

**STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD**

**BOARD MEETING MINUTES**

**Salinas Regional Office  
880 N. Main Street, Suite 200  
Salinas, CA 93906-2041**

**July 11, 2001**

Time: 10:00 a.m.  
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.  
Staff Present: Executive Secretary Barbosa, Board Counsel Heyck and Levy, Legal Intern Tamashiro.  
Others Present: General Counsel Turner, Regional Directors Alderete, Capuyan, Donnell, Assistant General Counsel Brenner, Field Examiners Bueno and Galarza, Maria Ramirez-Clyde, Robert Murray.  
Absent: Board Member Richardson, Board Counsel Starkey, Wender, Chief of Administration Arviso, Analyst Massie, Board Staff Torres.

**OPEN SESSION**

- 1. APPROVAL OF MINUTES:** Tabled.
- 2. PUBLIC COMMENT:** None.
- 3. BOARD MEMBER COMMENT:** None.
- 4. ANNOUNCEMENTS:**
  - a. The Regional Directors' quarterly meeting will immediately follow the Board meeting today.
  - b. Richard Steven Street's photograph collection, "Shooting Farm Workers," will be on display at the University of San Francisco from August 6 – October 14, 2001.
- 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.

**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

The Regional Director issued his Report on Challenged Ballots June 1, 2001. Neither party filed exceptions to the report, which became final on June 14, 2001. The Regional Director will be scheduling the opening and counting of the ballots. 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)**

The resolved challenged ballots were opened and counted on July 3, 2001. The revised tally is as follows:

No Union	52
UFW	47
Challenged Ballots	2
Void	1
Voters	103
Names on List	102

The certification of results of election issued July 5, 2001.

**Pictsweet Mushroom Farms, 01-RD-2-EC(OX)**

On June 28, 2001, Petitioner employee Benjamin Villanueva filed a decertification petition with the El Centro Regional Office. On that same date, Regional Director Donnell issued an order blocking the election and dismissing the petition. On July 3, 2001, the Employer, joined by the petitioner, filed a request for review of the Regional Director's decision to block the election. On July 9, 2001, the Board affirmed the Regional Director's decision to block the election and dismiss the petition.

**United Farm Workers**

**(Excelsior Farms & Warmerdam Packing Co.), 01-UC-1-VI**

The UFW filed a unit clarification (UC) petition on May 18, 2001 with the Visalia Regional Office seeking to clarify and/or amend the Board's certification in 94-RC-3-VI. The matter is under investigation and is pending the Regional Director's unit clarification report.

**COMPLAINT REPORT:**

No new complaints have issued.

No new prehearing conferences held.

No hearings in progress.

No cases pending ALJ decision.

No ALJ decisions issued.

No cases pending exceptions or reply.

No cases transferred to the Board.

One case settled:

**Kuhn Farms, 00-CE-13-EC**

Matter settled, taken off calendar July 10, 2001.

**BOARD DECISIONS:** None.

**COURT LITIGATION:** No change.

**COMPLIANCE:** Compliance Officer Blanco issued quarterly reports on Compliance and Unfair Labor Practice Settlements on July 3, 2001. These are pending Board review and comment.

**6. BUDGET AND ADMINISTRATION:**

(a) **Information Technology and Web Site Development Project:** Anti-

virus software upgrades will be installed in the regional offices.

**(b) Administration:**

- 1) **Budget - Update:** Chairwoman Shiroma noted that the agency is planning for an anticipated 2.5% cut for next year's budget.
- 2) **800 Number:** General Counsel Turner reported that approximately 90% of all calls received in Salinas on the toll free 800 line are intended for the Labor Commissioner or the Department of Food and Agriculture. Efforts will be made to redirect these calls.

**(c) Needs Assessment Report:** No changes to report.

**(d) Compliance – Update:** No changes to report.

7. **OUTREACH PROJECT:** Board Member Barrios circulated a listing of various county fairs for potential community education efforts. The Board encouraged representatives of the Salinas Regional Office to attend the Healthy Families of Alisal event on August 12, 2001. The Office of the Executive Secretary is working to revise and develop single sheet information handouts. A draft of the novella is to be sent to the Regional Offices for review and suggested edits.
8. **LEGISLATION:** Executive Secretary Barbosa reported on AB471/ AB856 regarding labor rights of backstretch employees. This proposed legislation would permit the California Horse Racing Board to contract with the ALRB for personnel to assist with dispute resolution. There was discussion about whether additional funds would be allocated to the ALRB for providing assistance in these types of cases.
9. **PERSONNEL:** The personnel office is processing resumes submitted for the Salinas Examiner position. Funding is available for legal interns in the Regional Offices. The Executive Secretary will coordinate with the General Counsel to solicit resumes.

**10. FUTURE AGENDA REVIEW:** None.

**PUBLIC MEETING ADJOURNED AT:** 11:15 a.m.

**WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.**