

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, SEPTEMBER 14, 2022
10:00 A.M.

1500 Capitol Avenue
Hearing Room 72.167
Sacramento, CA 95814

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

General Counsel: Julia Montgomery

Interpreter: Pamela Shepard Garcia

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 10:03 a.m.
 - Board Members Broad, Flores, and Hall present.

2. Approval of Minutes from Public Board Meeting, August 10, 2022 and Public Board Meeting, August 31, 2022
 - Board Member Broad moved to approve the minutes from Public Board Meeting, August 10, 2022 and Public Board Meeting, August 31, 2022.
 - Board Member Flores seconded the motion.

- Motion approved by 4 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - Advisory regarding the effect of budget trailer bill AB 195 on Labor Peace Agreements in the cannabis industry posted to the ALRB website.
 - Reported on vacancies for administrative law positions.
 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 a case in Santa Barbara County.
 - Reported on hiring and recruitment in the Visalia Office.
 - Reported on outreach and participation with the Mexican Consulate for Labor Rights Week in Ventura County and with community-based organizations in Santa Barbara, Riverside, and Imperial Counties.
 7. Division of Administrative Services Report
 - None.
 8. Legislative Report
 - None.
 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 September 28, 2022 in Sacramento.

12. Adjourn Meeting

- Meeting adjourned at 10:55 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: September 14, 2022
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Election Activity

1. *818 Farms*, 2022-NO-002-VIS (September 1, 2022; Teamsters Local 1932; Cannabis)

Board Decision

2. *Lily's Green Garden, Inc.*, (2022) 48 ALRB No. 3 (September 8, 2022; Case Nos. 2020-CE-025-SAL & 2020-CE-037-SAL; After sua sponte consideration of remedial issue, Board ordered backpay remedy)

Pending Matters

3. *Lily's Green Garden, Inc.*, (2022) 48 ALRB No. 3 (September 8, 2022; Case Nos. 2020-CE-025-SAL & 2020-CE-037-SAL)
4. *St. Supery, Inc. dba St. Supery Vineyards & Winery*, 2022-CE-015-SAL (General Counsel's Request for Subpoena Enforcement filed August 26, 2022)

APPENDIX B: LITIGATION REPORT

STATE OF CALIFORNIA

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ALRB PUBLIC MEETING LITIGATION REPORT

DATE: September 14, 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 August 31, 2022 meeting.

Petitions for Writ of Review of Unfair Labor Practice Decisions

California Appellate Courts

- ▶ ***Cinagro Farms, Inc. v. ALRB***, Second District Court of Appeal, [Case No. B322632](#)

Summary: Petition for writ of review of the Board's decision in 48 ALRB No. 2, in which the Board found respondent Cinagro Farms, Inc. unlawfully misclassified a crew of workers and terminated them in retaliation for their protected complaints regarding the form of their paychecks and paystubs. In addition, the Board assessed civil penalties against Cinagro pursuant to Labor Code section 226.8 for willfully misclassifying the workers.

Status: Cinagro filed a petition for writ of review on August 24, 2022. The Board filed the certified record on September 1. Cinagro's opening brief is due October 6.

- ▶ ***Smith Packing, Inc. v. ALRB***, Second District Court of Appeal, [Case No. B308102](#)

Summary: Petition for writ of review of the Board's decision in 46 ALRB No. 3, in which the Board found the employer unlawfully terminated a group of employees for engaging in concerted protected activity.

Status: On September 6, 2022, the court issued an order denying Smith Packing's petition for writ of review. The deadline to file any petition for review in the California Supreme Court is September 16.