

General Counsel (GC) report to Board – 8/11/2020 Public Board meeting

Outreach

Working on a coordinated project to develop more effective and strategic outreach and referrals to farmworkers with Labor and Workforce Development Agency (LWDA) and other departments, including Department of Industrial Relations (DIR), Cal-OSHA, and Employment Development Department (EDD).

Developing materials for farmworkers re. COVID 19-related resources such as right to sick leave, health and safety, disability, and Unemployment Insurance (UI) benefits. Working with other labor departments to assist with content to farmworkers and Indigenous language speakers.

Developing strategies for outreach to farmworkers through remote platforms – videos for social media.

Radio and TV interviews and presentations ongoing: Radio Bilingue, Univision, Radio Indigena through Facebook Live and others – in Spanish and Mixteco.

Hiring staff to assist with outreach, referral and coordination with sister labor depts.

Staff participating on a variety of regional and statewide task forces including Central Valley Task Force to address farmworker needs re. COVID.

Office operations

Regional offices are open (except Santa Rosa). We are staffing the offices on a rotating basis and meeting with workers. We will have our regional staff attend training on how to conduct work safely (masks, social distancing, etc.) when meeting with others in the field.

Santa Rosa office is open to the public by appointment only; farmworkers can also contact Santa Rosa staff by phone.

Positions

In addition to outreach positions (two outreach specialists and one manager), we have a Field Examiner II and attorney position open in Visalia. Open positions are posted on the ALRB web site.

Settlements

Milker working at Verwey Farms Dairy in Kings County alleged that he and five other workers were terminated after engaging in a work stoppage following their complaints about overtime pay and discrepancies in their paychecks. The General Counsel investigated, found reasonable cause that a violation of the Act occurred, and filed a complaint. The case settled prior to hearing for backpay in the amount of \$77,139 for the six workers, reading, posting and mailing (noticing of violation) and supervisor training.

Workers at Mattera Farming, a Pistachio farming company in Kern County, claimed that they were fired for complaining to foreman about not evenly applying a company policy about aiding employees to complete their work. The case settled pre-complaint and the Company has agreed to pay \$20,930 to the two workers, which includes backpay and frontpay, as well as reading and noticing to employees.

A worker harvesting and bunching herbs and vegetables for Pacific Fresh Produce in Oxnard alleged that he and wife complained about not being paid as promised, and that the company retaliated against them by assigning them undesirable work, issuing warnings, and terminating the worker. GC investigated, found reasonable cause that an unfair labor practice occurred, and issued a complaint. Hearing was scheduled to start today, but the case settled on July 27 for \$27,000 in economic losses paid to the two workers, reading and noticing to employees at the company and at the Farm Labor Contractor (FLC), and posting.