

Agricultural Labor Relations Board Report to the Legislature and to the Governor



Fiscal Year 2019-20

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Cinthia Flores, Member³
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Date Submitted January 21, 2021

¹ Victoria Hassid was appointed on February 19, 2020.

² Cathryn Rivera-Hernandez served as a Board Member for a portion of Fiscal Year 2019-20 until departing on July 30, 2019, to serve as the Governor's Appointments Secretary.

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I. Introduction

More than 40 years ago, the California State Legislature enacted the Agricultural Labor Relations Act (ALRA or Act), a law granting certain rights to California farmworkers in order to "... ensure peace in the agricultural fields by guaranteeing justice for all agricultural workers and stability in labor relations."

The Act's purpose is simple: Guarantee farmworkers full freedom of choice, and prevent and redress unfair labor practices (ULP's). A groundbreaking law, the essential Act continues to serve California with its unique vision of agricultural labor peace.

In 2020 the Agricultural Labor Relations Board (ALRB or Board) faced the unprecedented challenge of the COVID-19 pandemic. The pandemic and its impact permeated nearly all aspects of life, including the way the ALRB works and operates in fulfilling its mission.

As the pandemic became more widespread in March 2020, the state took significant actions to protect public health, including issuing the March 19, 2020 statewide stay at home order issued by Governor Newsom (Executive Order N-33-20), directing all Californians to stay home unless performing an essential service. In response, the ALRB dramatically modified its operations to protect the health and safety of its staff and the public. ALRB staff were deemed essential and continued working throughout the pandemic, and quickly adapted to continue to fulfill our mission and serve the public while protecting public health.

Farmworkers were also deemed essential and have continued to work throughout the pandemic. At the time of this report, the full impact of the pandemic on ULP's, and on the ALRB's work, is unclear; but the pandemic has undoubtedly affected the work of the Board and the population we serve.

This report is submitted by the ALRB pursuant to Labor Code section 1143. The report covers ALRB activities for fiscal year 2019-20, starting on July 1, 2019, and ending on June 30, 2020.⁵ The following is a summary of activities covered in this report:

- The Board issued 6 decisions and 14 administrative orders.
- As a result of legal challenges, the Board saw two new state court legal filings, and a continuation of seven cases in state and federal courts.
- At the beginning of the 2019-20 fiscal year, the General Counsel's (GC) office had 100 pending ULP charges.⁶
- Throughout fiscal year 2019-20, the GC's office received an additional 81 ULP charges filed, for a total of 181 ULP charges that were active at some point during this fiscal year.
- The GC issued 17 ULP complaints encompassing 17 charges; while 44 charges were settled either pre-complaint or post-complaint.
- Monetary remedies to farmworkers in the amount of \$687,153.50 were collected from 24 cases.
- In non-monetary remedies, regional office staff completed:
 - A notice reading for 24 cases involving 2,863 farmworkers.
 - A notice mailing for 29 cases involving 14,467 farmworkers.
 - A notice posting for 27 cases.
 - Supervisor training for 15 cases involving 102 supervisors.
- In election activity, the Board, through its regional offices:
 - Processed two petitions for certification and no petitions for decertification.
 - Conducted two elections.
 - Issued one certification of representation.
 - Received five Notices of Intent to Take Access filings.
 - Received one Notice of Intent to Organize filings.

⁵ All information in this report is as of June 30, 2020.

⁶ Pending ULP Charges are defined here as charges that have not been either issued as complaints, dismissed, settled, or withdrawn.

- The ALRB conducted extensive outreach activities to both workers and employers.
- During 2019-20, the COVID-19 pandemic delayed one ULP hearing, 2019-CE-015-VIS, *Yergat Packing Company, Inc.*

This report reflects the hard work, commitment, and accomplishments of the staff and members of the ALRB in administering and implementing the Act. I am inspired and thankful for my colleagues' and staff's ongoing dedication to serving California farmworkers during this challenging time. The ALRB remains firm in its commitment to enforce the Act.

Victoria Hassid

Victoria Hassid

Chair, Agricultural Labor Relations Board

II. Election Activity

Farmworkers have the right to choose whether or not they want a union to represent them. Elections are held to allow farmworkers to select or terminate representation by a labor organization. The ALRB is the state department charged with administering and conducting all aspects of farmworker representation elections.

One of the important protections under the Act is that farmworkers have the right to be contacted at their workplace so that they may receive information about a prospective or existing union. The employer is required to give the union organizers access, namely, to allow the organizers onto its property to meet directly with the farmworkers. A notice of intent to take access is commonly abbreviated as NA.

Five notices of intent to take access were filed during fiscal year 2019-20. In Table 1, NA appears as part of each case number.

Table 1: List of Notices of Intent to Take Access

Number	Case Number	Employer Name	Filed by	Filing Date
1.	2019-NA-009-SAL	Monterey Tilth Farms, LLC	UFCW Local 5	8/21/2019
2.	2019-NA-010-SAL	M.D. Farms, LLC	UFCW Local 5	8/21/2019
3.	2019-NA-011-SAL	Hands of Faith Association	UFCW Local 5	8/21/2019
4.	2019-NA-012-SAL	Old Stage Partners, LLC	UFCW Local 5	8/22/2019
5.	2019-NA-002-VIS	Sensient Natural Ingredients, LLC	UFCW Local 5	10/03/2019

When a labor organization files a notice of intent to organize, accompanied by confidential signature cards signed by at least ten percent of the farmworkers, it may obtain a list of presently employed farmworkers and their home addresses. A notice of intent to organize is commonly abbreviated as NO.

During fiscal year 2019-20, one notice of intent to organize was filed. In Table 2, NO appears as part of the case number.

Table 2: List of Notices of Intent to Organize

Number	Case Number	Employer Name	Filed by	Filing Date
1.	2019-NO-002-VIS	Sensient Natural Ingredients, LLC	UFCW Local 5	10/04/2019

A certification election determines whether a majority of employees in a bargaining unit supports the certification of a labor organization, as the exclusive representative of the employees in that bargaining unit. This election is triggered by the filing of a petition for certification of representative (commonly referred to as an RC petition) with the ALRB.

Along with the petition, the petitioner must provide proof of support from a majority of the currently employed workers in the bargaining unit.

The RC petition may be filed by an employee, a group of employees, or a labor organization.

During fiscal year 2019-20, two RC petitions were filed with the ALRB. In Table 3, RC appears as part of each case number.

Table 3: List of RC Petitions

Number	Case Number	Employer Name	Filed by	Filing Date
1.	2019-RC-001-SAL	Fireworx Farms, LLC	UFCW Local 8	9/27/2019
2.	2019-RC-001-VIS	Sensient Natural Ingredients, LLC	UFCW Local 5	10/08/2019

A decertification election determines whether a majority of employees in a bargaining unit supports the decertification of a labor organization that is currently certified as the exclusive representative of the employees in that bargaining unit. Decertification includes replacement either with no union, or with a different labor organization as the certified representative.

A decertification election is triggered by the filing of a petition for decertification of representative (commonly referred to as an RD petition), along with proof of support from the requisite percentage of workers in the bargaining unit.

During fiscal year 2019-20, no RD petitions were filed with the ALRB.

Elections Conducted

Following the filing of an RC or RD petition, the ALRB conducts an investigation to determine if the statutory prerequisites for holding an election have been met. Where these prerequisites are met, the ALRB is required to conduct an election within the time specified under the Act.

- During fiscal year 2019-20, the ALRB conducted two elections.
- There were no decertification elections during fiscal year 2019-20.

If a labor organization prevailed in the election, a representative certification is issued, certifying that organization as the employees' exclusive bargaining representative.

During fiscal year 2019-20, the ALRB issued one certification, as shown in Table 4.

Table 4: List of Election Certifications

Number	Labor Organization	Employer Name	Certification Date
1.	United Food and Commercial Workers (UFCW), Local 8	Fireworx Farms, LLC	10/15/2019

III. Decisions and Orders Issued by the Board

The Board hears a variety of different types of cases. The most common type of case is a ULP case.

ULP cases typically involve alleged violations of a farmworker’s rights under the Act by an employer or a union, such as retaliation for engaging in the type of concerted activity protected under the Act, or allegations of bad faith bargaining between a union and employer.

A critical Board function is hearing all challenges and objections related to a representation election.

The Board may also hear appeals of rulings issued by mediators in mandatory mediation and conciliation (MMC) proceedings, and petitions seeking to clarify the scope of union representation.

A. Board Decisions

The Board issued six decisions in fiscal year 2019-20. Table 5 lists these decisions, followed by brief summaries of each. The full text of each decision is on the [Board Case Decisions page of the ALRB website](#), under the Volumes/Years [45-2019](#) and [46-2020](#).

Table 5: List of Board Decisions Issued

Number	Issuance Date	Board Decision Number	Case Name
1.	7/1/2019	45 ALRB No. 5	David Abreu Vineyard Management, Inc. (Jose Manuel Campos Perez)
2.	7/3/2019	45 ALRB No. 6	Reveille Farms, LLC (Dionicio Perez Lopez)
3.	7/30/2019	45 ALRB No. 7	Gerawan Farming, Inc. (Juan Manuel Juarez Hernandez and United Farm Workers of America)
4.	11/26/2019	45 ALRB No. 8	United Farm Workers of America (Agustin Garcia)
5.	4/7/2020	46 ALRB No. 1	Fowler Packing, Inc. (Beatriz Aldapa and Elmer Avalos)
6.	4/21/2020	46 ALRB No. 2	Wonderful Orchards, LLC (Imelda Vazquez-Lozano)

Descriptions of Board Decisions Issued:

1. *David Abreu Vineyard Management, Inc.* (2019) 45 ALRB No. 5, July 1, 2019

Background

The GC alleged that Respondent David Abreu Vineyard Management, Inc. (Respondent) violated the Agricultural Labor Relations Act (ALRA or Act) by terminating employees Jose Manuel Campos Perez (Jose Manuel Perez) and Silvano Campos Perez (Silvano Perez) because they engaged in activities protected by the Act.

An administrative law judge (ALJ) found that the employees engaged in protected activities by complaining about working conditions and by protesting the suspension of Silvano Perez. The ALJ further found that, due to the temporal proximity between the protected activity and the terminations and the employer's presentation of shifting or non-existent reasons for the terminations, the GC established a prima facie case of unlawful motivation. Thus, the burden of persuasion shifted to Respondent.

However, the ALJ concluded that Respondent's proffered legitimate reasons for its actions were unworthy of belief or nonexistent and, therefore, it was unnecessary to determine whether Respondent would have terminated the employees in the absence of their protected activity. Alternatively, the ALJ concluded that, even if it were necessary to make that determination, he would conclude that Respondent would not have terminated the employees absent their protected activity. Accordingly, the ALJ found a violation of Labor Code section 1153, subdivision (a) and recommended a remedy.

