



**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, May 31, 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

Interpreter: Ashley Nuñez

Open Session

1. Call to Order
 - Board Chair Victoria Hassid called the meeting to order at 10:03 a.m.
 - Board Members Broad, Flores, Hall, and Lightstone present.
2. Approval of Minutes from Public Board Meeting, May 17th, 2023
 - Board Member Broad moved to approve the minutes from the Public Board Meeting, May 17th, 2023.
 - Board Member Lightstone seconded the motion.
 - Motion approved by 4 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - Reported on AB 113 delegation agreement with General Counsel (Appendix C).
 - Board Member Broad moved to approve the agreement.
 - Board Member Hall seconded the motion.
 - Motion approved by 5 to 0.

- Acknowledged work of Board Member Broad and coalition to stand against anti-Semitic hate.
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 outreach and participation with Community-Based Organizations in Tulare, Sonoma, Monterey, Ventura, Santa Barbara, San Benito, and Riverside Counties, along with participation on radio programs.
 7. Division of Administrative Services Report
 - None.
 8. Legislative Report
 - See Appendix B.
 9. Regulations
 - Chief Board Counsel reported on closing of 15-day deadline for public comment for proposed rulemaking for ALRB procedural revisions (Notice File No. Z2022-1121-01).
 - Board Member Broad reported on expected updates for next scheduled Public Board Meeting.
 10. Public Comment (*The Board additionally solicits public comment after discussion of each agenda item of the open meeting.*)
 - None.

Closed Session

11. Announcements
 - The next Public Board Meeting is on June 14th, 2023.
 - Special Public Board Meeting is on June 21st, 2023.

12. Adjourn Meeting

- Meeting adjourned at 10:18 am.

APPENDIX A:
EXECUTIVE SECRETARY'S REPORT

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



ALRB
AGRICULTURAL LABOR
RELATIONS BOARD



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

DATE: May 31, 2023
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Board Administrative Order and Pending Matters

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

1. *Lily's Green Garden, Inc.* (2023) ALRB Admin. Order 2023-05 (May 17, 2023; Order Granting Request for Leave to Seek Court Order Requiring Compliance with Board Order; 48 ALRB No. 3 [Case Nos. 2020-CE-025-SAL & 2020-CE-037-SAL])

----- **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. *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

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



ALRB
AGRICULTURAL LABOR
RELATIONS BOARD



**ALRB PUBLIC MEETING
LEGISLATIVE REPORT**

DATE: May 31, 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 May 17, 2023 meeting.

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

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 set forth in Assembly Bill No. 113 (AB 113), which was signed by the Governor and enacted into law on May 15. The bill was re-referred to the Assembly Committee on Budget on May 8.

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

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

Additional 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/>>.

Senate Bill No. 544 – Bagley-Keene Open Meeting Act: Teleconferencing (D – Laird)

Senate Bill No. 544 (SB 544) was introduced on February 15, 2023. It was amended in the Senate on March 20, and again on April 27. The bill passed the Senate on May 15 by a 26-3 vote, and was ordered to the Assembly. It was read a first time in the Assembly on May 15, and referred to the Committee on Government Organization on May 26.

SB 544 would make permanent several provisions of the Bagley-Keene Open Meeting Act regarding meetings conducted by teleconferencing that are set to expire on July 1.

The full text of SB 544, and further information regarding it, is available at:
<https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB544>.

Senate Constitutional Amendment No. 7 – Employment: Workers’ Rights (D – Umberg)

Senate Constitutional Amendment No. 7 (SCA 7) was introduced on May 1, 2023. On May 10 it was referred to the Committees on Labor, Public Employment and Retirement; Elections and Constitutional Amendments; and Appropriations.

SCA 7 would amend the state constitution to provide that all Californians shall have the right to join a labor union and to choose a labor union to represent them in negotiations with their employers to protect their economic well-being and safety at work. The amendment further would provide that no statute or ordinance may be passed after January 1, 2023, that interferes with, diminishes, or negates the right of employees to organize and collectively bargain with their employers.

The full text of SCA 7, and further information regarding it, is available at:
<https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SCA7>.

**APPENDIX C:
DELEGATION AGREEMENT WITH GENERAL COUNSEL**

**Agricultural Labor Relations Board Delegation of Authority to
Regional Directors Regarding Representation Proceedings Under
Chapter 5 of the Agricultural Labor Relations Act**

Pursuant to Labor Code section 1142, subdivision (b) and Section IV of the Agreement of Authority and Responsibilities of the Agricultural Labor Relations Board (Board) and General Counsel Under the Agricultural Labor Relations Act (ALRA), entered into on July 8, 2010, and subject to such instructions and rules and regulations as may be issued by the Board from time to time, the Board has delegated to Regional Directors its powers under Chapter 5 of the Act (commencing with Labor Code section 1156) to determine the unit appropriate for the purpose of collective bargaining, to determine whether a question of representation exists, and to direct and conduct elections by secret ballot.

The Regional Directors are authorized and have responsibility, on behalf of the Board and in accordance with such instructions and rules and regulations as may be issued by the Board from time to time, to facilitate the receipt and processing of all petitions filed pursuant to Chapter 5 of the Act. This includes the authority and responsibility, on behalf of the Board, to process and investigate majority support petitions filed pursuant to Labor Code section 1156.37, enacted pursuant to section 9 of Assembly Bill No. 113 (2023-2024 Reg. Sess.). The Board shall supervise the Regional Directors and regional staff in the performance of their duties pursuant to Chapter 5 of the Act.

Victoria Hassid, Chair

Date

Isadore Hall, III, Member

Date

Barry Broad, Member

Date

Ralph Lightstone, Member

Date

Cinthia Flores, Member

Date