



**STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD  
PUBLIC MEETING MINUTES  
Wednesday, October 30, 2024, at 10:00 A.M**

**ALRB Hearing and Conference Room  
1325 J Street, Suite 1900, Sacramento, CA 95814**

Board Members: Chair: Victoria Hassid, Ralph Lightstone, Barry Broad  
and Cinthia Flores

Executive Secretary: Santiago Avila-Gomez

Board Counsels: Scott Inciardi, Laura Heyck

**Open Session**

1. Call to Order

- Chair Hassid called the meeting to order at 10:03 A.M.
- Board Members Present: Chair Hassid, Board Member Broad, Board Member Flores, Board Member Lightstone.

2. Approval of Minutes from Public Board Meeting, October 2

- Board Member Broad moved to approve the minutes from the Public Board Meeting from October 2.
- Board Member Flores seconded the motion.
- Motion approved unanimously.

3. Board Chair's Report

- Chair Hassid recognizes Larry Itliong Day and his contributions to the West Coast labor movement.
- Approval to hear the Proposal to open a New Office in Santa Maria.
  - Board Member Broad moved to approve; Board Member Lightstone seconded the proposal.
  - Motion to Hear the Item approved unanimously by Board members.

- Presentation by General Counsel Julie Montgomery about New Santa Maria office:
    - Significant rise in charge filings and farmworker activity in northern Santa Barbara County (Santa Maria area). ALRB staff, including Attorney Yesenia Pulido, a Field Examiner, and a Senior Legal Typist, will work from the new space.
    - Increased collaboration with state agencies (Labor Commissioner, Cal OSHA, etc.) has boosted community engagement.
    - Sublease a small office space from CAUSE in Santa Maria, which includes a private office, shared cubicle area, reception, and access to conference rooms and common areas.
    - Flexible lease with a 30-day termination clause, allowing for quick setup and adjustment if needed.
    - Safeguards will ensure clear separation from the nonprofit's activities.
    - Clear signage and internal safeguards to ensure separation between ALRB and CAUSE, with no overlap in cases involving CAUSE.
    - Provide a centrally located, cost-effective office to support the Rural Strategic Engagement Program and ongoing work in the Santa Maria area.
    - Chair Hassid appreciated General Counsel, Administrative Staff Dalton Weber and Regional director's efforts to open this office.
  
  - Approval of proposal to open the office in Santa Maria:
    - Chair Hassid moved to approve the proposal to open the office in Santa Maria.
    - Board Member Broad seconded the motion.
    - The proposal was unanimously approved by all Board members.
  
  - Chair Hassid mentioned the farm worker breakfast event on December 6th and invited board members to participate.
4. Executive Officer's Report on Elections, Unfair Labor Practice Complaints, and Hearings
- Refer Appendix A.
5. Litigation Report – Presented by Scott Inciardi
- Board Counsel Scott Inciardi provided an update on the Wonderful Nurseries, LLC v. ALRB (Kern County Superior Court Case No. BCV-24-101649):
  - October 3, 2024: ALRB filed an answer to the complaint.
  - October 28, 2024: Parties submitted a Joint Case Management Conference statement.

- Upcoming: Case management conference scheduled for November 12, 2024.
- ALRB v. Superior Court (Wonderful Nurseries, LLC), Fifth App. Dist. No. F088632 (UFW writ, no. F088639),
- This case involves consolidated petitions for writ of mandate by the ALRB and United Farm Workers, challenging the Superior Court's denial of demurrers.
- October 24, 2024: The court consolidated the petitions and ordered Wonderful to respond by November 25, 2024. Replies from ALRB and UFW are due 30 days after.
- Wonderful Nurseries, LLC v. ALRB, Fifth App. Dist. No. F088515 (UFW appeal, no. F088520)
- This case involves appeals by ALRB and UFW regarding the Superior Court's order granting a preliminary injunction.
- October 24, 2024: The Appellate Court issued a writ of supersedeas, staying the preliminary injunction.

#### 6. General Counsel's Report – Presented by Julia Montgomery

- Settlement Updates:
  - Julia Montgomery reported on recent settlements involving dairy workers in Hanford who alleged wage theft and OSHA complaints, resulting in a settlement reached on October 1, 2024. Other settlements included a charge against Bagdasarian Services LLC for wrongful termination and a case involving retaliation against workers at Foley Farms. Additionally, a settlement regarding sick leave violations at Foley Farms was reached, providing back pay to affected workers.
- Outreach Highlights:
  - Workers shared their experiences at a community meeting and participated in a in a tour in Santa Maria to discuss working conditions and pesticide concerns. The importance of raising awareness about workers' rights, particularly regarding sick leave discouragement.

#### 7. Division of Administrative Services Report

- No report presented.

#### 8. Legislative Report

- No report presented.

## 9. Regulations Report – Presented by Barry Broad

- Proposed Regulation 20391(a)(1):
  - The change addresses the service of a petition on an agricultural employer. The original language incorrectly stated that a party must "and" notify the employer via email or courier after serving the supervisor. This has been amended to "or," allowing for greater flexibility in notifying the employer.
- Proposed Regulation 20391(a)(4):
  - This regulation now explicitly states that when staff provide notice to workers regarding a filed petition, a copy of that notice must also be given to the union that filed the petition, ensuring better communication among all parties involved.
- Motion to Approve the changes proposed in the report, move forward with the rulemaking process, and notice the regulations for the minimum 15-day period.
  - Board Member Flores moved to approve.
  - Board member Lightstone seconded the motion.
  - The motion passed unanimously.
- The comments moving forward will focus solely on the two specific changes outlined in the report. Any general comments unrelated to these changes will not be entertained at this stage.
- Once the 15-day notice period concludes, we will proceed to forward the regulations to the Office of Administrative Law (OAL) for review and further processing.

## 10. Info Panel: Agricultural Industry Certification Roundtable Discussion

- Refer Appendix B.

## 11. Public Comment: Matthew Allen – Western Growers Association

- Matthew Allen from the Western Growers Association expresses concern about the sublease from Cause, highlighting potential conflicts of interest and public perception issues regarding impartiality. He also notes that the item was not included earlier on the agenda.
- Chair Hassid responded that she would schedule a discussion with him and General Counsel Julia Montgomery about this concern in more detail and can explore how to address them effectively.

## **Closed Session**

- The Board went into closed session at 11:58 AM and returned at 12:48 PM.

## 12. Announcements

- The next board meeting is scheduled for November 13 at 10:00 AM at 1325 J Street, Suite 1900, Sacramento, CA 95814.

## 13. Adjournment

- Meeting adjourned at 12:48 PM.

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



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

**DATE:** October 30, 2024  
**TO:** Agricultural Labor Relations Board  
**FROM:** Santiago Avila-Gomez, Executive Secretary

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**Complaint Settled**

1. *Foley Family Farms, LLC, 2023-CE-033-SAL* (Motion to Take Off Calendar due to Settlement filed October 22, 2024 [Grapes; Sonoma County; August 2, 2024])

**Decision Issued**

1. *DMB Packing Corp. dba The DiMare Company (2024) 50 ALRB No. 2* [2023-RM-001-VIS; Certification, October 23, 2023; The Board dismissed DiMare's exceptions to the IHE's decision and overruled its objections to the certification.]



**Equitable Food Initiative:**  
*Strengthening Labor Practices across  
the Entire Produce Supply Chain*



## Produce Industry Trends:

- 🌱 **Labor Shortage:** increased dependence on H2A program, rising labor costs, increased imports
- 🌱 **Retail Consolidation:** downward price pressure on suppliers and therefore on wages
- 🌱 **Threats to Retail Continuity of Supply:** labor and food safety risk, grower viability
- 🌱 **Consumer demand for supply chain transparency** to address human trafficking in recruitment and labor abuse, pesticide safety and pollinator protection
- 🌱 **Rise of Ag Tech:** massive investment in automation and digital tools to address labor shortage

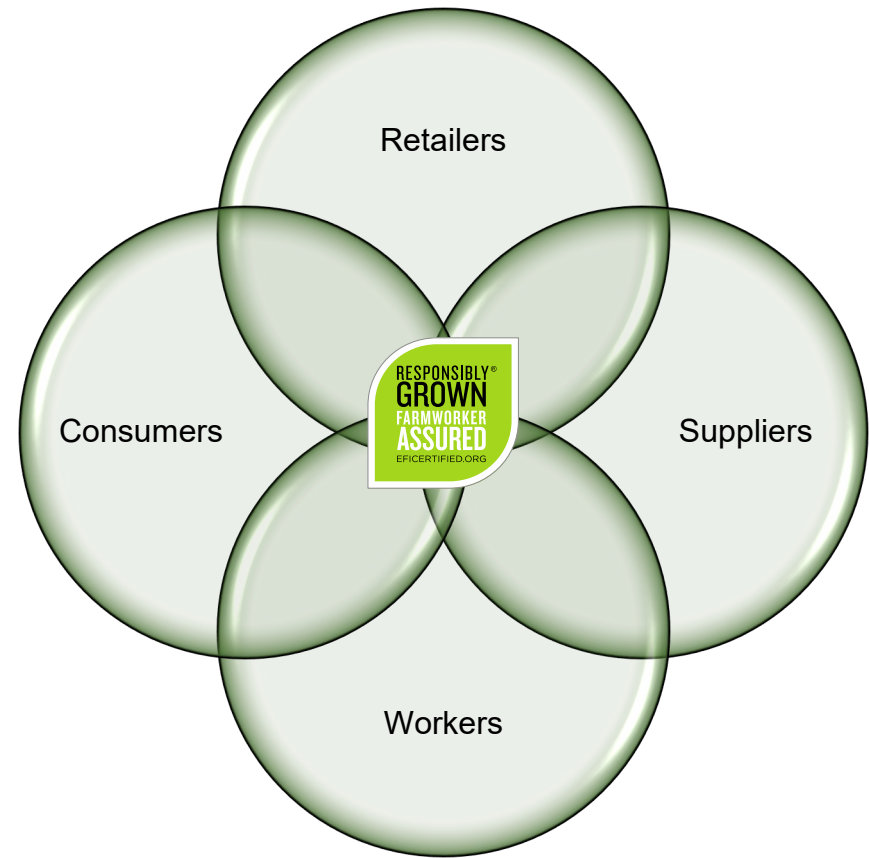
# EQUITABLE FOOD INITIATIVE

- Created through dialogue in 2008-11 to bring stakeholders from across the produce supply chain together to address these challenges
- Committed to interest-based dialogue among representatives of workers, growers, retailers and consumers to identify solutions that drive continuous improvement and generate value for all stakeholders
- Recognizes the skills and competencies of workers and managers to engage the entire workforce in building safer, more productive workplaces



# Improvement in Labor Practices Requires Alignment of Interests

- 🌱 **Consumers:** confidence that produce was safely and ethically grown
- 🌱 **Retailers:** continuity of supply, reduced labor and food safety risk
- 🌱 **Suppliers:** audit relief, stable workforce, customer access
- 🌱 **Workers:** voice and dignity, skills, better wages and working conditions



# 1. EFI Certification Program

- 🌱 **Rigorous Standards:** labor practices, food safety and integrated pest management (IPM)
- 🌱 **Training:** form worker-manager “leadership team” with communication and problem-solving skills to help farms comply with the EFI standards
- 🌱 **Third Party Certification:** “one-stop-shop” covers retail requirements for labor, food safety (GFSI) and IPM/pollinator protection in a single annual audit → use of EFI label
- 🌱 **Verification:** “leadership team” continues to meet after certification to address ongoing issues and prepare for annual verification audit





