

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, APRIL 6, 2022
10:00 A.M.**

**1325 J Street, Suite 1900-B,
Sacramento, CA 95814**

**300 South Spring St #2,
Los Angeles, CA 90013**

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 10:01 a.m.
 - Board Members Broad, Flores, Hall, and Lightstone present.
2. Approval of Minutes from Public Board Meeting, March 23, 2022
 - Board Member Broad moved to approve the minutes.

- Board Member Hall seconded the motion.
 - Motion approved by 5 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - None.
 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 cases in Riverside and Sonoma Counties.
 - Reported on outreach and participation for Cesar Chavez Day in Riverside, Ventura, and Imperial Counties. Discussed upcoming events in Riverside and Tulare Counties.
 7. Division of Administrative Services Report
 - Reported on contract for outreach campaign.
 8. Legislative Report
 - See Appendix C.
 9. Regulations
 - None.
 10. 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.

11. Announcements

- Next Public Board Meeting is on April 20, 2022.

12. Adjourn Meeting

- Meeting adjourned at 11:17 am.

APPENDIX A: EXECUTIVE SECRETARY'S REPORT

STATE OF CALIFORNIA

GAVIN NEWSOM, *Governor*

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ALRB PUBLIC MEETING EXECUTIVE OFFICER'S REPORT ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, AND HEARINGS¹

DATE: April 6, 2022
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Complaints and Specifications

----- Complaints and Amended Complaints -----

1. *Valley Ag Holdings, LLC*, Case No. 2018-CE-015-VIS (Grapes and Blueberries; Tulare County; April 6, 2022)
2. *Seven Points Management, Inc. and Walnut, LLC*, Case No. 2020-CE-021-SAL (Cannabis; Los Angeles County, CA; amended April 4, 2022)

----- Specifications -----

1. *Benjamin Reitz and Steven Reitz*, individually, and dba *Reitz Ranches*, Case No. 2018-CE-002-VIS (March 24, 2022 [ALJ Decision issued June 22, 2021]).

Board Decisions, Administrative Orders, and Pending Matters

----- Administrative Orders -----

1. *Cinagro Farms, Inc.* (2022) ALRB Admin. Order 2022-01 (Case No. 2017-CE-008-SAL; Order Requesting Supplemental Briefing Re: Misclassification of Employees; March 28, 2022)

¹ No election activity or hearings have occurred, and no Board decisions have issued since the date of the Board's last public meeting.

----- **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

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ALRB PUBLIC MEETING LITIGATION REPORT

DATE: April 6, 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 March 23, 2022 meeting.

Petitions for Writ of Review of Unfair Labor Practice Decisions

California Appellate Courts

- ***United Farm Workers of America v. ALRB*, Fifth District Court of Appeal, [Case No. 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: The court issued an unpublished opinion on February 18, 2022 affirming the Board's orders. The opinion became final on March 20, and the deadline to file a petition for review in the California Supreme Court was March 30. No petition was filed. The Board now is awaiting issuance of the court's remittitur. The court's unpublished opinion is available at:

<<https://www.courts.ca.gov/opinions/nonpub/F080469.PDF>>.

APPENDIX C: LEGISLATIVE REPORT

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

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ALRB PUBLIC MEETING LEGISLATIVE REPORT

DATE: April 6, 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 March 23, 2022 meeting.

Senate Bill No. 1409 (Grove – R)

This bill was introduced on February 18, 2022, and referred to the Committee on Labor, Public Employment, and Retirement on March 9.

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>

Assembly Bill No. 2183 (Stone – D)

This bill was introduced on February 15, 2022. The bill was referred to the Committee on Labor and Employment on March 24 and amended that same day. It was re-referred to the Committee on Labor and Employment on March 28.

As amended, the bill proposes a number of amendments to the Act, including (1) making an employer's employee list available to a labor organization upon a showing of 10% employee support; (2) authorizing the Board to assess civil penalties against employers who commit unfair labor practices; (3) requiring an employer post a bond as a condition to appealing any order involving an award of monetary relief; and (4) allowing a labor organization to be certified as the exclusive bargaining representative of a unit of employees upon the submission of representation cards signed by a majority of the employees without a secret ballot election.

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>