

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

April 2, 2002

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Wender, and Analyst Massie.
Others Present:
Absent: Board Counsel Levy, Murray, Heyck and Board Staff Nuño.

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for March 27, 2002, 3-0 with minor changes.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None
4. **ANNOUNCEMENTS:**
 1. The International Labor Standards Conference will be held at Stanford Law School May 19-21, 2002. The conference is part of Stanford's International Labor Studies Program, a research, teaching and policy development initiative to examine the impact of globalization on the condition of labor internationally.
 2. La Cooperativa Campesino de California has moved. Their new address is 7801 Folsom Boulevard.
 3. ALRA will hold its Annual Conference in San Diego from July 20-24, 2002.
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 UFW filed its objections to the election on March 22, 2002. The objections are being screened by the Executive Secretary. The Regional Director advised the parties on March 25, 2002 that their positions on the 51 challenges were due on April 12, 2002. The matter is pending the parties' positions and the Regional Director's Challenged Ballot Report.

Albert Goyenette Dairy, 02-RC-1-VI

The Board's decision following the Regional Director's Challenged Ballot Report issued March 29, 2002. An investigative hearing has been set for April 17, 2002 to take evidence on the alleged supervisory status of one employee.

Ventura Coastal Corporation, 01-RC-2-EC

The UFW filed a representation petition with the El Centro Regional Office seeking an election at Ventura Coastal Corporation in Coachella, CA. The employer cultivates and harvests citrus, has an excess of 100 employees and is located in Riverside County. The investigation of the petition is in progress.

Unit Clarification (UC) Petitions:

Robert R. Hall, et al, 02-UC-1-EC

On March 26, 2002 the UFW filed a UC petition seeking 02-UC-1-EC clarification of unit consisting of Robert R. Hall, Encinitas Plant Company and Bruce N. Hall.

COMPLAINT REPORT:

No new complaints have issued.

No pre-hearing conferences held.

No new backpay specifications issued.

No ALJ decisions have issued.

No new cases set for hearing.

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:

Long Family Partners, Ltd., 01-CE-19-SAL
Hearing April 9, 2002.

Albert Goyenette Dairy, 02-RC-1-VI
Hearing April 17, 2002.

California Redi-Date, Inc., 00-CE-25-EC
Hearing April 23, 2002 .

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

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

No new cases transferred to the Board for decision.

BOARD DECISIONS:

Albert Goyenette Dairy, 02-RC-1-VI
The Board issued its decision on March 29, 2002. An investigative hearing has been scheduled for April 18, 2002 in Bakersfield, CA.

Coastal Berry Company, 99-CE-1-SAL
Intervenor Coastal Berry of California Farm Workers Committee filed a notice of appearance (David A. Rosenfeld) and Joinder in Position of General Counsel with Respect of Order to Show Cause, both dated March 27, 2002. Replies, if any, are due by

Thursday, April 4, 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 court granted the Board's motion seeking a 30-day extension of time to file its response brief. The response is now due April 26, 2002.

COMPLIANCE: No new activity to report.

6. BUDGET AND ADMINISTRATION:

- (a) **Information Technology and Web Site Development Project** – Analyst Massie reported that a majority of agency computers were replaced in 2000. She will follow up with regional offices to ascertain if additional computer equipment is needed.
- (b) **Regulations** – Board Counsel Wender reported that the rulemaking file for the set of proposed amendments first noticed in December 2001 was submitted to the Office of Administrative Law on March 28, 2002. OAL has until May 10, 2002, to respond.
- (c) **Budget** – Update - No new activity to report.
- (d) **Policies and Procedures** – Update – No new activity to report.
- (e) **Needs Assessment** – No new activity to report.
- (f) **Regional Directors' Quarterly Meeting** – Scheduled for April 17, 2002.
- (g) **The Labor and Workforce Development Agency** – Mr. Barbosa will represent the Board at all future meetings.
- (h) **Annual Report** – No new activity to report.

7. OUTREACH PROJECT: Novella -Mr. Barbosa will meet with Javier Juarez to discuss further edits.

8. LEGISLATION: Board Counsel Wender reported that SB 1736 is set for hearing on April 10, 2002, at 9:30 a.m. Senate Bill 1236 was amended on April 1, 2002, and is set for hearing on April 16, 2002.

9. **PERSONNEL:** Work is continuing on obtaining freeze exemptions.
10. **COMPLIANCE:** Member Barrios to follow up with the Employment Development Department (EDD) on request for information re Gallo workers.
11. **FUTURE AGENDA REVIEW:** None.

PUBLIC MEETING ADJOURNED AT: 10:40 a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.