



**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, July 5, 2023
10:00 A.M.**

**1325 J Street, Suite 1900-B
Sacramento, CA 95814**

**425 W Broadway, Suite 400
Glendale, CA 91204**

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

General Counsel: Deputy General Counsel Franchesca Herrera

Administrative
Services Division: Brian Dougherty

Interpreter: Ashley Nuñez

Open Session

1. Call to Order
 - Board Chair Victoria Hassid called the meeting to order at 10:11 a.m.
 - Board Members Broad and Lightstone present.
2. Approval of Minutes from Public Board Meeting, June 14th, 2023
 - Board Member Broad moved to approve the minutes from the Public Board Meeting, June 14th, 2023.
 - Board Member Lightstone seconded the motion.
 - Motion approved by 3 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - Extended congratulations to Board Member Hall for his confirmation

by the Senate Rules Committee.

- Reported on visit to Indio Office, including meetings with local organizations. Extended thanks to Daniela Ramirez and Omar Gastelum for facilitating visit.
- Reported on upcoming visit to Fresno, including event hosted by the UC Merced Community and Labor Center.
- Reported on outreach efforts, including meeting with staff from Asian Business Institute and Resource Center and the Community Alliance with Family Farmers.
- Reported on upcoming meeting with California Certified Organic Farmers Association, including proposed panel on labor certifications.

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 (presented by Deputy General Counsel Franchesca Herrera)

- Reported on a case in Fresno and Sonoma County.
- Reported on outreach and participation with Community-Based Organizations in Kern, Sonoma, Madera, Tulare, Monterey, Ventura, Riverside, Merced, Imperial, and San Benito Counties.

7. Division of Administrative Services Report

- Reported on Governor's signing of the budget bill for Fiscal Year 2023-2024, SB 101, including funding requested for the ALRB's budget.

8. Legislative Report

- See Appendix B.

9. Regulations

- Board Member Broad presented the Regulation Subcommittee Report on cannabis and Labor Peace Agreement regulations (Notice File No. Z2023-0313-01, see Appendix C).

- Board Chair Hassid moved to approve the Regulation Subcommittee Report and recommendation that the Board adopt the proposed rulemaking.
 - Board Member Lightstone seconded the motion.
 - Motion approved by 3 to 0.
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 July 12th, 2023.
 - The subsequent Public Board Meeting is on July 26th, 2023.
12. Adjourn Meeting
- Meeting adjourned at 12:40 pm.

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: July 5, 2023
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Complaints

1. *3H Custom Farming, Inc.*, 2021-CE-017-SAL (Vegetables; Ventura County; June 30, 2023)
2. *Acquistapace Harvesting, Inc.*, 2022-CE-031-SAL (Fruits & Vegetables, including Cauliflower and Broccoli; Santa Barbara County; June 30, 2023)
3. *Linda Christie dba Sunny Knoll Vineyards and Christie Vineyards*, 2022-CE-050-SAL (Grapes; Santa Cruz County; June 30, 2023)
4. *Sonoma Cho dba Flora Terra*, 2022-CE-049 & 2023-CE-003-SAL (Cannabis; Sonoma County; June 30, 2023)
5. *St. Supery, Inc. dba St. Supery Vineyards & Winery*, 2022-CE-015-SAL (Grapes; Napa County; June 30, 2023)

Settled

1. *Mauritson Farms, Inc.*, 2020-CE-009-SAL (June 30, 2023; parties entered into informal bilateral settlement agreement)

Board Decision

1. *Gerawan Farms, Inc.*, 2012-CE-041-VIS et al. (49 ALRB No. 2; June 22, 2023)

Pending Matters

1. *Professional Technical Union, Local 33 (Pro-Tech 33)*, 2023-LPA-001 (General Counsel's Report and Recommendation—June 8, 2023; Challenged Labor Organization Response—June 16, 2023)

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: July 5, 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 June 14, 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 expired on July 1. (Cf. Gov. Code, § 11133, subd. (g).)

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. On June 5 it was set for hearing on June 14 before the Committee on Labor, Public Employment and Retirement, which was later rescheduled to June 22. The proposed amendment was amended on June 6 in a nonsubstantive manner, and was re-referred to the Committee on Labor, Public Employment and Retirement, where it passed on a 4-1 vote. The proposed amendment was re-referred to the Committee on Elections and Constitutional Amendments and was amended again on June 26.

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. As most recently amended, SCA 7 would require the Legislature to provide for the enforcement of the collective bargaining rights set forth.

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:
REGULATIONS SUBCOMMITTEE REPORT**

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



ALRB
AGRICULTURAL LABOR
RELATIONS BOARD



DATE: July 5, 2023

TO: Agricultural Labor Relations Board

CC: Santiago Avila-Gomez, Executive Secretary

FROM: Ralph Lightstone, Board Member
Barry Broad, Board Member

RE: Rulemaking Notice File No. Z2023-0313-01
Cannabis; Labor Peace Agreements (AB 195)

On March 24, 2023, the Agricultural Labor Relations Board (ALRB or Board) published notice of this proposed regulatory action involving labor peace agreements in the cannabis industry, including implementation of the labor peace agreement complaint procedure established under AB 195 (Bus. & Prof. Code, § 26051.5, subd. (a)(5)(D)). The public comment period closed on May 8, and no public comments were received. The subcommittee thereafter proposed a nonsubstantial change to proposed regulation 20953, subdivision (c)(4), which the Board approved at its May 17, 2023 public meeting.

On June 2, 2023, the Board published notice of modifications to the proposed regulations, consistent with above, and of materials added to the Board's rulemaking file for this matter. The 15-day public comment period closed on June 19, and no public comments were received.

For the reasons discussed in the Board's original notice of proposed rulemaking and notice of modifications to the proposed rulemaking, as well as the Board's initial statement of reasons and addendum thereto in support of this proposed rulemaking, the Regulations Subcommittee recommends the Board approve the proposed rulemaking and authorize the subcommittee to proceed with finalizing this matter for submission to the Office of Administrative Law.