

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

April 9, 2002

Time: 1:30 p.m.
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.
Staff Present: Board Counsel Wender, and Heyck, Analyst Massie, and Board Staff Nuño.
Others Present:
Absent: Executive Secretary Barbosa, Board Counsel Levy and Murray

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for April 2, 2002, 3-0 with minor changes.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** Board Member Mason reported that he had attended a conference on "The Changing Face of Rural America" April 4-5, 2002 in Oxnard, Ca. While in Oxnard he visited the ALRB sub-regional office.
4. **ANNOUNCEMENTS:** None.
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 election was held April 5, 2002 with the following tally:

UFW	0
No Union	0
UCB's	141
Total	141

The unresolved challenged ballots are outcome determinative. The Regional Director's investigation of the challenges is underway.

COMPLAINT REPORT:

No new complaints have issued.

No pre-hearing conferences held.

One new backpay specification has issued. The Salinas Regional Office issued a backpay specification in Tsukiji Farms, 96-CE-182-SAL in the amount of \$345,124.75, which constitutes net backpay plus interest.

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 17, 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, were due by Thursday, April 4, 2002. The Employer filed a reply on April 3, 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 she had spoken to the Capitol Datacorp representative about recommended upgrades. He recommended upgrading to Windows 2000, and upgrading the cabling in the Headquarters office.
- (b) **Regulations** – No new activity to report.
- (c) **Budget** – Update – Assembly Budget Committee hearing will be held April 10, 2002 at 1:30 p.m.
- (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** – There will be a hearing on Senate Bill 1236 (Labor and Workforce Development Agency) on April 16, 2002 at 9:30 a.m.

7. OUTREACH PROJECT: Novella – Executive Secretary Barbosa met with Javier Juarez on April 5, 2002 to discuss further edits to the novella.

8. LEGISLATION: Senate Bill 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 hiring freeze exemptions.

10. COMPLIANCE: Compliance Officer Blanco circulated his quarterly compliance report on April 9, 2002.

11. FUTURE AGENDA REVIEW: None.

PUBLIC MEETING ADJOURNED AT: 2:40 p.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.