

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
WEDNESDAY, MARCH 9, 2022
10:00 A.M.**

There was no physical meeting location. Attendance was by remote meeting only (meeting number **874 8165 7667**), via the attendee's choice of either Zoom videoconference or teleconference.

Board: Chair Victoria Hassid
Members Barry Broad, Cinthia Flores, Isadore Hall, and
Ralph Lightstone
Executive Secretary Santiago Avila-Gomez
Chief Board Counsel Todd Ratshin

General Counsel: General Counsel Julia Montgomery

Administrative
Services Division: Administrative Services Chief Brian Dougherty

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
 - Board Chair Victoria Hassid called the meeting to order at 10:02 a.m.
 - Board Members Broad, Flores, Hall, and Lightstone present.
2. Approval of Minutes from Public Board and Regional Directors' Meetings, February 22, 2022
 - Tabled until next Public Board Meeting on March 23, 2022.
3. Board Chair's Report – presented by Victoria Hassid
 - Reported on California Worker Outreach Program roundtable.
4. Executive Officer's Report on Elections, Unfair Labor Practice Complaints, and Hearings
 - See Appendix A.
5. Litigation Report
 - See Appendix B.
6. General Counsel's Report
 - Reported on hiring and recruitment in Visalia, Salinas, and Oxnard Counties.
 - Announced that vacant attorney position in Sonoma County filled.
 - Reported on Week of Action involving the Labor Workforce and Development Agency.
 - Reported on outreach and participation in events in Stanislaus, Kings, Imperial, Santa Cruz, and Ventura Counties.
7. Division of Administrative Services Report
 - None.
8. Legislative Report
 - See Appendix C.

9. Regulations

- None.

10. Personnel

- None.

11. Public Comment (The Board additionally solicits public comment after discussion of each agenda item of the open meeting.)

- No public comments were received by the Board.

Closed Session

The Board recessed into closed session.

Open Session

The Board reconvened the open session. No reportable action taken during closed session.

12. Announcements

- Next Public Board Meeting is on March 23, 2022.

13. Adjourn Meeting

- Meeting adjourned at 12:14 p.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: March 9, 2022
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Election Activity

NONE

Complaints and Specifications

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

1. *Sonoma Cho, LLC dba Flora Terra*, Case No. 2022-CE-003-SAL (Cannabis; Sonoma County, CA; February 25, 2022)
2. *Seven Points Management, Inc.*, Case No. 2020-CE-021-SAL (Cannabis; Los Angeles County, CA; February 28, 2022)

----- **Specifications** -----

1. *Gerawan Farming, Inc.*, Case Nos. 2012-CE-041-VIS et al. (44 ALRB No. 1; amended February 18, 2022)

Hearings and Administrative Law Judge Decisions

1. *Sonoma Cho, LLC dba Flora Terra*, Case No. 2022-RC-001-SAL (hearing on challenged ballots commenced on March 8, 2022)

Board Decisions, Administrative Orders, and Pending Matters

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

2. *Sonoma Cho, LLC dba Flora Terra (2022) 48 ALRB No. 1* (February 25, 2022 [Case No. 2022-RC-001-SAL]; Decision dismissing election objection and setting challenged ballots for hearing)

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

NONE

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

1. *Cinagro Farms, Inc.*, Case No. 2017-CE-008-SAL (Vegetables; Ventura County, California; Briefing completed on December 13, 2021)

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: March 9, 2022

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 February 22, 2022 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: The court issued an unpublished opinion on March 1, 2022, affirming the Board's decision. Any petition for review in the California Supreme Court is due April 11, 2022. A copy of the opinion is available at: <https://www.courts.ca.gov/opinions/nonpub/F081172.PDF>.

APPENDIX C: LEGISLATIVE 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 LEGISLATIVE REPORT

DATE: March 9, 2022

TO: Agricultural Labor Relations Board

FROM: Todd M. Ratshin, Chief Board Counsel

This report provides updates on legislative activity affecting the Agricultural Labor Relations Act or the Agricultural Labor Relations Board since the Board's February 22, 2022 meeting.

Senate Bill No. 1409 (Grove – R)

This bill was introduced on February 18, 2022. This bill proposes to repeal the Agricultural Labor Relations Act effective January 1, 2025, and directs the Board to submit a report to the Legislature by July 1, 2023, detailing a process for its abolishment. The bill further proposes to amend or replace the provisions of the Act to protect the associational rights of agricultural employees, ensure secret ballot elections are conducted for farmworkers to decide whether to have a union represent them, and to provide for the investigation, prosecution, and adjudication of unfair labor practices. Finally, the bill proposes to appropriate an amount of funds equal to the funds appropriated to the Board in 2022 for farmworker housing.

The full text of the bill, and further information regarding it, is available at:
<https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1409>

Senate Bill No. 1248 (Becker – D)

This bill was introduced on February 17, 2022, and referred to the Rules Committee on March 2. As currently drafted, this bill proposes a nonsubstantive, technical changes to

Labor Code section 1152.

The full text of the bill, and further information regarding it, is available at:

<https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB1248>

Assembly Bill No. 2183 (Stone – D)

This bill was introduced on February 15, 2022. As currently drafted, this bill proposes nonsubstantive, technical changes to Labor Code section 1156.

The full text of the bill, and further information regarding it, is available at:

<https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2183>