

AGRICULTURAL LABOR RELATIONS BOARD

OFFICE OF THE EXECUTIVE SECRETARY
1325 J STREET, SUITE 1900
SACRAMENTO, CA 95814-2944
(916) 894-6840
FAX (916) 653-8750
Internet: www.alrb.ca.gov



**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
TUESDAY, DECEMBER 14, 2021
10:00 A.M.**

There was no physical meeting location. Attendance was by remote meeting only (meeting number **845 4280 0804**), via the attendee's choice of either Zoom videoconference or teleconference.

- Board Members: Acting Chair Ralph Lightstone
Members Barry Broad, Cinthia Flores, and Isadore Hall
- ALRB Staff: General Counsel Julia Montgomery
Deputy General Counsel Franchesca Herrera
Executive Secretary Santiago Avila-Gomez
Administrative Services Chief Brian Dougherty
Regional Director Jessica Arciniega
Chief Board Counsel Todd Ratshin
Board Counsels Laura Heyck, Scott Inciardi, and Itir Yakir
ALRB Outreach Coordinator Daniela Ramirez
Board Staff: Devaka Gunawardena
General Counsel staff: Audrey Hsia, Christina Nielsen, Flavio Bautista, Jeylee Quiroz, Veronica Cervantes, Gabriela Correa, David Sandoval, Martha Quezada, and Yajaira Valdovinos
- Interpreter: Ashley Nunez Sherrif
- Court Reporter: No Reporter

These meeting minutes include Appendices, which provide additional information about topics that were addressed during this ALRB Public Board Meeting. Each Appendix is referenced at the appropriate place within these Minutes.

OPEN SESSION

1. Call to Order
 - Acting Board Chair Ralph Lightstone called the meeting to order at 10:04 a.m.
 - Board Members Broad, Flores, Hall, and Lightstone present. Board Chair Hassid absent.
2. Approval of Minutes
 - a. Approval of Minutes from Public Board Meeting, October 12, 2021
 - Board Member Hall moved to approve minutes.
 - Board Member Flores seconded the motion.
 - Motion approved by vote of 4 to 0.
 - b. Approval of Minutes from Regional Directors Meeting, October 12, 2021.
 - Board Member Broad moved to approve minutes.
 - Board Member Flores seconded the motion.
 - Motion approved by vote of 4 to 0.
3. Acting Board Chair's Report – presented by Ralph Lightstone
4. Executive Officer's Report on Elections, Unfair Labor Practice Complaints, and Hearings – presented by Santiago Avila-Gomez
See Appendix A.
5. Litigation Report – presented by Todd Ratshin
See Appendix B.
6. General Counsel's Report – presented by Julia Montgomery
 - Reported on hiring and recruitment for Salinas, Visalia, Santa Rosa, and Oxnard.
 - Reported on settlements including notice readings, postings, and mailings in Salinas and Visalia.
Reported on outreach events, including distribution of materials and in-person events.
7. Division of Administrative Services Report – presented by Brian Dougherty
 - Reported on finalization of budget report and hiring and recruitment.
8. Legislation Report – presented by Todd Ratshin

- None.
9. Regulations
 - None. Next report will be submitted at Public Board Meeting in February 2022.
 10. Personnel
 - None.
 11. Public Comment
 - None.
 12. Announcements
 - Next Public Board Meeting TBD.
 - Acknowledgment and appreciation of Acting Chair Lightstone, in anticipation of Chair Hassid's return.
 13. Adjourn Meeting
 - Meeting adjourned at 10:32 a.m.

APPENDIX A: EXECUTIVE SECRETARY'S REPORT

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

AGRICULTURAL LABOR RELATIONS BOARD
OFFICE OF THE EXECUTIVE SECRETARY
1325 J STREET, SUITE 1900-B
SACRAMENTO, CA 95814-2944
(916) 894-6840
FAX (916) 653-8750
Internet: www.alrb.ca.gov



ALRB PUBLIC MEETING

Executive Officer's Report ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, AND HEARINGS

DATE: December 10, 2021
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Election Activity

None.

