

AGRICULTURAL LABOR RELATIONS BOARD

OFFICE OF THE EXECUTIVE SECRETARY

1325 J STREET, SUITE 1900

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**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, AUGUST 17, 2022
10:00 A.M.**

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: Julia Montgomery

Administrative
Services Division: Brian Dougherty

Interpreter: Ashley Nuñez

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 10:00 a.m.
 - Board Members Broad, Flores, Hall, and Lightstone present.
 - No report for agenda item 5.

2. Approval of Minutes from Public Board Meeting, August 10, 2022
 - Tabled until next Public Board Meeting on August 31, 2022.

3. Board Chair's Report – presented by Victoria Hassid
 - Congratulations extended to Board Member Ralph Lightstone on re-appointment to the Board.
 - August 26th – First Annual California Farmworker Day.
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
 - None.
7. Division of Administrative Services Report
 - None.
8. Legislative Report
 - See Appendix B.
9. Regulations
 - None.
10. Public Comment (The Board additionally solicits public comment after discussion of each agenda item of the open meeting.)
 - None.

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 August 31, 2022 in Sacramento.

12. Adjourn Meeting

- Meeting adjourned at 10:35 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 HEARINGS

DATE: August 17, 2022
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Election Activity

1. *818 Brands*, Case No. 2022-NO-001-VIS (Notice of Intent to Organize filed August 5, 2022; Teamsters Local 1932; Cannabis)

Hearings

1. *Gerawan Farming, Inc.*, 2012-CE-041-VIS et al. (44 ALRB No. 1 issued January 22, 2018; compliance hearing commenced Monday, August 15, 2022)

ALJ Decisions

1. *Lily's Green Garden, Inc.*, 2020-CE-025-SAL & 2020-CE-037-SAL (July 14, 2022)

Pending Matters

1. *Lily's Green Garden, Inc.*, 2020-CE-025-SAL & 2020-CE-037-SAL (General Counsel's Motion for Clarification filed July 29, 2022)
2. *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 (filed July 26, 2022)
3. *Cinagro Farms, Inc.* (2022) 48 ALRB No. 2 (issued 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; August 29, 2022, deadline to appeal)

APPENDIX B: LEGISLATIVE REPORT

STATE OF CALIFORNIA

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ALRB PUBLIC MEETING LEGISLATIVE REPORT

DATE: August 17, 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 August 10, 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 August 11, the bill passed out of the Committee on Appropriations on a 5-2 vote, after which it was read a second time and ordered to a third reading.

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>