

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

August 23, 2001

Time: 11:45 a.m.
Members Present: Chairwoman Shiroma, Board Members Barrios, and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Murray, Heyck, Levy and Starkey, Analyst Massie, Legal Interns Tamashiro, Pierman, Board Staff Nuño.
Others Present: General Counsel Turner.
Absent: Board Member Ramos Richardson, Board Counsel Wender, Levy, Chief of Administration Arviso.

OPEN SESSION

1. **APPROVAL OF MINUTES:** Approval of minutes tabled.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**

Board Counsel Murray has volunteered to coordinate the ALRB headquarters office participation in the annual State Employees' Food Drive.

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, in which 14 challenges were sustained. Neither party filed exceptions to the report, which became final on June 14, 2001. The Regional Director conducted the opening and counting of the ballots on August 14, 2001. The amended tally is as follows:

FFVW 1096	8
No Union	34
UCBs	<u>1</u>
Amended Total	43

The Executive Secretary's review of election objections is in progress.

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:

One new complaint has issued:

Monrovia Nursery, Inc., 00-CE-98-VI

Employer allegedly discharged and refused to rehire two employees because they engaged in protected concerted activity.

Two prehearing conferences were held:

The Elmore Co., 00-CE-306-EC

Prehearing held: August 17, 2001.

Grewal Enterprises, Inc., 98-CE-162-EC

Prehearing held: August 21, 2001.

Two new cases have been set for hearing and four cases are on calendar:

The Elmore Company, 00-CE-306-EC
Hearing September 11, 2001.

Grewal Enterprises, Inc., 98-CE-162-EC
Hearing September 25, 2001.

Pictsweet Mushroom Farms, 00-CE-332-EC(OX) (new)
Pre-hearing November 20, 2001
Hearing December 12, 2001.

Seaview Growers, Inc., 00-CE-15-EC (OX) (new)
Pre-hearing January 15, 2002
Hearing January 29, 2002.

SETTLEMENTS:

California Redi-Date, Inc., 00-CE-25-EC
Matter taken off calendar as the Regional Director has approved an informal settlement agreement.

BOARD DECISIONS: No changes to report.

COURT LITIGATION:

Coastal Berry Company, H021585 (26 ALRB No. 3)
The Petitioner has requested oral argument.

COMPLIANCE: No new activity.

6. BUDGET AND ADMINISTRATION:

(a) Information Technology and Web Site Development Project—Update:

Ms. Massie reported that switchover to the new Internet provider service, in progress, will take approximately 1½ to 2 weeks.

The Regional Offices report satisfaction with the services provided by Capital Datacorp subcontractors. The Board would like Ms. Arviso to proceed with negotiations with Capital Datacorp for maintenance contracts for headquarters and the regional offices.

Ms. Massie is converting the ALRB Case Digest and its supplements to electronic format. Once the conversion is complete, the supplements and main digest will be merged into one document.

Ms. Massie is in the process of acquiring a proposal from Imtrek to reproduce complete sets of ALRB decisions.

(b) Administration:

1) Budget—Update and Proposed Timeline for Complying with General Fund Reductions: The agency's proposal for a 2.6% reduction is due to the Department of Finance on September 6, 2001. Separate proposals for General Fund reductions of 3, 5 and 10% are being reviewed by the Board and the General Counsel. These are due September 13, 2001.

2) BCP—Workplan Update : The Board and the General Counsel next week will review internal requests and supporting documentation for a budget change proposal, which is due to the Department of Finance by September 13, 2001.

Other Matters: Misdirected telephone calls continue to be received on the toll free telephone line. The General Counsel will establish a voicemail bilingual message system as a pilot program in the headquarters office to attempt to resolve the problem.

(c) Policies and Procedures—Update: Copies were distributed of the proposed policies concerning 1) Sexual Harassment; 2) Employment Discrimination based on Disability and Reasonable Accommodation Policy.

(d) Annual Report – Update: Executive Secretary Barbosa distributed assignments and reviewed deadlines for the Annual Report. The subcommittee is to meet to discuss the contents of the report. A meeting is pending with graphics services personnel.

(e) Regulations—Update: Draft regulatory changes are pending additional review.

7. OUTREACH PROJECT: Members Ramos Richardson and Barrios will meet with staff on August 28, 2001, 1:30 p.m., to review proposed changes/additions to ALRB information brochures.

8. LEGISLATION: The Executive Secretary provided an update on legislation of interest to the Board.

9. PERSONNEL: None.

10. FUTURE AGENDA REVIEW: None.

PUBLIC MEETING ADJOURNED AT: 12:45 p.m.