

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

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**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, AUGUST 10, 2022
10:00 A.M.**

**615 Williams Road
Salinas, CA 93905**

Board: Chair Victoria Hassid
Members, Cinthia Flores, Isadore Hall, and Ralph Lightstone
Executive Secretary Santiago Avila-Gomez

General Counsel: Julia Montgomery

Interpreter: Aimee Benavides

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 4:53 pm.
- Board Members Flores, Hall, and Lightstone present.
- Thank you extended to the California Department of Housing and Community Development, Tanimura & Antle, Monterey Mushrooms, Ladybug Farms, and the Department of Cannabis Control for facilitating Board's visit to Salinas.
- Introduction from Sebastián Sanchez, Deputy Secretary for Immigrant and Agriculture Workforce, Labor and Workforce Development Agency.

2. Approval of Minutes from Public Board Meeting, July 13, 2022
 - Board Member Hall moved to approve the minutes.
 - Board Member Flores seconded the motion.
 - Motion approved by 4 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
 - None.
6. General Counsel's Report
 - Reported on cases in Ventura, Yolo, and San Joaquin Counties.
 - Reported on outreach and participation with state agencies and Community-Based Organizations in Tulare, Santa Barbara, Sonoma, Ventura, and Riverside Counties.
7. Legislative Report
 - See Appendix B.
8. Regulations
 - Board Chair commented on possible regulatory activity required for Labor Peace Agreements in the cannabis industry and assigned review to the Regulations Subcommittee.
9. ***Informational Panel: Overview of Farmworker Housing in California***
 - Jesus Estrada and José Victor, Center for Community Advocacy, introduced by Natalie Herendeen, Executive Director, Center for Community Advocacy – Farmworkers' perspectives
 - Julio Lamas, Program Manager for Office of Migrant Services, California Department of Housing and Community Development – An overview of state programs related to farmworker housing
 - Ildi Carlisle-Cummins, Executive Director, California Institute for Rural Studies – Findings and experience from the 2018 Farmworker Housing

Study and Action Plan for Salinas Valley and Pajaro Valley

- Dixie Lira-Baus, Director of Real Estate Development, and Jane Barr, Associate Director of Real Estate Development, Eden Housing – Perspective of an Affordable Housing Developer
- Paul Tran, Senior Project Manager, CHISPA, Inc. - Perspective of an Affordable Housing Developer
- Rob Wiener, Director, California Coalition for Rural Housing – Overview of current issues with farmworker housing

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

Closed Session

The Board did not recess into closed session.

Open Session

11. Announcements

- Next Public Board Meeting is on August 17, 2022 in Sacramento.

12. Adjourn Meeting

- Meeting adjourned at 7:19 pm.

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: August 10, 2022
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Amended Complaint

1. *Sonoma Cho, LLC dba Flora Terra*, Case No. 2022-CE-003-SAL et al. (Cannabis; Sonoma County, CA; August 8, 2022)

Complaint Settled

1. *Treesap Farms, LLC dba Everde Growers*, Case No. 2021-CE-019-VIS (informal bilateral settlement agreement, July 25, 2022)

Board Decision

1. *Cinagro Farms, Inc.* (2022) 48 ALRB No. 2 (July 28, 2022 [Case No. 2017-CE-008-SAL; Decision affirmed ALJ Decision and ruled on several issues of first impression relating to misclassification of farmworkers

Pending Matters

1. *Tri-Fanucchi Farms*, 2013-CE-008-VIS & 2013-CE-014-VIS, 40 ALRB No. 4; application for special permission to appeal ALJ order denying application for depositions (July 26, 2022)

¹ Since the date of the Board's last public meeting there has been no new election activity, hearings, ALJ decisions, or Board administrative orders.

2. *Cinagro Farms, Inc.* (2022) 48 ALRB No. 2 (July 28, 2022 [Case No. 2017-CE-008-SAL; Decision affirmed ALJ Decision and ruled on several issues of first impression relating to misclassification of farmworkers])

APPENDIX B: LEGISLATIVE REPORT

STATE OF CALIFORNIA

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ALRB PUBLIC MEETING LEGISLATIVE REPORT

DATE: August 10, 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 July 13, 2022 meeting.

Assembly Bill No. 2183 (Stone – D)

This bill was introduced on February 15, 2022. The bill was approved by the Assembly on May 25 by a 49-22 vote and ordered to the Senate. On June 22, the bill passed the Senate Committee on Labor, Public Employment and Retirement on a 4-0 vote. On June 28, it passed the Committee on Judiciary on an 8-1 vote, and was re-referred to the Committee on Appropriations. On August 2, the Committee on Appropriations referred the bill to the suspense file.

In its current form as amended on March 24, 2022, 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>