Board Decision

Respondent filed exceptions to the ALJ's ruling with the Agricultural Labor Relations Board (ALRB or Board). The Board affirmed the ALJ's ruling. The Board rejected Respondent's argument that, once the GC established a prima facie case, only a burden of production shifted

to Respondent, concluding that Respondent's position was contrary to well-established precedent. The Board also rejected Respondent's argument that the ALJ should have treated the alleged failure of the two employees to deny that they engaged in workplace misconduct as "adoptive admissions" establishing that they did engage in such misconduct.

While the ALJ has the discretion to draw an adverse inference from the absence of a witness or evidence, the Board further found in this case, that the employees gave credited testimony concerning some of the alleged misconduct. As to the remaining allegation, the ALJ discredited the witness making the allegation.

2. *Reveille Farms, LLC* (2019) 45 ALRB No. 6, July 3, 2019

Background

On March 8, 2019, the ALJ issued an order granting a Motion to Deem Allegations in the Complaint Admitted and granting a Motion for Default Judgment filed by the GC against Respondent Reveille Farms, LLC. (Respondent). The Complaint alleged that Respondent violated the Act by terminating the employment of charging party Dionicio Perez Lopez (Lopez) and four other workers after they engaged in activity protected by the ALRA. The ALJ found that Respondent did not file a timely answer to the Complaint, and that Respondent did not establish good cause for its failure to do so. Accordingly, the ALJ ordered the allegations in the Complaint be deemed admitted.

Board Decision

Respondent filed exceptions to the ALJ's ruling with the Board. The Board affirmed the ALJ's order granting the GC's motion and affirmed the ALJ's recommended order. The Board rejected Respondent's argument that good cause supporting relief from default judgment had been established. The Board found that Respondent's counsel's alleged unfamiliarity with ALRB procedures and law, including the ALRA's exclusion of farm labor contractors from the definition of

agricultural employer, did not constitute good cause to support granting relief from default. The Board concluded it was not necessary to consider whether the late filing would have prejudiced the other parties to the case because good cause to excuse the untimely filing had not first been established. Finally, the Board found the alleged diligence of Respondent's counsel after failing to timely answer the Complaint did not support a showing of good cause for granting relief from default.

3. *Gerawan Farming, Inc.* (2019) 45 ALRB No. 7, July 30, 2019

Background

On August 27, 2018, the ALJ issued a ruling finding that Gerawan Farming, Inc. (Gerawan) violated sections 1153, subdivisions (a), (c) and (d) of the ALRA by failing to recall four agricultural employees from seasonal layoffs in retaliation for their support for the United Farm Workers of America (UFW), and with respect to one individual because he testified in a prior ALRB proceeding.

Board Decision

The Board affirmed the ALJ's factual findings and legal conclusions consistent with its own decision. The Board reiterated that under the legal standard for determining whether adverse employment actions violate the Act, the GC bears the initial evidentiary burden to show that the alleged discriminatees engaged in protected concerted or union activity, the employer knew of or suspected such activity, and that there was a causal relationship between the employees' protected activity and the adverse employment action.

The Board clarified that to the extent that the ALJ indicated in her ruling that proof of general anti-union animus on the part of the employer was sufficient by itself to establish the GC's prima facie case, the Board did not rely on her analysis.

The Board further found that evidence of informal practices used by forepersons to fill their crews following a regular seasonal layoff was

sufficient to satisfy the GC's prima facie showing that the employer had a practice or policy of contacting former employees to offer them re-employment. The Board affirmed the ALJ's conclusion that Gerawan violated the Act when one of its foremen did not recall two experienced workers who were active union supporters where the foreman's proffered reason for not recalling the workers was a pretext.

The Board affirmed the ALJ's conclusion that Gerawan violated the Act when another of its foremen delayed rehiring a union supporter where Gerawan failed to show the delay would have occurred even absent the worker's union activity.

Finally, the Board found a violation as to the failure to rehire a fourth worker when he called two foremen at the beginning of the 2015 thinning season and was told crews were full, an excuse the Board found to be a pretext.

The Board rejected the GC's argument that a violation should have also been found for a 2014 failure to recall the same worker, because that allegation was time-barred. Member Broad stated that he would find an additional violation when the worker went to the fields later in the season to look for work and again was told the crews were full.

4. *United Farm Workers of America (Garcia)* (2019) 45 ALRB No. 8, November 26, 2019

Background

Respondent UFW threatened to picket Gerawan if Gerawan did not recognize and bargain with the union. In *UFW (Garcia)* (2019) 45 ALRB No. 4, the Board found the UFW's picketing threat violated Labor Code section 1154, subdivision (h). The Board remanded separate allegations that the picketing threat also violated section 1154, subdivisions (a)(1) and (a)(2) for further proceedings. In addition, the Board reversed the ALJ's determination that notice mailing and reading remedies were not appropriate, and ordered the full range

of standard notice remedies based on the UFW's violation of section 1154, subdivision (h).

On remand, the ALJ issued a *recommended decision and order* dismissing the section 1154, subdivision (a)(1) and (a)(2) violations, and ordering the notice remedies directed by the Board in its prior decision.

Board Decision

The UFW filed a single exception to the notice mailing and reading remedies, as well as the requirement that it provide notice to employees hired by Gerawan for a 12-month period. The Board found the exception was barred because the UFW's proper recourse to challenge the notice remedies was to file a motion for reconsideration before the Board following its earlier decision in 45 ALRB No. 4. Even assuming the exception was properly before it, the Board rejected the UFW's arguments that section 1154, subdivision (h) is intended to protect only employers and the notice remedies were inappropriate. Pursuant to its decision in 45 ALRB No. 4, the Board reiterated that section 1154, subdivision (h) is intended to protect both employers and employees from recognitional picketing threats from noncertified unions, and thus standard notice remedies were appropriate.

5. *Fowler Packing Co., Inc.* (2020) 46 ALRB No. 1, April 7, 2020

Background

Charging parties Beatriz Aldapa (Aldapa) and Elmer Avalos (Avalos) filed a wage and hour class action lawsuit against respondent Fowler Packing Company, Inc. (Fowler) in federal district court. During discovery, Fowler's attorneys asked Aldapa and Avalos at their depositions about a meeting organized by their attorneys in the class action lawsuit and attended by putative class members, including specifically for the names of other individuals who attended the meeting. Aldapa's and Avalos' attorneys objected to the deposition

questions on various grounds, including an alleged privilege under the ALRA.

On a charge filed by Aldapa and Avalos against Fowler, the GC issued a complaint alleging the questions violated Labor Code section 1153, subdivision (a). The ALJ rejected Fowler's defense that the charge was untimely filed more than six months after the deposition at which the questions were asked. The ALJ further rejected Fowler's defenses that the charging parties and GC were precluded from prosecuting the charge because it interfered with Fowler's discovery rights in the federal litigation and that the charge was barred by the Supremacy Clause of the United States Constitution. On the merits, the ALJ concluded the underlying meeting at issue constituted protected concerted activity, and that Fowler's questions violated the Act under the standard adopted by the National Labor Relations Board in *Guess?, Inc.* (2003) 339 NLRB 432. Fowler filed exceptions to the ALJ's ruling.

Board Decision

The Board reversed the ALJ's ULP finding and dismissed the complaint, without prejudice. The Board agreed with the ALJ the charge was not untimely filed based on Fowler's continuing attempts to obtain answers to its deposition questions during subsequent meet and confer efforts with Aldapa's and Avalos' attorneys. The Board further found prosecution of the charge was not barred by either res judicata or collateral estoppel principles. Reaching the merits of the issue whether Fowler's deposition questions violated the ALRA, and applying the standard prescribed by the NLRB in *Guess?*, the Board found Fowler's questions were within the scope of permissible discovery and not motivated by any unlawful purpose. Balancing the alleged interests of the putative class members in attendance at the meeting against Fowler's interests in asking the questions, the Board concluded the record contained insufficient evidence to support a finding Fowler's interests were outweighed by the Labor Code section 1152 rights of the individuals in attendance at the meeting. The Board stated its dismissal of the complaint was without prejudice in the event

Fowler re-asked its questions in the pending federal litigation and a new charge was filed.

6. *Wonderful Orchards, LLC* (2020) 46 ALRB No. 2, April 21, 2020

Background

The GC alleged that respondent Wonderful Orchards, LLC (Respondent) unlawfully terminated a crew of eight employees, including charging party Imelda Vazquez-Lozano, because they complained about working conditions. An ALJ found that the crew engaged in protected activity by complaining about the pace of work required by their foreperson, Alicia Prudencio, and that Prudencio terminated the crew in response.

Board Decision

The Board affirmed the ALJ's ruling. The Board agreed with the ALJ that Vazquez-Lozano and her crew reasonably believed Prudencio was terminating them when she stated that the crew should put down their tools and leave if they did not want to work. The Board further found that Prudencio was aware that her statement had caused the crew to believe they had been terminated and Prudencio did not do anything to clarify the situation or prevent the crew from leaving, which contributed to the crew's reasonable belief that they had been terminated. Respondent contended that its duty to clarify the situation was satisfied when a safety employee asked the crew to wait and talk to her. However, the Board rejected this contention because the individual never told the crew they were not being terminated and did not explain why she wanted them to wait. The Board adopted the ALJ's recommended remedy with some modifications to conform to the Board's standard remedies.

B. Board Administrative Orders

The Board, in addition to issuing decisions, also issues administrative orders, or interlocutory rulings, in response to motions filed by parties. These motions and orders regard procedural issues in connection with investigations, hearings, elections, or mandatory mediation and conciliation proceedings.

Many of the motions filed by parties are appeals of rulings rendered by either an ALJ or the Executive Secretary.

In fiscal year 2019-20, the Board issued 14 administrative orders. Of these 14 orders, the Board designated three as precedential, due to the significance of the issues involved and to provide guidance to parties in future cases. Administrative orders designated by the Board as precedential are indicated by “-P” following the order number.

The full text of each administrative order listed in Table 6, are on the [Board Administrative Orders page on the ALRB website](#), under the Years [2019](#) and [2020](#).

Table 6: List of Administrative Orders

Number	Administrative Order Number	Case Name	Case Number	Issue Date	Description
1.	2020-01-P	King City Nursery, LLC	2019-CE-040-SAL	1/9/2020	Order Denying Respondent's Appeal of Order Denying Petition to Revoke

Number	Administrative Order Number	Case Name	Case Number	Issue Date	Description
2.	2020-02	Premiere Raspberries, LLC	2018-MMC-002	1/28/2020	Order Directing Employer Premiere Raspberries, LLC to Respond to Request for Board Enforcement of Mandatory Mediation and Conciliation Contract or Other Relief; Order Directing Supplemental Response for United Farm Workers of America
3.	2020-03	Premiere Raspberries, LLC	2018-MMC-002	2/4/2020	Order Directing Parties to Provide Supplemental Reports re: Contract Implementation
4.	2020-04	Premiere Raspberries, LLC	2018-MMC-002	3/6/2020	Order Denying United Farm Workers of America's Requests Re: Mandatory Medication and Conciliation Contract
5.	2020-05-P	Premiere Raspberries, LLC	2018-CE-004-SAL	3/6/2020	Order Modifying Duration of Bargaining Makewhole Period

Number	Administrative Order Number	Case Name	Case Number	Issue Date	Description
6.	2020-06	Premiere Raspberries, LLC	2018-CE-004-SAL 44 ALRB No. 9	3/24/2020	Order Directing Parties to Submit Purported Settlement Agreement to the Regional Director for Approval
7.	2020-07	Premiere Raspberries, LLC	2018-CE-004-SAL 44 ALRB No. 9	3/25/2020	Order Reversing Executive Secretary's Order Denying Joint Request for an Extension of Time
8.	2020-08	Premiere Raspberries, LLC	2018-CE-002-SAL 44 ALRB No. 8	4/3/2020	Order Allowing Premiere Raspberries, LLC to Respond to United Farm Workers of America's Motion For Reconsideration
9.	2020-09	Premiere Raspberries, LLC	2018-CE-004-SAL 44 ALRB No. 9	4/3/2020	Order Allowing Respondent Premiere Raspberries, LLC to Respond to Charging Party's Motion for Reconsideration
10.	2020-10	Eat Sweet Farms, LLC	2016-CE-027-SAL	4/27/2020	Order Denying Application for Special Permission to Appeal Administrative Law Judge's Order on Statute of Limitations
11.	2020-11	Premiere Raspberries, LLC	2018-CE-002-SAL 44 ALRB No. 8	5/12/2020	Order Denying United Farm Workers of America's Motion for Reconsideration

Number	Administrative Order Number	Case Name	Case Number	Issue Date	Description
12.	2020-12	Premiere Raspberries, LLC	2018-CE-004-SAL 44 ALRB No. 9	5/12/2020	Order Denying Charging Party's Motion for Reconsideration
13.	2020-13-P	Premiere Raspberries, LLC	2018-CE-004-SAL 44 ALRB No. 9	5/19/2020	Order Disapproving Parties' Proposed Settlement Agreement
14.	2020-14	Arnaudo Brothers, LP and Arnaudo Brothers, Inc.	2012-CE-030-VIS 40 ALRB No. 3	6/2/2020	Order Approving Formal Bilateral Settlement Agreement

IV. Board and General Counsel Litigation

Board decisions generally are reviewable in the California courts of appeal. Reviews are triggered by the timely filing of a petition for review.

Litigation in California superior courts may include applications for injunctive relief, the enforcement of subpoenas issued in connection with an ALRB investigation or hearing, or petitions for writ of mandate asserting constitutional challenges to actions of the Board.

Cases in federal court typically involve constitutional challenges to the Act or its enforcement.

A. Board Litigation

Tables 7 and 8 identify litigation matters involving the Board, including the judicial forum in which a matter was pending at the conclusion of the 2019-20 fiscal year.

Generally, the Board is a respondent or defendant in such litigation cases, which typically involve appeals of board decisions, actions under the California Public Records Act (PRA), or petitions for writ of mandate or complaints for declaratory relief and injunctive relief asserting constitutional challenges to actions taken by the Board.

For fiscal year 2019-20, two new litigation matters involving the Board were filed in state courts, as listed in Table 7.

Table 7: New Board Litigation Matters

Number	Filing Date	Case Name	Summary
1.	12/23/19	<i>United Farm Workers of America v. ALRB</i> <ul style="list-style-type: none">Fifth District Court of Appeal, case number F080469	Petition for writ of review of the Board's decisions (45 ALRB Nos. 4 and 8) finding union unlawfully threatened to picket employer.
2.	5/21/20	<i>Wonderful Orchards, LLC v. ALRB</i> <ul style="list-style-type: none">Fifth District Court of Appeal, case number F081172	Petition for writ of review of the Board's decision (46 ALRB No. 2) finding employer unlawfully terminated employees for engaging in protected activity.

During at least some portion of fiscal year 2019-20, seven litigation matters involving the Board remained pending from prior years, in state and federal courts, as listed in Table 8.

**Table 8: Pending Board Litigation Matters
(Filed Pre-Fiscal Year 2019-20)**

Number	Filing Date	Case Name	Summary
1.	10/28/13	<p><i>Gerawan Farming, Inc. v. ALRB</i></p> <ul style="list-style-type: none"> • Fresno County Superior Court, case number 13-CECG-03374 • On Appeal (filed 8/15/14): Fifth District Court of Appeal, case number F069896 (remanded to superior court 9/6/16) • On Appeal (filed 8/2/17): Fifth District Court of Appeal, case number F076148 • Petition for Review (filed 11/4/19): Cal. Supreme Court, case number S258961 (petition for review denied 1/15/20) 	<p>Complaint for Injunctive/ Declaratory Relief; First Amendment challenge to the Board’s decision (39 ALRB No. 13) denying an employee’s petition to intervene in MMC proceedings and regarding public access to MMC. Appellate opinion issued 9/24/19 affirming superior court judgment in favor of ALRB; <i>Gerawan Farming, Inc. v. ALRB</i> (2019) 40 Cal.App.5th 241. This litigation now is final.</p>
2.	12/20/13	<p><i>Lupe Garcia v. ALRB</i></p> <ul style="list-style-type: none"> • Fresno County Superior Court, case number 13-CECG-03374 • On Appeal (filed 9/19/14): Fifth District Court of Appeal, case number F070287 (remanded to superior court 9/6/16) • On Appeal (filed 8/3/17): Fifth District Court of Appeal, case number F076150 • Petition for Review (filed 11/4/19): Cal. Supreme Court, case number S258961 (petition for review denied 1/15/20) 	<p>Complaint-in-Intervention filed by Gerawan employee asserting First Amendment challenge to the Board’s decision (39 ALRB No. 13) denying employee’s petition to intervene in MMC proceedings and regarding public access to MMC. Appellate opinion issued 9/24/19 affirming superior court judgment in favor of ALRB; <i>Gerawan Farming, Inc. v. ALRB</i> (2019) 40 Cal.App.5th 241. This litigation now is final.</p>

Number	Filing Date	Case Name	Summary
3.	02/16/16	<i>Cedar Point Nursery and Fowler Packing Co. v. Gould, et al.</i> <ul style="list-style-type: none"> • U.S. Dist. Court, E.D. Cal., case number 1:16-cv-00185-LJO-BAM • On Appeal (filed 7/27/16): U.S. Court of Appeals, Ninth Circuit, case number 16-16321 (petition for rehearing en banc denied 4/29/20) 	Constitutional challenge on Fourth and Fifth Amendment grounds to the Board's access regulation (Cal. Code Regs., tit. 8, § 20900). Opinion issued 5/8/19 affirming dismissal of constitutional challenge; <i>Cedar Point Nursery v. Shiroma</i> (9th Cir. 2019) 923 F.3d 524. (See also <i>Cedar Point Nursery v. Shiroma</i> (9th Cir. 2020) 956 F.3d 1152 [order denying petition for rehearing en banc].)
4.	2/21/18	<i>Gerawan Farming, Inc. v. ALRB</i> <ul style="list-style-type: none"> • Fifth District Court of Appeal, case number F077033 	Petition for writ of review of the Board's decision (44 ALRB No. 1) finding employer engaged in bad faith bargaining.
5.	5/18/18	<i>P&M Vanderpoel Dairy v. ALRB</i> <ul style="list-style-type: none"> • Fifth District Court of Appeal, case number F077513 	Petition for writ of review of Board's decision (44 ALRB No. 4) awarding backpay to an unlawfully terminated employee. Appellate unpublished opinion issued 5/8/20 affirming Board decision. This case now is pending issuance of the appellate court's remittitur.
6.	9/24/18	<i>Premiere Raspberries, LLC v. ALRB</i> <ul style="list-style-type: none"> • Sixth District Court of Appeal, case number H046221 (petition summarily denied 12/17/19) • Petition for Review (filed 12/23/19); Cal. Supreme Court, case number S259772 (petition for review denied 1/2/20) 	Petition for writ of review of the Board's decision (44 ALRB No. 8) ordering MMC into effect. This litigation now is final.

Number	Filing Date	Case Name	Summary
7.	9/24/18	<i>Premiere Raspberries, LLC v. ALRB</i> <ul style="list-style-type: none"> • Sixth District Court of Appeal, case number H046223 (petition summarily denied 12/17/19) • Petition for Review (filed 12/23/19); Cal. Supreme Court, case number S259773 (petition for review denied 1/2/20) 	Petition for writ of review of the Board's decision (44 ALRB No. 9) finding employer unlawfully refused to bargain with a certified union and awarding bargaining makewhole relief. This litigation now is final.

B. General Counsel Litigation

Litigation matters handled by the GC's office typically involve injunctive relief requests or enforcement of administrative subpoenas.

During fiscal year 2019-20, the GC filed/initiated two requests for injunctive relief, as listed in **Error! Reference source not found.**

Table 9: New General Counsel Litigation Matters

Number	Filing Date	Case Name	Summary
1.	04/17/2020	<i>Yergat Packing Company, Inc.</i> <ul style="list-style-type: none"> • Fresno County Superior Court, case number 20CECG01316 	The GC filed a request for a court order to return several farmworkers back to work, to whom the Respondent sent a letter that they were terminated because they complained about working conditions (ULP 2019-CE-015-VIS). The court declined to set the case for hearing because of closures resulting from COVID-19. By the time the court was willing to hear the case, the work season was over, thus negating the need for an injunction.

Number	Filing Date	Case Name	Summary
2.	01/03/2020	<i>Tri-Fanucchi Farms.</i> <ul style="list-style-type: none"> • Kern County Superior Court, case number BCV-19-103334 NFT 	The GC filed a request for temporary injunctive relief against Tri-Fanucchi Farms for failing to provide employee records to the certified bargaining unit, United Farm Workers of America (UFW) (2019-CE-020-VIS). The parties executed a settlement agreement, and a stipulated final order and judgment was entered by the Court on January 3, 2020.

V. Unfair Labor Practice Charges

Unfair labor practice (ULP) charges, alleging violations of the Act, may be filed by agricultural employees against agricultural employers or labor organizations, or by agricultural employers or labor organizations against one another.

ULP charges are investigated by the General Counsel’s office. The GC program decides whether to dismiss the charge (if no merit) or to file a ULP complaint. Many charges are settled, both before and after the GC’s filing of a ULP complaint.

ULP complaints are scheduled for a case management conference, a pre-hearing conference, and an evidentiary hearing before an ALRB ALJ. After the hearing, the ALJ issues a written ruling, which includes a remedial order when violations of the Act are found. The ALJ ruling can be appealed to the Board for *de novo* review. The subsequent Board decision, if any, can be appealed to a District Court of Appeal, and to the California Supreme Court.

Once all appeals have been exhausted, and if the Board’s decision is upheld or if the ALJ’s ruling is not appealed, it is released for compliance with the order of the decision. The Board relies on the Regional Office staff to effectuate compliance, which can include

monetary remedies, as well as readings, noticing, and mailings to farmworkers regarding their rights.

In some instances, a separate compliance hearing occurs, to establish the amount of the monetary award to compensate farmworkers for lost wages and other economic losses resulting from a violation of the Act.

ULP charges are typically handled entirely within the ALRB's administrative framework. However, the GC occasionally utilizes the courts to enforce subpoenas, and to seek injunctive relief when the GC determines that an immediate court order is needed to remedy a ULP.

A.ULP Charges

At the beginning of the 2019-20 fiscal year, the GC's office had a total of 100 pending ULP charges. Throughout fiscal year 2019-20, an additional 81 ULP charges were filed, for a total of 181 ULP charges that were pending at some point during the fiscal year. By the end of fiscal year 2019-20, the GC's office had a total of 99 pending ULP charges.

Table 10 lists ULP charges by office where the charge was filed, and by disposition of each charge: withdrawn, dismissed, settled, went to complaint, or still under investigation at end of fiscal year. Additionally, four charges remained in abeyance. Some charges are counted more than once because they went through more than one status (such as complaint and settled) during the fiscal year.

Table 10: ULP Charges by Office

Charge Category	Salinas Regional Office	Visalia Regional Office	Total
New Charges Filed	53	28	81
Withdrawn ⁷	7	5	12
Dismissed ⁸	17	14	31
Settled ⁹	35	9	44
Charges to Complaint ¹⁰	13	4	17
Pending as of 6/30/2020 ¹¹	64	35	99

B. ULP Investigation-Subpoena Enforcement

In fiscal year 2019-20, the GC did not file any subpoena enforcement actions.

⁷ Includes charges filed prior to fiscal year 2019-20.

⁸ Includes charges filed prior to fiscal year 2019-20.

⁹ Includes charges filed prior to fiscal year 2019-20.

¹⁰ Includes charges filed prior to fiscal year 2019-20.

¹¹ Includes charges filed prior to fiscal year 2019-20.

C. ULP Complaints

During the fiscal year 2019-20, the GC issued 17 new complaints encompassing 17 charges, as summarized in Table 11 and listed in Table 12.

Table 11: ULP Complaints by Office

Complaint Category	Salinas Regional Office	Visalia Regional Office	Total
New Complaints Issued	13	4	17
Complaints Withdrawn	0	0	0
Complaints Dismissed	0	0	0
Complaints Settled ¹²	10	1	11
Complaints to Compliance ¹³	4	1	5

Table 12: List of ULP Complaints

Number	Case Number	Respondent	Complaint Date	Status as of June 30, 2019 ¹⁴
1.	2018-CE-066-SAL	VBF Brands, Inc. and Ocean Growth Horticulture, Inc.	08/02/2019	Settled before hearing 10/31/2019

¹² Includes complaints filed before fiscal year 2019-20.

¹³ Includes complaints filed before fiscal year 2019-20.

¹⁴ The purpose of this table is to list *complaints* issued during the fiscal year. The *status* column is for information only, and is not meant to document the total number of hearings held. This column lists only the hearings held during fiscal year 2019-20 for complaints issued between July 1, 2019, and June 30, 2020. As of June 30, 2020, some complaints issued between July 1, 2019, and June 30, 2020, were scheduled for hearings to be held during fiscal year 2019-20. Hearings were also held during fiscal year 2019-20, for complaints issued in previous fiscal years. See Section F, *Unfair Labor*

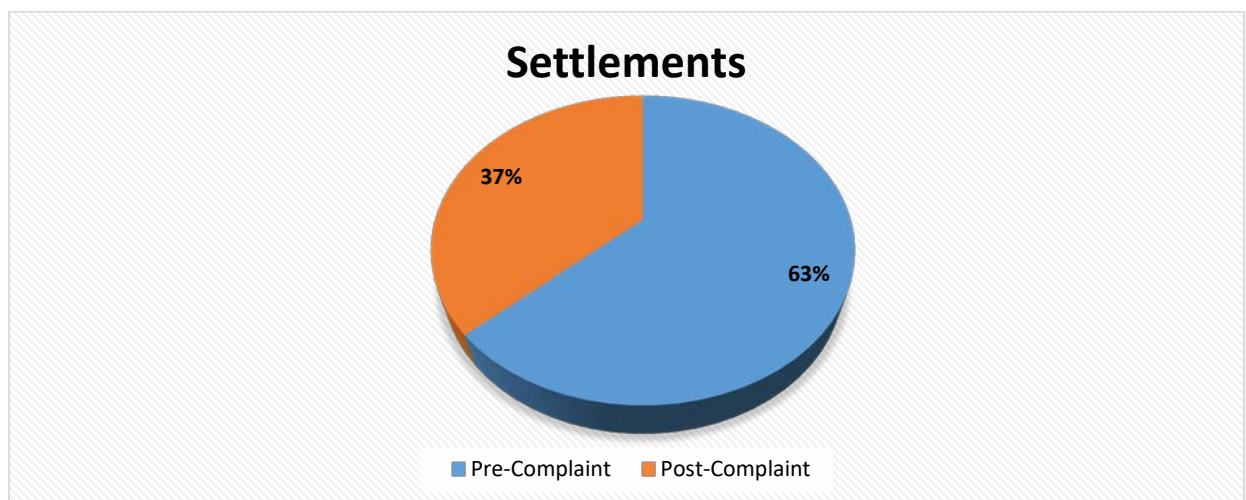
Number	Case Number	Respondent	Complaint Date	Status as of June 30, 2019 ¹⁴
2.	2018-CE-048-SAL	Smith Packing, Inc.	08/12/2019	Hearing held 11/05/2019; transferred to Board 05/08/2020
3.	2016-CE-033-SAL	Camarillo Harvesting, LP	08/27/2019	Settled 01/02/2020
4.	2017-CE-006-VIS	Ocean Mist Farms	10/16/2019	Hearing held 01/22/20
5.	2018-CE-070-SAL	San Miguel Produce, Inc.	11/15/2019	Settled 01/17/2020
6	2019-CE-011-SAL	Duda Farm Fresh Foods, Inc.	12/23/2019	Settled 03/06/2020
7.	2016-CE-027-SAL	Eat Sweet Farms, LLC	12/27/2019	Hearing set 09/15/2020
8.	2019-CE-012-SAL	Etchandy Farms, LLC	12/27/2019	Settled 04/07/2020
9.	2018-CE-045-SAL	Lakeside Organic Gardens, LLC	12/27/2019	Settled 06/08/2020
10.	2018-CE-009-SAL	Pacific Fresh Produce, Inc.	12/27/2019	Hearing set 08/11/2020
11.	2018-CE-062-SAL	San Miguel Produce, Inc.	01/28/2020	Hearing set 09/15/2020

Practice and Compliance Hearings, on page 32 for a complete list of the three ULP complaint hearings held during fiscal year 2019-20.

Number	Case Number	Respondent	Complaint Date	Status as of June 30, 2019 ¹⁴
12.	2019-CE-005-VIS	Philip Verwey Dairy, Inc. dba Philip Verwey Farms	02/25/2020	Hearing set 08/25/2020
13.	2019-CE-015-VIS	Yergat Packing Company, Inc.	04/03/2020	Hearing set 11/17/2020
14.	2019-CE-013-SAL	B&H Flowers, Inc.	04/14/2020	Hearing set 10/20/2020
15.	2019-CE-018-VIS	Terra Linda Dairy, LP	05/21/2020	Hearing set 01/07/2021
16.	2017-CE-008-SAL	Cinagro Farms, Inc.	06/10/2020	Hearing set 02/23/2021
17.	2019-CE-042-SAL	Satellite Farms, LLC	06/10/2020	Complaint filed

D. ULP Settlements

During fiscal year 2019-20, the GC achieved 30 settlement agreements, which resolved 44 ULP charges. Of these settlement agreements, 19 were achieved pre-complaint, and 11 were achieved post-complaint.



Pre-Complaint Settlements

During fiscal year 2019-20, the GC reached 19 pre-complaint settlements encompassing 27 charges, as listed in Table 13.

Table 13: List of Pre-Complaint Settlements

Number	Case Number	Respondent	Settlement Type ¹⁵	Settlement Date
1.	2019-CE-003-VIS 2019-CE-004-VIS	Grimmway Enterprises, Inc.	Informal Bilateral	07/26/2019
2.	2018-CE-032-SAL	Loud Buddha, LLC	Informal Bilateral	08/05/2019
3.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	Informal Bilateral	08/06/2019
4.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	Informal Bilateral	08/07/2019
5.	2019-CE-026-SAL	Reiter Brothers, Inc.	Informal Bilateral	08/09/2019
6.	2018-CL-001-VIS 2018-CL-002-VIS	United Food & Commercial Workers Union	Informal Bilateral	08/28/2019
7.	2017-CE-081-SAL	Palma's Produce, Inc.	Informal Bilateral	09/20/2019

¹⁵ Informal settlements are those that occur prior to hearing, as opposed to formal settlements that occur after hearing. A bilateral settlement is one in which both the charging party and the respondent are parties to a settlement with the ALRB. A Unilateral Settlement is one in which only the respondent is a party to the settlement with the ALRB and not the charging party.

Number	Case Number	Respondent	Settlement Type ¹⁵	Settlement Date
8.	2018-CE-052-SAL 2019-CE-010-SAL	Coastline Family Farms, Inc., Southwest Harvesting, Inc., & Pomer Packing Co., Inc.	Informal Bilateral	10/07/2019
9.	2019-CE-043-SAL	Foothill Packing, Inc. & Anthony Costa & Sons	Informal Bilateral	10/15/2019
10.	2019-CE-039-SAL	J.E. Farms, Inc.	Informal Bilateral	10/20/2019
11.	2018-CE-066-SAL	VBF Brands, Inc. & Ocean Grown Horticulture, Inc.	Informal Bilateral	10/31/2019
12.	2019-CE-022-SAL	Ito Brothers, Inc.	Informal Bilateral	12/31/2019
13.	2019-CE-020-SAL 2019-CE-021-SAL	Camarillo Berry Farms, LP & Camarillo Harvesting, LP	Informal Bilateral	01/06/2020
14.	2017-CE-026-SAL 2018-CE-069-SAL	Frog's Leap Winery	Informal Bilateral	02/13/2020
15.	2018-CE-064-SAL	Ocean Hill Farms, LLC	Informal Bilateral	03/19/2020
16.	2018-CE-068-SAL	Candes Farms, Inc.	Informal Bilateral	03/30/2020
17.	2020-CE-001-VIS	Gebhardt Farms Management, Inc.	Informal Bilateral	05/22/2020
18.	2019-CE-023-VIS	Gebhardt Farms Management, Inc.	Informal Bilateral	05/23/2020
19.	2020-CE-003-SAL	Michael Wolf Vineyards, Inc.	Informal Bilateral	06/18/2020

Post-Complaint Settlements

During fiscal year 2019-20, the GC reached 11 post-complaint settlements encompassing 17 charges, as listed in Table 14.

