

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

March 7, 2002

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

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for February 27, 2002, 3-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
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:

Albert Goyenche 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 Goyenche Dairy. The election was held on February 22, 2002.

Tally:

FFVW	15
No Union	14
UCBs	1
Total	30

Election objections, if any, were due March 1, 2002. None have been filed to date. The matter is pending the Regional Director's challenged ballot report.

COMPLAINT REPORT:

No new complaints have issued.

Two new cases have been set for hearing:

Long Family Partners, Ltd. LP, 01-CE-19-SAL
Pre-hearing March 27, 2002
Hearing April 9, 2002.

Cocopah Nurseries, Inc., 00-CE-399-EC
Pre-hearing September 17, 2002
Hearing September 24, 2002.

One case pending reply:
Pictsweet Mushroom Farms, 01-CE-620-EC(OX)
Exceptions received February 7, 2002.
Reply due March 15, 2002.

One hearing completed:
McCaffrey Goldner Roses, 00-CE-92-VI
Hearing began February 25, 2002.
Hearing closed March 1, 2002.

One case pending post-hearing briefs and ALJ decision:
Pictsweet Mushroom Farms, 00-CE-332-EC(OX).

Seven cases on calendar:

BLT Farms, Inc., 01-CE-501-EC(OX)
Pre-hearing 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 March 27, 2002
Hearing April 9, 2002.

California Redi-Date, Inc., 00-CE-25-EC
Prehearing 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 June 4, 2002
Hearing June 18, 2002.

Cocopah Nurseries, Inc., 00-CE-399-EC
Pre-hearing September 17, 2002
Hearing September 24, 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
Pending Board decision.

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 the installation of the Groupwise upgraded software is ongoing. She also reported that a representative from Capitol Data Corp. would like to make a

presentation on a new phone system for the agency. Executive Secretary Barbosa announced that the Department of Information Technology (DOIT) has approved the agency's Software Management Plan, which is intended to help agencies combat and prevent software piracy and to maintain copyright compliance.

- (b) **Regulations:** Board Counsel Wender reported that proposed regulations implementing Senate Bill 1198 (Agricultural Employees' Relief Fund) have been filed with the Office of Administrative Law. The publication date will be March 15, 2002, the period for written comments will end May 1, 2002, and the hearing on the proposed regulations will be held May 8, 2002. With regard to the set of proposed amendments first noticed in December 2001, Mr. Wender also reported that the 15-day period for comment on the Notice of Changes to Original Text of Proposed Regulatory Action ends on March 9, 2002. No comments have been received to date. Mr. Wender will be drafting a final statement of reasons and final informative digest shortly.
 - (c) **Budget:** Update – Executive Secretary Barbosa announced that the Board's hearing before the Senate Budget committee is currently scheduled for March 14, 2002 upon adjournment of the Legislature.
 - (d) **Policies and Procedures:** Update- No new activity to report.
 - (e) **Salinas Office Lease Renegotiation:** Board Counsel Heyck reported that the Department of General Services Real Estate officer handling the ALRB's account will be meeting with Salinas Regional Director Capuyan on Monday, March 11, 2002.
 - (f) **Annual Report:** Update- Executive Secretary Barbosa reminded Staff that edits to the Annual Report are due March 8, 2002. A meeting to finalize the report is scheduled for March 12, 2002.
 - (g) **Governor's Reorganization Plan-** Executive Secretary Barbosa reported that a meeting with Steve Smith of the Department of Industrial Relations (DIR) regarding the Governor's Reorganization Plan is scheduled for March 13, 2002.
7. **OUTREACH PROJECT:** Novela and Brochures update- The Board reviewed the draft novela and discussed several corrections. Executive Secretary Barbosa will compile a summary of proposed changes and submit to the Board for review. 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 805 (Bilingual Web Sites) is officially dead, as it was not passed by the house of origin by January 31, 2002 as required by Article IV, Section 10(c) of the Constitution.

9. **PERSONNEL:** Chairwoman Shiroma reported that she attended a class on the State Personnel Board hearing process, and that the class was very useful.
10. **COMPLIANCE:** Board Counsel Murray discussed several issues he has been examining with regard to the compliance process.
11. **FUTURE AGENDA REVIEW:** None.

PUBLIC MEETING ADJOURNED AT: 11:05a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION