



**STATE OF CALIFORNIA AGRICULTURAL LABOR RELATIONS BOARD
PUBLIC MEETING MINUTES
WEDNESDAY, September 6, 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: Jesse Laguna

Open Session

1. Call to Order
 - Board Chair Victoria Hassid called the meeting to order at 10:06 a.m.
 - Board Members Lightstone, Broad, and Flores present.
 - (Board Member Hall joined meeting after the roll call).
2. Approval of Minutes from Public Board Meeting, August 15th, 2023
 - Board Member Broad moved to approve the minutes from the Public Board Meeting, August 15th, 2023.
 - Board Member Lightstone seconded the motion.
 - Motion approved by 4 to 0.
3. Board Chair's Report – presented by Victoria Hassid
 - Acknowledged Labor Day and California's 3rd Annual Farmworker Appreciation Day.

- Discussed US Department of the Treasury white paper on labor unions and the middle class, including summary of key points.
 - Reported on collaboration with the Department of Cannabis Control (DCC) on their rulemaking involving AB 195 (Labor Peace Agreements). Cannabis Advisory Committee meeting agenda available at:
https://cannabis.ca.gov/wp-content/uploads/sites/2/2023/08/cac_agenda_september_2023.pdf
 - Discussed DCC licensee database available at:
<https://cannabis.ca.gov/2023/08/labor-peace-agreements/>
 - Reported on upcoming presentation with Special Legal Advisor Ed Blanco at the Cannabis Advisory Committee. Reported on attendance at upcoming Cannabis Regulation Task Force meeting with Special Legal Advisor Ed Blanco and Deputy General Counsel Franchesca Herrera.
 - Extended thanks to staff who helped update case management system in eCourt.
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 cases in Kern, Santa Barbara, Monterey County, and Fresno Counties.
 - Reported on Labor Rights Week (previous week) in collaboration with the Mexican Consulate, labor and government partners. Reported on outreach and participation with Community-Based Organizations 12 live trainings and presentations, 6 Facebook Live radio and tv presentations, 11 in-person community events, 4 office hour days. Provided description of events in Imperial, Santa Barbara, Ventura, Santa Clara, San Diego, and Monterey Counties.
 - Board Chair Hassid inquired about settlements. Regional Director Jessica Arciniega responded.
 7. Division of Administrative Services Report

- None.
8. Legislative Report
 - See Appendix B.
 9. Regulations
 - Reported on Procedural Revisions coming into effect October 1st, which would require electronic filing for most practitioners.
 10. Public Comment (*The Board additionally solicits public comment after discussion of each agenda item of the open meeting.*)
 - None.

Closed Session

11. Announcements
 - Reported on participation in signing ceremony of the “Memorandum of Understanding Between the Ministry of Foreign Affairs of the United Mexican States and the California Labor and Workforce Development Agency of the State of California of the United States of America” with the participation of the California Labor and Workforce Development Agency, Department of Industrial Relations, the ALRB, and 10 California-based Mexican Consulates on September 14th.
 - The next scheduled Public Board Meeting is on September 20th, 2023.
12. Adjourn Meeting
 - Meeting adjourned at 11:17 am.

**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: September 6, 2023
TO: Agricultural Labor Relations Board
FROM: Santiago Avila-Gomez, Executive Secretary

Consolidated Complaint

1. *UFW & Monterey Mushrooms, LLC*, 2019-CL-005-SAL et al. (Mushrooms; Santa Cruz County; August 10, 2023)

Settled

1. *Acquistapace Harvesting, Inc.*, 2022-CE-031-SAL (Fruits & Vegetables, including Cauliflower and Broccoli; Santa Barbara County; August 28, 2023)
2. *3H Custom Farming, Inc.*, 2021-CE-017-SAL (Vegetables; Ventura County; September 5, 2023)

Administrative Orders

1. *Tri-Fanucchi Farms* (2023) ALRB Admin. Order 2023-06 (August 11, 2023; Order Reversing Recommendation that the Board Seek Enforcement of Subpoena Duces Tecum; 40 ALRB No. 4 [Case Nos. 2013-CE-008-VIS & 2013-CE-014-VIS])
2. *National Agricultural Workers Union* (2023) ALRB Admin. Order 2023-07 (August 16, 2023; Order (1) Directing Licensees and Challenged Labor Organization to Answer Complaint; and (2) Directing General Counsel to Investigate and Report to the Board its Recommendation and Findings Re: Labor Peace Agreement Complaint; Case No. 2023-LPA-002)
3. *Ocean Mist Farms* (2023) ALRB Admin. Order 2023-08 (August 28, 2023; Order Denying General Counsel's Request for Enforcement of Subpoena Duces Tecum; 46 ALRB No. 5 [Case No. 2017-CE-006-VIS])

Pending Matters

1. *National Agricultural Workers Union (NAWU)*, 2023-LPA-002 (July 27, 2023; Labor Peace Agreement (LPA) Complaint)
2. *Ocean Mist Farms*, 2017-CE-006-VIS (46 ALRB No. 5; Respondent's Motion to Reconsider and/or Modify Order Denying General Counsel's Request for Enforcement of Subpoena Duces Tecum; August 30, 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: September 6, 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 August 9, 2023 meeting.

Senate Bill No. 143 – State Government (Sen. Committee on Budget and Fiscal Review)

Senate Bill No. 143 (SB 143) was introduced on January 18, 2023. It was amended in the Assembly on August 28, 2023, and re-referred to the Assembly Committee on Budget. Insofar as is relevant here, this bill as amended would continue the remote meeting provisions of Government Code section 11133, which expired by its own terms on July 1, until December 31, 2023.

The full text of SB 143, and further information regarding it, is available at:
<https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB143>.

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. The bill was amended on August 14, and on September 1 passed the Assembly Committee on Appropriations on a 14-0 vote.

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).) As most recently amended, this bill would amend Government Code section 11123 to require a majority of the members of a state body to be physically present at the same location for at least half of the body's meetings for each year. This requirement applies until January 1, 2026, at which time section 11123 will be repealed and replaced by a new section 11123. The new section 11123, effective January 1, 2026, will require at least one member of the state body to be present each teleconference location specified in a meeting notice and that each location be accessible to the public.

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>.