Table 14: List of Post-Complaint Settlements

Number	Case Number	Respondent	Settlement Type	Settlement Date
1.	2018-CE-044-SAL	Bogle Vineyards, Inc.	Informal Bilateral	07/10/2019
2.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	Informal Bilateral	09/06/2019
3.	2019-CE-003-SAL	LNB Ventures Salinas, LLC	Informal Bilateral	09/13/2019
4.	2018-CE-021-SAL	Dole Berry North, LLC	Informal Bilateral	10/17/2019
5.	2017-CE-001-SAL 2016-CE-033-SAL	Nunes Vegetables, Inc. & Camarillo Harvesting, LLP	Informal Bilateral	01/02/2020
6.	2018-CE-070-SAL	San Miguel Produce, Inc.	Informal Bilateral	01/17/2020
7.	2019-CE-011-SAL	Duda Farm Fresh Foods, Inc.	Informal Bilateral	03/06/2020
8.	2019-CE-012-SAL	Etchandy Farms, LLC	Informal Bilateral	04/07/2020
9.	2012-CE-030-VIS 2015-CE-006-VIS 2017-CE-003-VIS	Arnaudo Brothers, Inc.	Formal Bilateral	06/02/2020
10.	2018-CE-045-SAL	Lakeside Organic Gardens LLC	Informal Bilateral	06/08/2020
11.	2018-CE-042-SAL 2018-CE-059-SAL	Francisco Labor Service, Inc./Queen Victoria Farms, LP	Informal Bilateral	06/10/2020

E. Unfair Labor Practice and Compliance Hearings

During fiscal year 2019-20, the Board held three hearings before an ALJ in ULP cases, and no hearings on compliance. Table 15 lists ULP hearings by the *hearing closed* date.

Table 15: List of ULP and Compliance Hearings

Number	Case Number	Respondent	Hearing Opened	Hearing Closed	Number of Hearing Days
1.	2018-CE-048-SAL	Smith Packing, Inc.	11/05/2019	11/05/2019	1
2.	2017-E-020-VIS	Sun Pacific Farming Cooperative, Inc.	11/05/2019	11/06/2019	2
3.	2017-CE-006-VIS	Ocean Mist Farms	01/22/2020	01/24/2020	2
TOTAL					5

VI. Remedies and Disbursements

The Board is empowered to order a wide range of remedies to effectuate the purposes of the Act and to make whole the victims of ULP's. These remedies may include reinstatement of an unlawfully discharged employee, an award of lost wages and benefits, various non-monetary remedies--including orders to cease and desist from engaging in similar conduct that violates the Act--and the issuance of notices to employees.

Once a Board decision awarding backpay (the lost earnings resulting from an unlawful discharge) and/or other remedies is final (appeals have been exhausted and the decisions have been upheld), the Board releases the case back to the applicable region to effectuate the remedies of that decision. Amounts received from parties ordered to provide backpay are transmitted by the ALRB to the farmworkers.

The GC staff expends significant effort to locate all farmworkers who are entitled to backpay. If the ALRB is unable to locate a farmworker entitled to backpay for a period of two years following the collection of the amount owed, this amount may be deposited into the Agricultural Employee Relief Fund (AERF). The ALRB uses monies in the AERF to pay farmworkers the unpaid balance of any monetary relief ordered by the Board in other matters that cannot be collected from the violator. Thus, there is usually a disparity between the amounts collected and amounts disbursed as monetary remedies in a given year.

A. Remedies

In fiscal year 2019-20, the Board released five cases for compliance, as listed in Table 16.

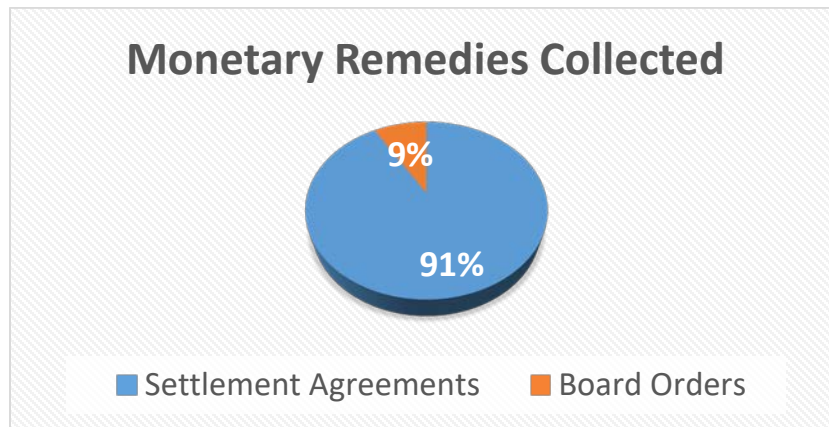
Table 16: List of Cases Released for Compliance

Number	Case Number	Respondent Name	Date Released
1.	2017-CE-024-SAL	David Abreu Vineyard Management, Inc.	08/15/2019
2.	2017-CE-066-SAL	Reveille Farms, LLC	08/15/2019
3.	2017-CE-071-SAL 2017-CE-072-SAL 2018-CE-011-SAL	Saticoy Berry Farms, Inc.	09/06/2019
4.	2013-CE-064-VIS 2015-CE-007-VIS 2015-CE-008-VIS 2015-CE-014-VIS	Gerawan Farming, Inc.	09/06/2019
5.	2018-CE-004-SAL	Premiere Raspberries, LLC	01/07/2020

Monetary Remedies

In fiscal year 2019-20, the ALRB obtained payments in 24 cases encompassing 36 charges for a total of \$687,153.50. Of that total:

- \$628,602.07 was collected pursuant to settlement agreements that were achieved during current and prior fiscal years.
- \$58,551.43 was collected pursuant to a Board Order.



Monies Collected During Fiscal Year 2019-20

Table 17 is listed in chronological order of when each settlement agreement was reached. Although some of these settlement agreements were reached in prior fiscal years, all money listed in this table was collected during fiscal year 2019-20.

Sometimes there is a time lapse between accomplishing the settlement and receiving the actual check. As a result, money collected near the end of a fiscal year is sometimes deposited during the subsequent fiscal year. Additionally, not all monies collected are deposited into an ALRB account, but are instead paid directly to farmworkers.¹⁶

¹⁶ For these reasons, the amount of money collected does not match the amounts deposited for fiscal year 2019-20.

Table 17: Monies Collected

Number	Case Number	Respondent Name	Amount Collected
1.	2017-CE-011-SAL	Andrew Smith Co., LLC	\$ 6,627.44
2.	2018-CE-028-SAL 2018-CE-058-SAL	Coast King Packing, LLC	\$ 7,978.38
3.	2018-CE-044-SAL	Bogle Vineyards, Inc.	\$ 18,657.96
4.	2019-CE-003-VIS 2019-CE-004-VIS	Grimmway Enterprises, Inc.	\$ 4,567.50
5.	2018-CE-032-SAL	Loud Buddha, LLC	\$ 220.00
6.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	\$ 22,763.89
7.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	\$ 22.00
8.	2013-CE-064-VIS 2015-CE-007-VIS 2015-CE-008-VIS 2015-CE-014-VIS	Gerawan Farms, Inc.	\$ 10,561.43
9.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	\$ 25,491.94
10.	2017-CE-081-SAL	Palma's Produce, Inc.	\$ 100.00
11.	2018-CE-052-SAL 2019-CE-010-SAL	Coastline Family Farms, Inc., Southwest Harvesting, Inc., & Pemer Packing Co., Inc.	\$ 4,279.00
12.	2018-CE-021-SAL	Dole Berry North, LLC	\$ 458,000.00
13.	2019-CE-022-SAL	Ito Brothers, Inc.	\$ 1,722.75
14.	2017-CE-001-SAL 2016-CE-033-SAL	Nunes Vegetables, Inc. & Camarillo Harvesting, LLP	\$ 11,889.45
15.	2018-CE-070-SAL	San Miguel Produce, Inc.	\$ 17,437.23

Number	Case Number	Respondent Name	Amount Collected
16.	2019-CE-011-SAL	Duda Farm Fresh Foods, Inc.	\$ 12,394.99
17.	2018-CE-064-SAL	Ocean Hill Farms, LLC	\$ 5,531.85
18.	2019-CE-012-SAL	Etchandy Farms, LLC	\$ 58.73
19.	2020-CE-001-VIS	Gebhardt Farms Management, Inc.	\$ 3,925.09
20.	2019-CE-023-VIS	Gebhardt Farms Management, Inc.	\$ 515.96
21.	2017-CE-066-SAL	Reveille Farms, LLC	\$ 47,990.00
22.	2018-CE-045-SAL	Lakeside Organic Gardens LLC	\$ 14,325.08
23.	2020-CE-003-SAL	Michael Wolf Vineyards, Inc.	\$ 10,138.55
24.	2017-CE-083-SAL	Santa Clara Farms, LLC	\$ 1,954.28
TOTAL			\$ 687,153.50

Payments Ordered

Payments were ordered in 24 cases encompassing 37 charges as a result of an Informal Settlement Agreement or Board Order, as listed in Table 18.¹⁷

¹⁷ The number of payments ordered during fiscal year 2019-20 is not necessarily the same as the number of payments collected by ALRB during the fiscal year. These figures differ for various reasons, including the lag in time between when an order is obtained to when payment is actually collected, and the fact that some payments are paid directly to the charging party and not the ALRB.

Table 18: Payments Ordered

Number	Case Number	Respondent Name	Amount Ordered
1.	2018-CE-044-SAL	Bogle Vineyards, Inc.	\$ 34,440.00
2.	2019-CE-003-VIS 2019-CE-004-VIS	Grimmway Enterprises, Inc.	\$ 5,000.00
3.	2018-CE-032-SAL	Loud Buddha, LLC	\$ 220.00
4.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	\$ 32,979.82
5.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	\$ 22.00
6.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	\$ 33,920.00
7.	2013-CE-064-VIS 2015-CE-007-VIS 2015-CE-008-VIS 2015-CE-014-VIS	Gerawan Farms, Inc.	\$ 16,831.00
8.	2017-CE-081-SAL	Palma's Produce, Inc.	\$ 100.00
9.	2018-CE-052-SAL 2019-CE-010-SAL	Coastline Family Farms, Inc., Southwest Harvesting, Inc., & Pemer Packing Co., Inc.	\$ 5,644.00
10.	2018-CE-021-SAL	Dole Berry North, LLC	\$ 458,000.00
11.	2019-CE-022-SAL	Ito Brothers, Inc.	\$ 1,949.00
12.	2017-CE-001-SAL 2016-CE-033-SAL	Nunes Vegetables, Inc. & Camarillo Harvesting, LLP	\$ 12,904.48
13.	2018-CE-070-SAL	San Miguel Produce, Inc.	\$ 19,437.19
14.	2019-CE-011-SAL	Duda Farm Fresh Foods, Inc.	\$ 15,052.00
15.	2018-CE-064-SAL	Ocean Hill Farms, LLC	\$ 7,244.00
16.	2019-CE-012-SAL	Etchandy Farms, LLC	\$ 64.00

Number	Case Number	Respondent Name	Amount Ordered
17.	2018-CE-068-SAL	Candes Farms, Inc.	\$ 1,105.00
18.	2020-CE-001-VIS	Gebhardt Farms Management, Inc.	\$ 5,861.00
19.	2019-CE-023-VIS	Gebhardt Farms Management, Inc.	\$ 707.00
20.	2012-CE-030-VIS 2015-CE-006-VIS 2017-CE-003-VIS	Arnaudo Brothers, Inc.	\$ 245,000.00
21. *	2018-CE-045-SAL	Lakeside Organic Gardens LLC	\$ 23,000.00
22.	2020-CE-003-SAL	Michael Wolf Vineyards, Inc.	\$ 13,521.00
23.	2017-CE-024-SAL	David Abreu Vineyard Management, Inc.	\$ 47,068.07
24.	2017-CE-066-SAL	Reveille Farms, LLC	\$ 47,990.00
TOTAL			\$ 1,028,059.56

Checks Issued by ALRB to Farmworkers

In fiscal year 2019-20, the ALRB issued 462 checks from eight cases to farmworkers as a result of findings of liability in ULP cases or as a result of settlement agreements. Table 19 lists the number and dollar amounts of checks issued for each of the eight cases.

Table 19: Checks Issued

Number	Case Number	Respondent Name	Number of Checks Issued	Total Net Amount Issued
1.	2016-CE-023-VIS	Wonderful Orchards, LLC & Family Ranch, Inc.	2	\$ 92.80
2.	2018-CE-044 SAL	Bogle Vineyards Inc.	4	\$ 18,657.96

Number	Case Number	Respondent Name	Number of Checks Issued	Total Net Amount Issued
3.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	3	\$ 22,763.89
4.	2017-CE-020-SAL	Sun Pacific Farming Cooperative, Inc.	1	\$ 58.20
5.	2018-CE-021-SAL	Dole Berry North, LLC	422	\$ 422,000.00
6.	2014-CE-006-VIS	Ocean Mist Farms	3	\$ 116.60
7.	93-CE-37-VI 2012-CE-024-VIS	Ace Tomato Company, Inc.	16	\$ 4,206.53
8.	93-CE-38-VI	San Joaquin Tomato Growers, Inc.	11	\$ 4,682.00
TOTAL			462	\$ 472,577.98

Non-Monetary Remedies

In cases where the Board finds a violation, it generally orders noticing remedies in addition to monetary awards. A negotiated settlement signed by the parties may also include noticing remedies in addition to monetary awards. A noticing remedy requires the employer to post, mail, and/or read a prepared notice to all agricultural employees, so they can become aware of the outcome of the case.

The ALRB conducted a **notice reading** to 2,863 agricultural employees in 24 cases encompassing 45 charges in fiscal year 2019-20. Table 20 lists these Notice Readings.

Table 20: List of Notice Readings

Number	Case Number	Respondent Name	Date of Notice Reading	Number of Employees at Reading
1.	2018-CE-073-SAL 2019-CE-007-SAL 2019-CE-015-SAL	Monterey Tilth, LLC	07/11/2019	70
2.	2018-CE-056-SAL	E. Berry Farms	07/23/2019	60
3.	2018-CE-044-SAL	Bogle Vineyards, Inc.	08/08/2019	18
4.	2017-CE-073-SAL 2019-CE-026-SAL	Reiter Brothers, Inc.	08/16/2019	16
5.	2018-CE-032-SAL	Loud Buddha, LLC	08/16/2019	22
6.	2018-CE-028-SAL 2018-CE-058-SAL	Coast King Packing, LLC	09/20/20	36
7.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	09/20/2019	35
8.	2013-CE-009-VIS 2013-CE-044-VIS 2013-CE-011-VIS 2014-CE-023-VIS 2014-CE-024-VIS 2015-CE-003-VIS 2015-CE-022-VIS 2015-CE-024-VIS 2014-CE-015-VIS	Gerawan Farming, Inc.	09/24/2019 09/25/2019	1865
9.	2019-CE-003-VIS 2019-CE-004-VIS	Grimmway Enterprises, Inc.	9/26/2019	27
10.	2018-CE-040-SAL 2018-CE-072-SAL	Four Seasons Vineyard Management et al.	10/03/2019	24
11.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	10/10/2019 10/25/2019	40
12.	2017-CE-062-SAL	Apio, Inc.	10/14/2019	45

Number	Case Number	Respondent Name	Date of Notice Reading	Number of Employees at Reading
13.	2017-CE-071-SAL 2017-CE-072-SAL 2018-CE-011-SAL	Saticoy Berry Farms, Inc.	10/14/2019	180
14.	2019-CE-043-SAL	Foothill Packing, Inc. & Anthony Costa & Sons	10/16/2019	78
15.	2018-CE-052-SAL 2019-CE-010-SAL	Coastline Family Farms, Inc., Southwest Harvesting, Inc., & Perner Packing Co., Inc.	10/17/2019	40
16.	2017-CE-024-SAL	David Abreu Vineyard Management, Inc.	11/01/2019	120
17.	2019-CE-003-SAL	LNB Ventures, LLC	11/20/2019	17
18.	2019-CE-001-VIS	Maddox Farms	01/30/2020	25
19.	2017-CE-081-SAL	Palma's Produce, Inc.	02/12/2020	19
20.	2019-CE-022-SAL	Ito Brothers, Inc.	02/12/2020	19
21.	2018-CE-070-SAL	San Miguel Produce, Inc.	02/18/2020	23
22.	2018-CL-001-VIS 2018-CL-002-VIS	United Food & Commercial Workers Union	02/20/2020	19
23.	2018-CE-066-SAL	VBF Brands, Inc. & Ocean Grown Horticulture, Inc.	03/05/2020	5
24.	2018-CE-042-SAL 2018-CE-059-SAL	Francisco Labor Service, Inc./Queen Victoria Farms, LP	06/12/2020	60
TOTAL				2,863

The ALRB issued a **notice mailing** to 14,467 agricultural employees in 29 cases encompassing 56 charges. Table 21 lists these Notice Mailings.

Table 21: List of Notice Mailings

Number	Case Number	Respondent Name	Date of Notice Mailing	Number of Employees Received Mailing
1.	2018-CE-028-SAL 2018-CE-058-SAL	Coast King Packing, LLC	08/13/2019	79
2.	2018-CE-044-SAL	Bogle Vineyards, Inc.	08/20/2019	24
3.	2017-CE-011-SAL	Andrew Smith Company, LLC	08/23/2019	33
4.	2017-CE-073-SAL 2019-CE-026-SAL	Reiter Brothers, Inc.	08/30/2019	27
5.	2016-CE-028-SAL 2016-CE-038-SAL	Golden West Veg, Inc. Cobian Labor Service, Inc.	09/04/2019	3
6.	2016-CE-012-VIS	WMJ Farms, Inc.	09/06/2019	300
7.	2019-CE-043-SAL	Foothill Packing, Inc. & Anthony Costa & Sons	09/28/2019	72
8.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	10/14/2019	8
9.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	10/4/2019	13
10.	2017-CE-071-SAL 2017-CE-072-SAL 2018-CE-011-SAL	Saticoy Berry Farms, Inc.	10/14/2019 10/21/2019	662
11.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	10/15/2019	192

Number	Case Number	Respondent Name	Date of Notice Mailing	Number of Employees Received Mailing
12.	2018-CE-052-SAL 2019-CE-010-SAL	Coastline Family Farms, Inc., Southwest Harvesting, Inc., & Pemer Packing Co., Inc.	10/17/2019	23
13.	2018-CE-021-SAL	Dole Berry North, LLC	10/30/2019	458
14.	2017-CE-024-SAL	David Abreu Vineyard Management, Inc.	11/19/2019 05/13/2020 03/20/2020 01/26/2020	288
15.	2019-CE-039-SAL	J.E. Farms, Inc.	11/16/2019	368
16.	2019-CE-003-SAL	LNB Ventures, LLC	11/21/2019	30
17.	2017-CE-081-SAL	Palma's Produce, Inc.	01/24/2020	18
18.	2019-CE-022-SAL	Ito Brothers, Inc.	01/24/2020	18
19.	2017-CE-001-SAL 2016-CE-033-SAL	Nunes Vegetables, Inc. & Camarillo Harvesting, LLP	2/3/2020	14
20.	2019-CE-020-SAL 2019-CE-021-SAL	Camarillo Berry Farms, LP & Camarillo Harvesting, LP	02/05/2020	144
21.	2018-CE-070-SAL	San Miguel Produce, Inc.	02/18/2020	131
22.	2018-CL-001-VIS 2018-CL-002-VIS	United Food & Commercial Workers Union	02/20/2020	69
23.	2017-CE-026-SAL 2018-CE-069-SAL	Frog's Leap Winery	04/14/2020	27
24.	2019-CE-011-SAL	Duda Farm Fresh Foods, Inc.	05/11/2020	267
25.	93-CE-37-VI 2012-CE-024-VIS	Ace Tomato Company, Inc.	05/11/2020	24

Number	Case Number	Respondent Name	Date of Notice Mailing	Number of Employees Received Mailing
26.	2013-CE-011-VIS 2014-CE-023-VIS 2014-CE-024-VIS 2015-CE-003-VIS 2015-CE-022-VIS 2015-CE-024-VIS 2013-CE-064-VIS 2015-CE-007-VIS 2015-CE-008-VIS 2015-CE-014-VIS 2013-CE-009-VIS 2013-CE-044-VIS	Gerawan Farming, Inc.	05/25/2020	10,767
27.	2018-CE-064-SAL	Ocean Hill Farms, LLC	06/12/2020	34
28.	2019-CE-023-VIS	Gebhardt Farms Management, Inc.	06/20/2020	240
29.	2018-CE-045-SAL	Lakeside Organic Gardens LLC	06/29/2020	134
TOTAL				14,467

The ALRB completed a **notice posting** in 27 cases encompassing 52 charges. Table 22 lists these Notice Postings.

Table 22: List of Notice Postings

Number	Case Number	Respondent Name	Date of Notice Posting
1.	2018-CE-056-SAL	E. Berry Farms	07/11/2019
2.	2018-CE-073-SAL 2019-CE-007-SAL 2019-CE-015-SAL	Monterey Tilth, LLC	07/11/2019
3.	2018-CE-044-SAL	Bogle Vineyards, Inc.	08/08/2019
4.	2017-CE-073-SAL	Reiter Brothers, Inc.	08/16/2019

Number	Case Number	Respondent Name	Date of Notice Posting
5.	2018-CE-028-SAL 2018-CE-058-SAL	Coast King Packing, LLC	09/20/2019
6.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	09/23/2019
7.	2013-CE-011-VIS 2014-CE-023-VIS 2014-CE-024-VIS 2015-CE-003-VIS 2015-CE-022-VIS 2015-CE-024-VIS 2014-CE-015-VIS 2013-CE-064-VIS 2015-CE-007-VIS 2015-CE-008-VIS 2015-CE-014-VIS	Gerawan Farming, Inc.	9/24/2019 9/25/2019
8.	2019-CE-003-VIS 2019-CE-004-VIS	Grimmway Enterprises, Inc.	09/26/2019
9.	2019-CE-001-VIS	Maddox Farms	09/27/2019 10/25/2019
10.	2018-CE-040-SAL 2018-CE-072-SAL	Four Seasons Vineyard Management et al.	10/03/2019
11.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	10/10/2019 10/25/2019 11/08/2019
12.	2017-CE-071-SAL 2017-CE-072-SAL 2018-CE-011-SAL	Saticoy Berry Farms, Inc.	10/14/2019
13.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	10/16/2019
14.	2019-CE-043-SAL	Foothill Packing, Inc. & Anthony Costa & Sons	10/16/2019
15.	2018-CE-052-SAL 2019-CE-010-SAL	Coastline Family Farms, Inc., Southwest Harvesting, Inc., & Pemer Packing Co., Inc.	10/17/2019

Number	Case Number	Respondent Name	Date of Notice Posting
16.	2018-CE-032-SAL	Loud Buddha, LLC	10/18/2019
17.	2015-CL-006-VIS	United Farm Workers Union	10/21/2019 10/22/2019
18.	2013-CE-009-VIS 2013-CE-044-VIS	Gerawan Farming, Inc.	10/25/2019
19.	2019-CE-003-SAL	LNB Ventures, LLC	11/20/2019
20.	2019-CE-026-SAL	Reiter Brothers, Inc.	12/27/2019
21.	2017-CE-081-SAL	Palma's Produce, Inc.	01/23/2020
22.	2019-CE-022-SAL	Ito Brothers, Inc.	01/23/2020
23.	2018-CE-070-SAL	San Miguel Produce, Inc.	02/18/2020
24.	2018-CL-001-VIS 2018-CL-002-VIS	United Food & Commercial Workers Union	02/20/2020
25.	2018-CE-066-SAL	VBF Brands, Inc. & Ocean Grown Horticulture, Inc.	03/05/2020
26.	2017-CE-024-SAL	David Abreu Vineyard Management, Inc.	05/28/2020
27.	2017-CE-066-SAL	Reveille Farms, LLC	06/02/2020

The ALRB *trained* 102 supervisors of farmworkers in 15 cases encompassing 24 charges. Table 23 lists these Supervisor Trainings.

Table 23: List of Supervisor Trainings

Number	Case Number	Respondent Name	Date Training Held	Number of Supervisors Received Training
1.	2018-CE-044-SAL	Bogle Vineyards, Inc.	08/08/2019	5
2.	2017-CE-073-SAL 2019-CE-026-SAL	Reiter Brothers, Inc.	08/23/2019	11

Number	Case Number	Respondent Name	Date Training Held	Number of Supervisors Received Training
3.	2019-CE-024-SAL	Enzo the Bad Dog, Inc. dba Bedding Plants Plus, Inc.	09/11/2019	3
4.	2018-CE-028-SAL 2018-CE-058-SAL	Coast King Packing, LLC	09/17/2019	5
5.	2017-CE-011-SAL	Andrew Smith Company, LLC	09/25/2019	2
6.	2019-CE-003-VIS 2019-CE-004-VIS	Grimmway Enterprises, Inc.	09/26/2019	18
7.	2017-CE-007-SAL 2017-CE-039-SAL 2017-CE-042-SAL	Scarborough Farms, Inc.	10/10/2019 10/25/2019	9
8.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	10/14/2019	5
9.	2019-CE-043-SAL	Foothill Packing, Inc. & Anthony Costa & Sons	10/16/2019	2
10.	2017-CE-081-SAL	Palma's Produce, Inc.	11/13/2019	3
11.	2019-CE-003-SAL	LNB Ventures, LLC	11/20/2019	4
12.	2019-CE-001-VIS	Maddox Farms	01/30/2020	5
13.	2018-CL-001-VIS 2018-CL-002-VIS	United Food & Commercial Workers Union	02/20/2020	22
14.	2018-CE-066-SAL	VBF Brands, Inc. & Ocean Grown Horticulture, Inc.	03/05/2020	2
15.	2018-CE-064-SAL	Ocean Hill Farms, LLC	04/08/2020 04/16/2020	6
TOTAL				102

B. Deposits and Disbursements

Payments collected from settlements or Board-ordered monetary remedies are deposited into the ALRB trust fund before being distributed to the charging parties, unless the checks are made out directly in the name(s) of the charging parties.

Monies Deposited and Disbursed from the Agency Trust from July 1, 2019, to June 30, 2020

During fiscal year 2019-20, the ALRB deposited payments from four cases, encompassing seven separate charges, as listed in Table 24.

Table 24: Deposits

Number	Case Number	Respondent Name	Deposits
1.	2017-CE-083-SAL	Santa Clara Farms	\$ 1,954.28
2.	2018-CE-044-SAL	Bogle Vineyards, Inc.	\$ 18,657.96
3.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	\$ 22,763.89
4.	2018-CE-021-SAL	Dole Berry North, LLC	\$ 458,000.00
TOTAL			\$ 501,376.13

During fiscal year 2019-20, the ALRB disbursed payments from eight cases, encompassing twelve separate charges, as listed in Table 25.

Table 25: Disbursements

Number	Case Number	Respondent Name	Amount of Net Payment Issued
1.	2016-CE-023-VIS	Wonderful Orchards, LLC & Family Ranch, Inc.	\$ 92.80
2.	2018-CE-044-SAL	Bogle Vineyards, Inc.	\$ 18,657.96

Number	Case Number	Respondent Name	Amount of Net Payment Issued
3.	2018-CE-003-SAL 2018-CE-005-SAL 2018-CE-007-SAL 2018-CE-027-SAL	Tissue-Grown Corporation	\$ 22,763.89
4.	2017-CE-020-SAL	Sun Pacific Farming Cooperative, Inc.	\$ 58.20
5.	2018-CE-021-SAL	Dole Berry North, LLC	\$ 422,000.00
6.	2014-CE-006-VIS	Ocean Mist Farms	\$ 116.60
7.	93-CE-37-VI 2012-CE-024-VIS	Ace Tomato Company, Inc.	\$ 4,206.53
8.	93-CE-38-VI	San Joaquin Tomato Growers, Inc.	\$ 4,682.00
TOTAL			\$ 472,577.98

C. Agricultural Employee Relief Fund

Effective January 1, 2002, pursuant to Labor Code section 1161, the Agricultural Employee Relief Fund (AERF or Fund), establishes a trust fund, administered by the Board, to pay agricultural employees entitled to monetary relief under the Act. California Code of Regulations, title 8, section 20299, governs the administration of the AERF.

In fiscal year 2019-20, one case was referred to the Fund (H&R Gunlund Ranches, Inc. in the amount of \$6,531.03), and there were no disbursements from the Fund. As of June 30, 2020, \$26,124.12 remains in the Fund for distribution.

VII. Mandatory Mediation and Conciliation

The Act authorizes certified labor organizations or employers to petition the Board for an order directing the parties to Mandatory Mediation and Conciliation (MMC) of disputed issues. When certain statutory prerequisites are met, the Board will order the parties to participate in the MMC process. A mediator is then appointed to assist the parties in resolving their outstanding issues, and failing such resolution, to issue a determination as to how the issues should be resolved. The mediator's determination is reviewable by the Board, and the Board's decision is reviewable by the courts.

During fiscal year 2019-20, the ALRB did not receive any requests for referral to MMC.

The Board did not issue any MMC decisions during fiscal year 2019-20, but did issue one administrative order denying a petition from UFW to order into effect the terms of an MMC contract on grounds the petition was untimely filed, in *Premiere Raspberries*, case number 2018-MMC-002 (Board Administrative Order number 2020-04, issued 3/6/2020).

VIII. Outreach Activities

The ALRB is actively engaged in conducting ongoing outreach activities, designed to educate farmworkers, labor organizations, and agricultural employers about their rights and obligations under the Act, and the role of the ALRB. Prior to the spring of 2020, much of the ALRB's outreach was at in-person events involving large gatherings, such as community fairs and conferences. Beginning in March 2020, the ALRB had to significantly modify its outreach strategy to primarily remote means, to maintain staff and public safety during the COVID-19 pandemic. The following is a brief summary of the ALRB's outreach during this fiscal year.

A. July 2019 – February 2020

The GC staff attended various events throughout California, with the goal of informing workers about their rights under the ALRA, and the role of the ALRB in enforcing such rights. ALRB staff distributed outreach materials, made presentations, answered workers' questions, and collaborated with other agencies in order to educate farmworkers, and others who serve the farmworker community, about the availability of services from the ALRB. These events included:

- Multiple community fairs and other in-person outreach events attended by an estimated 2,000 farmworkers, including *Día del Trabajador Agrícola* (Day of the Farm Worker) in Greenfield.
- Participation at various locations throughout the state, at the Mexican Consulate's week-long *Semana de los Derechos Laborales* (Labor Rights Week) in the fall of 2019.
- Ongoing outreach through radio and television, in Spanish and Mixteco, regarding the ALRB and rights and responsibilities under the Agricultural Labor Relations Act.
- Participation in a statewide conference by AgSafe, whose mission is to provide practical health and safety education to the agricultural community, including training to employers, supervisors and farmworkers.

B. March 2020 – June 2020

Beginning in March of 2020, most public gatherings – such as community fairs and events – ceased in response to the COVID-19 pandemic. The ALRB continued to conduct outreach, through mostly remote means, including:

- Spanish and Mixteco radio programs and public service announcements.
- Spanish language television interviews.
- Facebook Live interviews.

- Collaborative meetings with stakeholder groups, nonprofit organizations, and government organizations serving the agricultural community, via remote video conferencing.
- Outdoor supervisor training in the fields.

In addition to the above activities, the ALRB has closely collaborated with other government service providers, and with nonprofit organizations, to deliver essential information to farmworkers regarding workplace safety. Working with these other organizations, ALRB has also provided information about benefits and services available during the COVID-19 pandemic.

The ALRB has also worked to update its outreach delivery methods and content, to be more effective in a remote setting, such as short videos and social media posts. Such efforts are ongoing.

IX. Employee and Salary Information

Information from Fiscal Year 2019-20

A. ALRB Employees, Alphabetical by Last Name

Abeleda, Annabelle	Bueno, Sylvia
Acevedo, Kenia	Burton-Burch, Brandy
Ahmad, Aqsa	Camero, Laura
Andrews, Valerie	Cervantes, Veronica
Arciniega, Jessica	Cisneros, Jessica
Argumedo, Annamarie	Chavez, Nelly
Avila-Gomez, Santiago	Contreras, Olga
Ball, Rebecca	Cracraft, Mary
Barba, Lumi	Craig, Nancy
Barrera, Merced	Delahoya, Monica
Bautista, Flavio	DeLuna, Yesnia
Blanco, Eduardo	DeYoung-Dominguez, Amisha
Broad, Barry	Diaz, Rafael

Dougherty, Brian
Esparza, Grace
Espinoza, Enrique
Flores, Cinthia
Fountain, Sheila
Garcia, Andres
Gibson, Rochelle
Granda, Melosa
Gulchenko, Karina
Hall III, Isadore
Hass, Edward
Hassid, Victoria
Herrera, Franchesca
Heyck, Laura
Hsia, Audrey
Inciardi, Scott
Lane, Jenna
Lightstone, Ralph
Luna, Maricela
Mandarano, Christopher
Marsh, Michael
Martinez, Delia
Massie, Sharon
McCarrick III, John
Miranda, Rosario
Molumby, Caroline
Mondino, Monica

Montgomery, Julia
Nielsen, Christina
Ochoa, Patricia
Ordonez, Jose
Ortiz, Monica
Padilla, Margarita
Ratshin, Todd
Rivera-Hernandez, Cathryn
Rodrigues, Kristine
Rodriguez, Krishna
Sanchez, Xavier
Santana Ruiz, Karen
Schneider, Chris
Shawver, Silas
Shores, Janice
Soble, Mark
Takehana, Jennifer
Topete, Maydole
Torrez, Victoria
Vega, Gabriela
Venegas, Berenice
Ventura Morales, Santiago
Yakar, Itir
Yasin, Ghada
Zamora, Marcela
Zaragoza, Leslie
Zesati, Yalitza

B. ALRB Positions

Table 26: Position Titles and Salaries

Classification	Salary ¹⁸
Chair	\$ 13,677.00
Member	\$ 13,256.00
Member	\$ 13,256.00
Member	\$ 13,256.00
Member	\$ 13,256.00
Member	\$ 13,256.00
Associate General Counsel, Regional Director	\$ 12,365.00
Associate General Counsel, Regional Director	\$ 12,265.00
Associate Governmental Program Analyst (Board)	\$ 6,446.00
Associate Governmental Program Analyst (Board)	\$ 6,446.00
Associate Governmental Program Analyst (General Counsel)	\$ 5,961.00
Associate Governmental Program Analyst (Admin)	\$ 5,961.00
Associate Governmental Program Analyst (Admin)	\$ 5,407.00
Attorney	\$ 10,128.00
Attorney	\$ 10,128.00
Attorney	\$ 8,908.00
Attorney	\$ 8,719.00
Attorney	\$ 8,719.00
Attorney	\$ 8,719.00
Attorney	\$ 8,446.00

¹⁸ Salaries shown are monthly, unless otherwise indicated.

Classification	Salary¹⁸
Attorney	\$ 8,209.00
Attorney	\$ 7,918.00
Attorney	\$ 7,918.00
Attorney	\$ 7,918.00
Attorney	\$ 7,836.00
Attorney	\$ 5,856.00
Attorney	\$ 5,756.00
Attorney III	\$ 10,956.00
Attorney IV	\$ 13,521.00
Attorney IV	\$ 13,421.00
Career Executive Assignment	\$ 12,341.00
Career Executive Assignment	\$ 11,498.00
Executive Secretary	\$ 11,840.00
Field Examiner I	\$ 5,404.00
Field Examiner I	\$ 4,920.00
Field Examiner I	\$ 4,695.00
Field Examiner I	\$ 4,695.00
Field Examiner I	\$ 4,481.00
Field Examiner I	\$ 4,481.00
Field Examiner I	\$ 4,481.00
Field Examiner I	\$ 4,481.00
Field Examiner I	\$ 3,398.00
Field Examiner II	\$ 6,546.00
Field Examiner II	\$ 6,406.00
Field Examiner II	\$ 6,161.00
Field Examiner II	\$ 5,877.00

Classification	Salary¹⁸
Field Examiner II	\$ 5,349.00
Field Examiner II	\$ 5,149.00
Field Examiner III	\$ 7,280.00
Field Examiner III	\$ 6,868.00
General Counsel	\$ 15,671.00
Hearing Officer I	\$ 11,611.00
Hearing Officer II	\$ 12,800.00
Hearing Officer II	\$ 12,800.00
Information Technology Specialist II	\$ 8,001.00
Legal Analyst	\$ 4,660.00
Legal Secretary	\$ 4,875.00
Legal Secretary	\$ 4,675.00

C. Description of Duties

CHAIR

BOARD MEMBERS

Delegate powers to the Office of the Executive Secretary and the field offices to administer, interpret, and enforce the Agricultural Labor Relations Act. The Office of the Board holds evidentiary hearings and adjudicates disputes in unfair labor practice (ULP) cases, as well as disputes arising out of representation elections. The Office of the Board also administers the mandatory mediation law, and is vested with the authority to promulgate regulations to implement the Act. The Office of the Board may initiate and oversee litigation before the Court of Appeal, and grants authority to the General Counsel to take action in Superior Court. The Board, where appropriate, conducts education and outreach activities.

GENERAL COUNSEL

The General Counsel is the chief prosecutor. The GC's Office enforces the Act in ULP proceedings before the Board, and the GC supervises and coordinates personnel in regional offices who are responsible for: conducting elections, investigating ULP charges, prosecuting ULP cases, settling or dismissing cases, and seeking compliance with final Board orders. The GC also supervises and oversees litigation before administrative law judges, the Board, and the Superior Courts. The GC's office also conducts education and outreach activities on behalf of the Board.

ASSOCIATE GENERAL COUNSEL, Regional Director

The Regional Director is responsible for the overall administration and operation of the regional field offices. This position directly supervises staff working in the regional offices. It also ensures compliance with the policies and procedures of the GC's Office, and with applicable provisions of the Act.

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST (Board Chair)

Executive assistant to the Chair of the ALRB Board. Responsible for drafting Board related reports, correspondence, and keeping the Chair apprised of upcoming deadlines. Coordinates with the General Counsel, Executive Secretary, and Chief Administrative Officer to research, analyze, and report on various projects related to moves, budgets, hiring, legislation and regulations, requisitions and contracts, outreach events, and meetings with control agencies and other Board stakeholders.

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST (Board)

Executive assistant to the Executive Secretary, providing technical and analytical staff services. This position works independently, and applies discretion and initiative in performing assigned duties, including compliance of Brown Act and Bagley-Keene Open Meeting Laws, reporting requirements of the Agricultural Labor Relations Act, departmental website maintenance, and development and maintenance of various departmental publications.

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST STAFF SERVICES ANALYST (General Counsel)

Responsible for analytical staff work for the GC program or Regional Offices. Researches, reviews, and analyzes surveys, policy reports, analytical studies, legislation and data, including demographic, economic, and population statistics. Creates spreadsheets and tracks workload data, composes reports and responses from stakeholders. Provides research and analytical support for projects, and handles confidential, sensitive assignments and inquiries with diplomacy and tact.

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST (Admin)

Responsible for providing ALRB's annual budget updates and expenditure reports. Provides budget updates to Department of Finance and California Labor and Workforce Development Agency (LWDA) as needed.

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST (Admin)

Provides business services functions for the ALRB. Independently performs a variety of technical and analytical business service tasks, which include procurement, fleet, facilities, telecommunications, records retention, and property control.

ATTORNEY

GRADUATE LEGAL ANALYST

Responsible for investigating and prosecuting ULP charges under the Agricultural Labor Relations Act.

CHIEF BOARD COUNSEL ATTORNEY IV

Lead attorney in development of new regulations, revises existing regulations and rule-making initiatives. Provides expert advice to the Board on legal questions in ULP cases, representation cases, and jurisdictional disputes, as well as policy and legislative issues. The Attorney IV oversees all state and federal court litigation, conducts the most complex litigation, appears, and presents oral argument on behalf of the Office of the Board.

ATTORNEY IV (Board) Retired Annuitant

Lead attorney on advising the Board on the cannabis statute. Prepares and coordinates the strategic planning of the Board's outreach, including preparation of outreach materials; development of partnerships with members of the public, non-profit organizations, members of the State Bar of California, and other governmental entities.

ATTORNEY III/IV (General Counsel)

Provides broad program policy direction to the GC. Provides support, guidance, and training to field operations, ULP matters, and court litigation activities, including strategic and legal advice on the conduct of investigations. Also assists in the training and mentoring of regional staff.

CAREER EXECUTIVE ASSIGNMENT

As a member of the executive management team, and under the direction of the Agricultural Labor Relations Board and General Counsel, the Chief for the Division of Administrative Services is responsible for the development and implementation of departmental administrative policy and procedures. Also advises the Board, GC, and Executive Secretary on ways to maximize existing funding and operations to meet the ALRB's mission. Provides leadership and oversight to the statewide support services, including planning, organizing, and directing the functions of Fiscal Services, Business Services, Contracts, Human Resources, Information Technology, and Policy Development and Management.

EXECUTIVE SECRETARY (Board)

Executive Secretary of the Board is an attorney level position, providing professional consultation on major legal and policy matters in ULP cases, representation cases, and jurisdictional disputes. The Executive Secretary plans and directs the management of the Board's caseload incident to its statutory functions, which includes administrative and functional responsibility for all case processing activities before the Board. Also responsible for the decision-making authority of Regional Directors in representation cases delegated by the Board.

FIELD EXAMINER I/II/III (General Counsel)

Handles cases involving ULP investigations, representation matters, and compliance-related activities. Independently investigates ULP cases, interviews parties and witnesses, and takes declarations. Also prepares investigative reports, case status reports, and other case-related correspondence. Assists in representation elections, and participates in pre-election conferences and post-election challenge ballot investigations. Assists in preparing back pay calculations and

make whole specifications on compliance cases. Meets with the public, answers inquiries, makes appropriate referrals, conducts interviews, accepts charges, and docket ULP's and petitions.

HEARING OFFICER I/II

The Hearing Officer presides over quasi-judicial hearings concerning representation issues, ULP charges, representation matters, and other matters under the jurisdiction of the Act. The Hearing Officer also conducts legal research in preparation of hearing cases and issuing case decisions.

INFORMATION TECHNOLOGY SPECIALIST I

Provides a variety of information technology support to all of ALRB.

LEGAL ANALYST

Assists attorneys in case preparation.

LEGAL SECRETARY SENIOR LEGAL TYPIST (Board)

Assists the Board Members and Board Counsel in a variety of administrative, legal, and office functions. Types, formats, files, and serves legal pleadings in multiple jurisdictions, including State, Federal, and appellate courts. Performs complex clerical work, coordinates and schedules court-related services.

LEGAL SECRETARY SENIOR LEGAL TYPIST (General Counsel)

Assists the GC program Regional Directors, attorneys, or Field Examiners in a variety of administrative, legal, and office functions. Types, formats, files, and serves legal documents in a variety of jurisdictions. Performs complex clerical work, coordinates and schedules court-related services.

SENIOR BOARD COUNSEL ATTORNEY III

The senior board counsel is responsible for the most difficult and complicated legal issues arising in labor relations matters. The senior board counsel exercises broad discretion and independent legal judgment in conducting legal research and analysis.

STAFF SERVICES MANAGER I (Admin.)

Manages the accounting, business services, and budget functions under the direction of the Career Executive Assignment as the Chief, Division of Administration.