Complaints

----- **Complaints** -----

1. Coast King Packing, LLC, Case NO. 2020-CE-016-SAL (Lettuce; Monterey County, CA; October 28, 2021)

----- **Settled** -----

1. Sweetwood Farm, Inc., Case NO. 2020-CE-009-VIS (parties entered into informal bilateral settlement agreement; October 26, 2021)

----- **Withdrawn** -----

1. Braden Farms, Case No. 2020-CE-018-VIS (November 1, 2021)
2. Anthony Vineyards, Inc., Case No. 2020-CE-004-VIS (October 21, 2021)
3. Nunes Vegetables, Inc., Case No. 2017-CE-001-SAL (October 21, 2021)

Hearings and Administrative Law Judge Decisions

1. Cinagro Farms, Inc., Case No. 2017-CE-008-SAL (Vegetables; Ventura County, California; October 27, 2021).

ALRB PUBLIC MEETING
EXECUTIVE OFFICER'S REPORT

1

Board Decisions, Administrative Orders, and Pending Matters

----- **Board Decisions** -----

None.

----- **Administrative Orders** -----

1. Lily's Green Garden, Inc. (2021) ALRB Admin. Order 2021-09 ([Case Nos. 2020-CE-025-SAL and 2020-CE-037-SAL]; Order Granting General Counsel's Request for Judicial Enforcement of Subpoena; October 26, 2021)
2. Gerawan Farming, Inc. (2021) ALRB Admin. Order 2021-10 (44 ALRB No. 1 [Case No. 2012-CE-041-VIS et al.]; Order Certifying Good Cause Exists to Exceed Time Limit in ALRA Section 1149.3; October 29, 2021)

----- **Pending Matters** -----

1. Cinagro Farms, Inc., Case No. 2017-CE-008-SAL (Vegetables; Ventura County, California; Exceptions filed December 1, 2021, and Reply Briefs due December 13, 2021)
2. Rincon Pacific, LLC, Case No. 2014-CE-044-SAL (46 ALRB No. 4; Salinas Regional Director's Request for Certification of Good Cause to Exceed Time Limit in ALRA Section 1149.3)***

APPENDIX B: LITIGATION REPORT

STATE OF CALIFORNIA

GAVIN NEWSOM, *Governor*

AGRICULTURAL LABOR RELATIONS BOARD

OFFICE OF THE EXECUTIVE SECRETARY

1325 J STREET, SUITE 1900
SACRAMENTO, CA 95814-2944
(916) 894-6840
FAX (916) 653-8750
Internet: www.alrb.ca.gov



ALRB PUBLIC MEETING

LITIGATION REPORT

DATE: December 14, 2021
TO: Agricultural Labor Relations Board
FROM: Todd M. Ratshin, Chief Board Counsel

This report discusses updates and developments that have occurred in litigation matters involving the Board since its October 12, 2021 meeting.

Petitions for Writ of Review of Unfair Labor Practice Decisions

California Appellate Courts

► ***Wonderful Orchards, LLC v. ALRB, Fifth District Court of Appeal, Case No. F081172***

Summary: Petition for writ of review of the Board's decision in 46 ALRB No. 2, in which the Board found the employer unlawfully terminated a group of employees for engaging in protected concerted activity.

Status: On November 16, 2021, the court issued a notice advising oral argument, if requested by any party, would be set for the court's January 2022 calendar. On November 22, the Board filed a conditional waiver of oral argument. Wonderful filed a request for oral argument on November 23. On December 13, the court issued a notice stating that oral argument

will be held January 25, 2022, at 1:30p.m.

► ***United Farm Workers of America v. ALRB, Fifth District Court of Appeal, [CaseNo. F080469](#)***

Summary: Petition for writ of review of the Board's decisions in 45 ALRB Nos. 8 and 4, in which the Board found the United Farm Workers of America unlawfully threatened to picket Gerawan Farming, Inc. if it did not recognize and bargain with the union, which had been decertified as the employees' bargaining representative in the Board's decision in 44 ALRB No. 10.

Status: On December 7, 2021, the court issued a notice advising oral argument will be scheduled for the court's February 2022 calendar. The parties' responses concerning whether they intend to appear are due December 17, 2021.