



**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, May 3, 2023
10:00 A.M.**

**1500 Capitol Avenue
Sacramento, CA 95814**

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

General Counsel: Julia Montgomery

Administrative
Services Division: Brian Dougherty

Interpreter: Anabelle Garay

Open Session

1. Call to Order
 - Board Chair Victoria Hassid called the meeting to order at 10:07 a.m.
 - Board Members Broad, Flores, Hall, and Lightstone present.
2. Approval of Minutes from Public Board Meeting, April 5th - 6th, 2023
 - Board Member Broad moved to approve the minutes from the Public Board Meeting, April 5th – 6th, 2023.
 - Board Member Lightstone seconded the motion.
 - Motion approved by 5 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - Introduced draft of ALRB's Strategic Plan (Appendix C). Extended thanks to Board Members, Staff, and other stakeholders who have provided feedback.

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
 - Introduced Yesenia De Luna as Interim Regional Director in the Visalia Region.
 - Reported on cases in Santa Barbara and Ventura Counties.
 - Reported on outreach and participation with Community-Based Organizations and state agencies in Ventura, Monterey, Tulare, Fresno, Merced, Kern, Riverside, Mendocino, Santa Cruz, Imperial, and Sonoma Counties, in addition to participation on radio programs.
7. Division of Administrative Services Report
 - Reported on budget hearing on AB 113 (trailer bill for AB 2183) in Senate Budget and Fiscal Review Committee and upcoming hearing in Assembly Budget Committee.
8. Legislative Report
 - See Appendix B.
9. Regulations
 - None.
10. Informational Panel: Immigration and Farmworker Population
 - Edward Flores, Associate Professor, UC Merced Community and Labor Center
 - Amagda Pérez, Executive Director, CRLA Foundation
 - Luz Gallegos, Executive Director, TODEC
11. Public Comment (*The Board additionally solicits public comment after discussion of each agenda item of the open meeting.*)
 - None.

Closed Session

12. Announcements

- The next Public Board Meeting is on May 17th, 2023.

13. Adjourn Meeting

- Meeting adjourned at 3:01 pm.

**APPENDIX A:
EXECUTIVE SECRETARY'S REPORT**

Office of the Executive Secretary
1325 J Street, Suite 1900-B
Sacramento, CA 95814



ALRB
AGRICULTURAL LABOR
RELATIONS BOARD



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

DATE: May 3, 2023
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Complaints and Specifications

----- **Settled** -----

1. *Monterey Mushrooms, Inc.*, Case Nos. 2020-CE-042-SAL & 2021-CE-007-SAL (April 20, 2023; parties entering into settlement agreement)

Board Decisions, Administrative Orders, and Pending Matters

----- **Admin. Order Issued** -----

1. *Tri-Fanucchi Farms* (2023) ALRB Admin. Order 2023-01 (March 27, 2023; Order Denying Request for Special Permission to Appeal; 40 ALRB No. 4 [Case Nos. 2013-CE-008-VIS & 2013-CE-014-VIS])
2. *Professional Technical Union, Local 33* (2023) ALRB Admin. Order 2023-02-P (March 30, 2023; Order Directed to Complaining Party, Licensee, Challenged Labor Organization, and General Counsel; Case No. 2023-LPA-001)
3. *Tri-Fanucchi Farms* (2023) ALRB Admin. Order 2023-03 (April 7, 2023; Order Denying Request for Special Permission to Appeal; 40 ALRB No. 4 [Case Nos. 2013-CE-008-VIS & 2013-CE-014-VIS])

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

1. *Gerawan Farms, Inc.*, 2012-CE-041-VIS et al. (44 ALRB No. 1; ALJ Decision, January 20, 2023; Briefing completed March 24, 2023)
2. *Lily's Green Garden, Inc.* 2020-CE-025-SAL & 2020-CE-037-SAL (48 ALRB No. 3; April 14, 2023; General Counsel's Request for Leave to Seek Court Order)
3. *Professional Technical Union, Local 33* (2023) ALRB Admin. Order 2023-02-P (March 30, 2023; Order Directed to Complaining Party, Licensee, Challenged Labor Organization, and General Counsel; Case No. 2023-LPA-001)

**APPENDIX B:
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: May 3, 2023

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 (ALRA) or the Agricultural Labor Relations Board since the Board's April 5, 2023 meeting.

