendments first noticed in December 2001. The documents will be filed with the Office of Administrative Law shortly.
- (c) **Budget:** Update – No new activity to report.
- (d) **Policies and Procedures:** Update- No new activity to report.

7. OUTREACH PROJECT: Novela - Executive Secretary Barbosa circulated a summary of proposed changes to the Novela for review. Staff will meet on March 27, 2002 at 1:30 p.m. to review the changes. Once the review is complete, Mr. Barbosa will distribute the draft novela to the ad hoc advisory committee for additional review.

8. LEGISLATION: Board Counsel Wender reported that Senate Bill 1736, which provides for binding interest arbitration in specified disputes, was assigned to the Labor and Industrial Relations Committee on March 7, 2002.

9. PERSONNEL: No new activity to report.

10. COMPLIANCE: No new activity to report.

11. FUTURE AGENDA REVIEW: None.

PUBLIC MEETING ADJOURNED AT: 3:25 p.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION