

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

**Board Conference Room
915 Capitol Mall
Sacramento, CA 95814**

June 13, 2001

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Richardson, Barrios, and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Wender and Starkey. Chief of Administration Arviso, Analyst Massie, Legal Intern Tamashiro, Board Staff Nuño.
Others Present:
Absent: Board Counsel Levy, Board Staff Torres.

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved the minutes for June 6, 2001, 4-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** Member Ramos Richardson noted the merger of the California Foundation for Improvement of Employer-Employee Relations (CFIER) and The Workplace Institute to form a new entity, the Center for Collaborative Solutions (CCS). The new organization, which has international membership, offers training and facilitation in dispute resolution.
4. **ANNOUNCEMENTS:**
 - a. David Moore, president of the Western Growers Association, passed away on June 6, 2001. Chairwoman Shiroma called Mike Webb, California Government Affairs Counsel for that organization, last Friday to express the ALRB's condolences. The Board will send a sympathy card.
 - b. Dr. Don Villarejo has provided the Board with complimentary copies, in English and Spanish, of a recent report he co-authored on the findings of the California Agricultural Worker Health Survey, which research was conducted by the California Institute for Rural Studies.
 - c. The NLRB, Region 21, 19th Annual Labor Law conference is July 19, 2001, in Anaheim. Board Members and Board Counsel are encouraged to

- attend.
- d. The Association of Labor Relations Agencies (ALRA) Annual Conference will be July 28 through August 1, 2001, in Montreal.
- e. The Department of General Services (DGS) performed an informal building inspection walk-through on June 12, 2001, to identify possible health and safety issues.

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

Dan Tudor & Sons

The Fresh Fruit and Vegetable Workers Union filed a Notice of Intent to Take Access and a Notice of Intent to Organize in the Visalia Regional Office on June 7, 2001. The Employer Dan Tudor & Sons is a table grape grower in the Delano area. The unit is described as all agricultural employees of Dan Tudor in Kern and Tulare counties and consists of approximately 400 employees. The union met the showing of interest and the employee list has been turned over.

Wilgenburg Dairy Farm, 01-RC-1-VI

Election held February 2, 2001

Tally:

FFVW 1096	8
No Union	25
UCBs	<u>24</u>
Total	57

Neither the employer nor the union filed exceptions to the Regional Director's report, which issued June 1, 2001. The Executive Secretary will issue his ruling on the objections following conclusion of the challenged ballot proceedings.

Cocopah Nurseries, Inc., 01-RC-1-EC(R)

Election held March 27, 2001

No election objections filed.

Tally:		
	UFW:	42
	No Union:	47
	Void:	1
	Challenging ballots:	<u>13</u>
	Total:	106

The regional director issued his challenged ballot report on May 22, 2001. The UFW's exceptions were received June 4, 2001. The case is pending Board decision.

COMPLAINT REPORT:

Closed cases:

Balletto Ranch, Inc., 99-CE-18-SAL

After private party settlement, the complaint was withdrawn on June 8, 2001.

Scheid Vineyards, Inc., 98-CE-12-SAL

The terms of the informal settlement agreement have been satisfactorily met, and the case is closed.

O.M. Contracting, Inc., 99-CE-53-EC

The El Centro Regional Director issued an order dismissing complaint and closing cases on compliance with settlement agreement on May 29, 2001.

Cases transferred to the Board:

Cocopah Nurseries, Inc., 01-RC-1-EC(R)

One case on calendar:

Kuhn Farms, 00-CE-13-EC

Hearing July 17, 2001

BOARD DECISIONS: None.

COURT LITIGATION: No changes.

COMPLIANCE: The Compliance Officer's Quarterly Report on Compliance is due July 3, 2001. Per direction of the Board, Mr. Winston is to forward reports of informal settlement agreements from the Regional Offices to the Executive Secretary.

6. BUDGET AND ADMINISTRATION:

(a) Information Technology and Web Site Development Project:

Analyst Massie reported that network services (email and browsing) will be unavailable on Thursday June 14, 2001 due to system upgrades. She also noted that instructions on how to shut down the servers, in case of emergency, will be made available.

Ms. Massie reported she is correcting a problem concerning missing pages on the web site's Order/Decision files. The Board asked about the status of uploading Board decisions on the web site. Chief of Administration Arviso will contact the vendor concerning an estimated time of completion for that project.

Ms. Arviso updated the Board concerning a contract dispute with the current ISP vendor and efforts to coordinate with the Department of General Services. Ms. Arviso also reported on quotes to obtain a new ISP service contract. After discussion, the Board approved an interim agreement with Pacific Bell, effective July 1, 2001.

Ms. Arviso will research costs for professional photographs of the Board, the General Counsel, the Executive Secretary, and the Regional Directors for placement on the web site.

(b) Administration:

1) Budget update – Chief of Administration Arviso reported on the status of the Board's budget and proposed expenditures. After discussion, the Board requested budget updates through the end of the fiscal year. Decisions concerning year-end expenditures will be reviewed before the end of the fiscal year.

2) Telephone Number (1-800-FOR ALRB): Ms. Arviso reported that the number 888-FOR-ALRB is available. After discussion, the Board asked Ms. Arviso to research the cost for a year of a second toll-free line and report back to the Board.

(c) Needs Assessment Report – Update: Per Chairwoman Shiroma, the list of action items will be updated and distributed to the Board and General Counsel.

(d) Regulations – Proposed Changes to Regulations: A description of proposed regulations will be circulated for review prior to discussion at the Regional Director's Quarterly meeting on July 11, 2001.

- (e) **Compliance – Compliance Manual Update Protocol:** Compliance Officer's quarterly report is due Tuesday, July 3, 2001. After discussion with the General Counsel, the Board agreed to table efforts to revise the compliance manual.
 - (f) **Proposed Time Reporting System – Proposal by Regional Director Alderete:** After discussion with the General Counsel, the Board deferred this project to the General Counsel as a matter under her purview.
 - (g) **Regional Directors' Quarterly Meeting Agenda –** A draft agenda was circulated at the Board meeting. The Executive Secretary is arranging a site visit to a Salinas health clinic. He will also be contacting interested parties in the region to see if they are interested in meeting with the Board or arranging site visits.
7. **OUTREACH PROJECT:** Member Richardson agreed to translate the Executive Summary of the 1999-2000 Annual Report into Spanish for posting on the web site. Executive Secretary Barbosa will determine cost for Spanish translation of the full report.
8. **LEGISLATION:**
AB 192 Open Meetings – Board Counsel Wender provided an update on pending legislation being followed by the ALRB.
9. **PERSONNEL:** Interviews for the administrative law judge (ALJ) position will continue on June 14, 2001. Board Counsel Wender reported that the Board had provided to the Department of Personnel Administration a supplemental response and updated duty statement for proposed Staff IV positions.
10. **FUTURE AGENDA REVIEW:** None.

PUBLIC MEETING ADJOURNED AT: 12:05 p.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.