**Assembly Bill No. 113 – Agricultural Labor Relations (Committee on Budget) /
Senate Bill No. 113 – Agricultural Labor Relations (Committee on Budget and Fiscal Review)**

Assembly Bill No. 113 (AB 113) was introduced on January 9, 2023, as an act relating to the Budget Act of 2023. It was amended in the Assembly on February 1. On April 28, the bill was amended in the Senate to set forth the clarifying language announced by Governor Newsom after signing Assembly Bill No. 2183 (Stone – D; 2021-2022 Reg Sess.) last September.

Senate Bill No. 113 (SB 113) was introduced on January 18, 2023, as an act relating to the Budget Act of 2023. It was amended in the Assembly on May 1 to set forth the same AB 2183 clarifying language described above.

In their current forms, these bills propose a number of amendments to the ALRA falling into two general categories. First, the bills remove the labor peace compact and mail-voting provisions of AB 2183 in favor of a "majority support petition" process to allow certain labor organizations to become certified to represent bargaining units of agricultural employees. This process largely is modeled on the existing "non-labor peace election" procedure established by AB 218 and currently codified at Labor Code section 1156.37. Second, the bills restructure the appellate bond provision enacted in AB 2183 by adopting separate bonding requirements applicable in unfair labor practice and mandatory mediation and conciliation proceedings.

The full text of AB 113, and further information regarding it, is available at:
<https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB113>.

The full text of SB 113, and further information regarding it, is available at:
<https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB113>.

In addition, further information regarding AB 2183 and the clarifying language announced by Governor Newsom when signing that bill is available at:
<<https://www.gov.ca.gov/2022/09/28/alongside-farmworkers-at-the-state-capitol-governor-newsom-signs-law-expanding-farmworker-union-rights/>>.

STRATEGIC PLAN

2023–2026

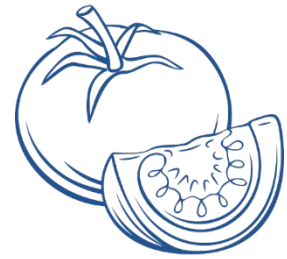


ALRB
AGRICULTURAL LABOR
RELATIONS BOARD

FAIRNESS
IN THE FIELD

Introduction

In 1975 California enacted the Agricultural Labor Relations Act (ALRA or the Act), becoming the first state to extend collective bargaining rights to agricultural workers and establishing protections for farmworkers to come together to advocate for better working conditions and protect themselves. The Act created the Agricultural Labor Relations Board (ALRB or Board) to oversee administration and enforcement of the Act, including adjudicating labor disputes and conducting union elections.



While many aspects of agricultural labor have evolved significantly during the 50 years since the ALRA's enactment, many have remained the same. The California agricultural industry continues to feed the world and remains heavily dependent on the essential work of farmworkers. Farmwork continues to be extremely labor intensive and poses many hazards for workers. Farmworkers are at the forefront of the harsh impacts of climate change, including hazardous wildfire smoke, extreme heat, drought, and flooding. Farmworkers also are disproportionately vulnerable to the impacts of pandemics, natural disasters, and economic downturns.

The ALRB has been and continues to be the only state agency with a mission focused entirely on farmworkers. As the needs of the industry and the workforce change, the ALRB strives to evolve and

tailor our services to meet the needs of this critically important workforce.

The ALRB executive team set out to review our operations and develop the first strategic plan for the agency in over a decade. The executive team conducted outreach to gather critically important input from a variety of internal and external stakeholders, but especially from ALRB staff. To this end, the executive team engaged ALRB staff and stakeholders in several surveys and workshops to identify areas where the ALRB should focus its resources and where we could innovate and improve. This Strategic Plan is the result of the invaluable input from staff, employers, unions, policy makers, professional associations, attorneys, community-based organizations and farmworkers.

The ALRB is committed to its mission and is adopting this Strategic Plan for 2023–26 to guide the Board’s effort to fulfill its vision to be the lead state agency supporting California’s farmworkers.



Mission

The ALRB's mission, enshrined in Labor Code section 1140.2, is "to encourage and protect the right of agricultural employees to full freedom of association, self-organization, and designation of representatives of their own choosing, to negotiate the terms and conditions of their employment, and to be free from the interference, restraint, or coercion of employers, of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection. For this purpose, this part is adopted to provide for collective-bargaining rights for agricultural employees."

Vision

The ALRB's vision is to serve as a trusted state resource for the agricultural community that protects and supports farmworkers' rights to advocate for better working conditions.



Core Values



Fairness: We recognize the importance of fairness in all of our interactions with the public and with each other. We are committed to being fair and objective in our investigations, elections, and adjudication of cases. We provide everyone with equal access and opportunities.



Responsibility: We are mindful that the actions we take have an impact on people's lives and we take this responsibility seriously. We are entrusted by those we serve to exhibit the highest standards and ethics.



Commitment to Justice: We are entrusted with enforcing the Agricultural Labor Relations Act and ensuring farmworkers have freedom to choose without interference whether they wish to be represented by a union and that they are protected when advocating for better working conditions. We honor that trust and are committed to advancing the public interest and ensuring a just outcome in every case we handle.



Strengthening Communities: We recognize the contributions and value of the public we serve, the organizations that support workers and employers and the work of other government agencies to serve farmworkers. We value and seek to strengthen our partnerships with farmworkers, employers, unions, community-based organizations, professional associations, attorneys, and government agencies to work together to improve the working conditions of California farmworkers.

Goal 1: Improve the public's knowledge and understanding of the Agricultural Labor Relations Act and the work of the Agricultural Labor Relations Board.

The ALRB firmly believes that knowledge and awareness of rights and protections are essential to empowering. In 2020 the State approved the ALRB's strategic outreach and communications proposal. The ALRB has since hired outreach staff statewide and is in the process of updating and modernizing its materials. Specifically, the ALRB is updating its outreach materials, its website, and is utilizing additional methods to connect with farmworkers.

Strategic Objectives:

1. Ensure the ALRB is accessible to the population it serves.
The ALRB will develop materials and use outreach methods that are accessible in multiple languages and at various literacy levels by using a variety of mediums.
2. Develop and implement a comprehensive communication and outreach strategy tailored to the farmworker population, including a strategy focused on the growing cannabis industry.
3. Increase and maintain relationships, collaborations and partnerships with a wide variety of organizations including community-based organizations, worker advocacy organizations, unions, employers, professional associations, and other public agencies.
4. Increase ALRB visibility to stakeholders.



Goal 2: Engage and empower ALRB staff.

The ALRB recognizes that its workforce is its most important asset. The ALRB strives to support the needs of our staff, cultivate, and foster a positive workplace culture, and be the employer of choice for exceptional public servants.

Strategic Objectives:

1. **Develop an ALRB workforce development plan that identifies and supports staff training needs, opportunities, and paths for career advancement.**
2. **Expand the ways the ALRB recognizes staff work and accomplishments.**
3. **Provide mentorship to staff throughout the organization.**
4. **Develop a recruitment and retention plan with a focus on specific classifications and geographic areas.**
5. **Improve internal communication between offices and units regarding regional work.**

Goal 3: Improve the ALRB's services by increasing operational efficiency and effectiveness and maintaining high quality work product.

The ALRB takes its duty to the public and its fiduciary duty as a recipient of state resources seriously. The ALRB's unofficial motto is "small but mighty" and we must continue to develop processes and undertake initiatives to improve the efficiency of the organization and produce work of the highest quality within reasonable time frames.

Strategic Objectives:

1. **Review, update and improve timeline goals for all major ALRB case processes including investigations, administrative adjudication, and compliance. Establish routinized monitoring of timelines for all major case handling processes and incorporate changes to improve process times as needed. Ensure all staff members are held accountable for efficient case handling processes.**
2. **Develop internal repositories of resources for each unit of the ALRB to assist staff in developing their work product, including but not limited to brief banks, templates, and checklists for various work processes. Update ALRB**

procedural manuals to reflect current ALRB case, regulatory and statutory law. Improve ALRB legal search tools.

3. Identify and incorporate training focused on complex legal and financial schemes used to evade liability or that may interfere with enforcement of remedies. Acquire additional tools to combat complex evasion schemes.
4. Identify and address deficiencies, gaps, and necessary enhancements to the ALRB's case management system, e-Court. Develop a web portal for electronic case, charge and petition filing and an online case docket.
5. Engage and expand on cross-training with other government agencies and community-based organizations to improve knowledge, utilization, and enforcement of protections of the Agricultural Labor Relations Act.

