



**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, July 26, 2023
10:00 A.M.**

**1500 Capitol Avenue, Hearing Room 72.167
Sacramento, CA 95814**

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

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 10:04 a.m.
 - Board Members Lightstone, Broad, Hall, and Flores present.
2. Approval of Minutes from Public Board Meeting, July 5th, 2023
 - Board Member Lightstone moved to approve the minutes from the Public Board Meeting, July 5th, 2023.
 - Board Member Broad seconded the motion.
 - Motion approved by 5 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - Extended congratulations to Board Member Hall for formal approval of re-appointment by Senate Rules and the full Senate Committee.
 - Reported on Professional Technical Union, Local 33 (2023) 49 ALRB

No. 3, including Department of Cannabis Control issuance of bulletin to all licensees alerting them on the decision.

- Reported on attendance at UC Merced Community and Labor Center tour of Tulare and Kings counties, including Tulare Lake, and briefing on the 2023 Farmworker Health Study. Thanked UC Merced executive team for putting on a well-organized and informative event.
 - Reported on tours with Board Member Flores and General Counsel Montgomery at Greene & Hemly, Bowles Farming Company, Specialty Crop Company, and Cobblestone Fruit (with California Citrus Mutual). Extended thanks to the growers, Ian LeMay (President of Fresh Fruit Association, Cadee Condit (American Pistachio Growers), Jacob Villagomez and Casey Creamer (California Citrus Mutual), and Louie Brown and Taylor Roschen (Kahn, Soares and Conway).
 - Reported on Mauritsen Farms, Inc. (2022-CE-009-SAL) settlement press conference with General Counsel Montgomery. Extended thanks to the staff of the Santa Rosa Office, including Jorge Lopez Espindola, Yesenia De Luna, and Karen Santana.
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 a case in Sonoma County.
 - Reported on outreach and participation with community-based organizations, including a statewide presentation to Spanish-speaking worker leaders (*promotoras*) with CalOSHA, and the Labor Commissioner, an event in Mendocino County with the Employment Development Department, and a radio interview in Sonoma County with the Labor Commissioner.
 7. Division of Administrative Services Report
 - None.
 8. Legislative Report

- See Appendix B.
9. Regulations
 - Board Member Broad provided an update on AB 113 regulations.
 - Chair Hassid requested that the regulations subcommittee review the card check process in New York state, review to see if there are any best practices and look at their authorization card.
 10. Public Comment (The Board additionally solicits public comment after discussion of each agenda item of the open meeting.)
 - None.
 11. Informational Panel: Immigration and Labor Rights: Building Trust With Immigrant Communities
 - Liliana Garcia-Brower, Labor Commissioner
 - Reported on investigative experience with janitorial watchdog group.
 - Discussed issues of vulnerability, especially among immigrant women workers.
 - Highlighted relevance of trauma-informed perspectives for strategic enforcement.
 - Julia Montgomery, General Counsel, ALRB
 - Reported on impact of undocumented status on farmworker outreach.
 - Discussed role of local nonprofit groups and leaders.
 - Highlighted ALRB staff outreach efforts.
 - Mentioned efforts to protect workers from intimidation based on inquiries into immigration status.
 - Bryan Little, Director of Employment Policy, California Farm Bureau
 - Discussed California Farm Bureau support for legislation to resolve immigration issues, including paths to legal status and potential citizenship.
 - Reported on employer trainings for compliance and the impact of regulatory commitments.
 - Highlighted economic impact of regulations.
 - Sebastian Sanchez, Deputy Secretary for Agriculture and Immigrant

Workforce, Labor and Workforce Development Agency

- Discussed challenges and improvements in LWDA's enforcement system, in addition to content creation and new methods of distribution for outreach.
- Highlighted strategic enforcement partnerships with Community Based Organizations.
- Reported on the possibility of creating one-stop shops for different enforcement entities, including improving access to physical locations for workers who speak indigenous languages.
- Dr. Sarait Martinez, Executive Director, Centro Binacional para el Desarrollo Indígena Oaxaqueño (CBDIO)
 - Highlighted challenges facing indigenous farm workers and their communities.
 - Discussed intimidation and issues in navigating the enforcement system.
 - Reported on partnerships with state entities and other partners to empower workers.
 - Discussed factors impacting farm worker trust.

Closed Session

12. Announcements

- The next Public Board Meeting is on August 9th, 2023.

13. Adjourn Meeting

- Meeting adjourned at 1:57 pm.

APPENDIX A:
EXECUTIVE OFFICER'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 26, 2023
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Amended Complaint

1. *Acquistapace Harvesting, Inc.*, 2022-CE-031-SAL (Fruits & Vegetables, including Cauliflower and Broccoli; Santa Barbara County; July 10, 2023)

Board Decision

1. *Professional Technical Union, Local 33* (2023) 49 ALRB No. 3 (Case No. 2023-LPA-001; determined not a bona fide labor organization; July 6, 2023)

Pending Matters

1. *Tri-Fanucchi Farms*, 2013-CE-008-VIS & 2013-CE-014-VIS (40 ALRB No. 4; Administrative Law Judge Recommendation to Seek Enforcement of Subpoena Duces Tecum; June 23, 2023)
2. *Ocean Mist Farms*, 2017-CE-006-VIS (46 ALRB No. 5; Regional Director's Request for Subpoena Enforcement; July 18, 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 26, 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 July 5, 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, where it passed on a 12-2 vote on July 12 and was re-referred to the Committee on Appropriations.

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>.