# EFI's Reach



**53** Farming  
Operations  
Certified

**11** In Progress

**4**

Countries



**50,000+**  
Workers on Farms With  
Trained Leadership  
Teams

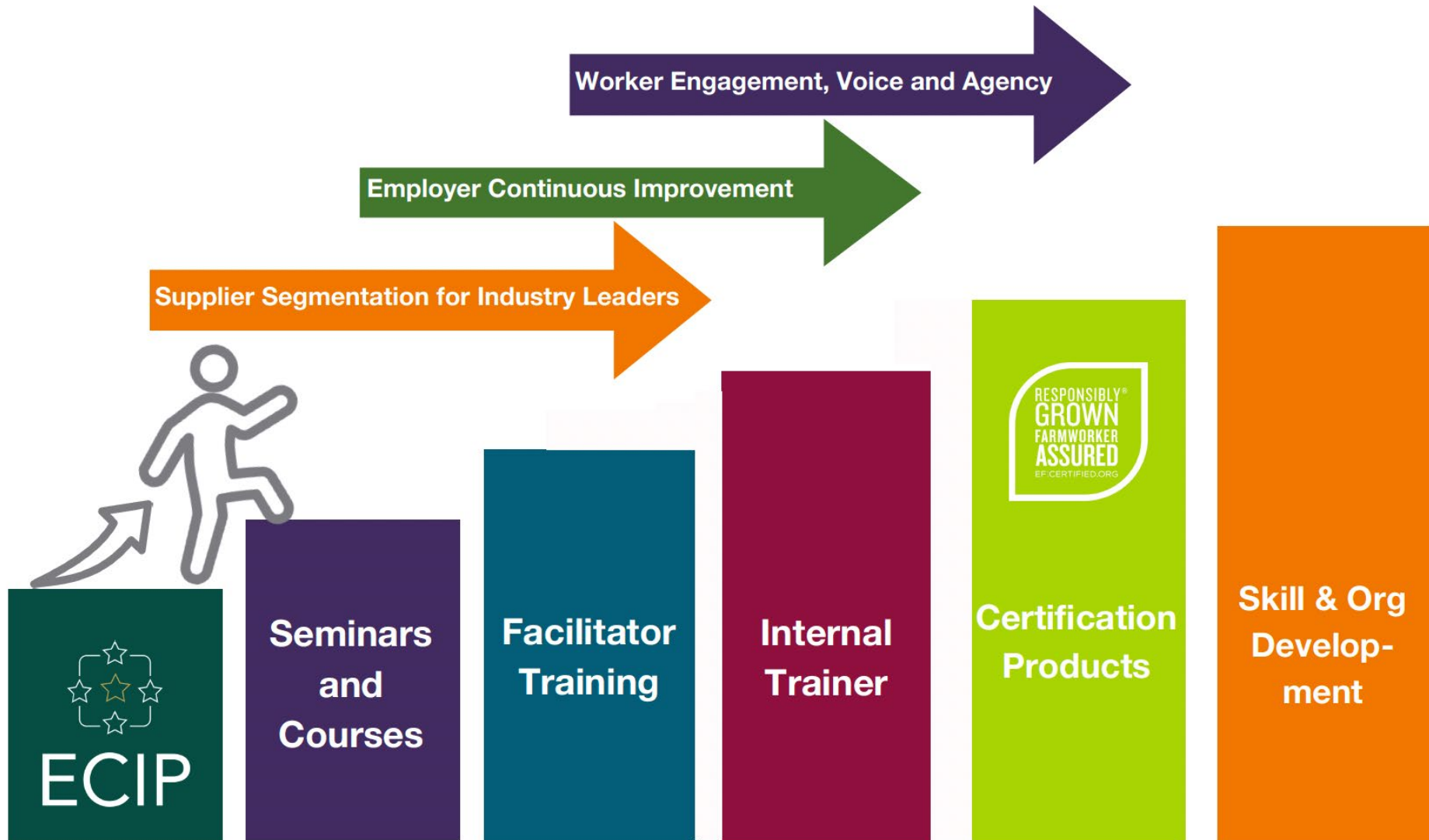


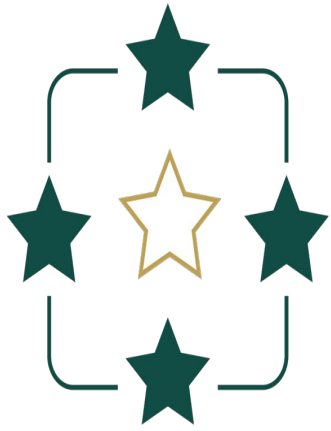
**\$23 million+**

Generated in Worker  
Bonuses



**Certification reaches only the best employers. How do you strengthen labor practices across the rest of the produce industry? Segment employers by labor practices**

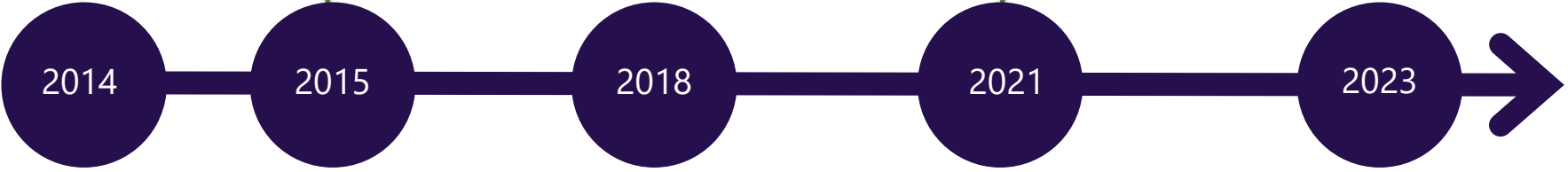
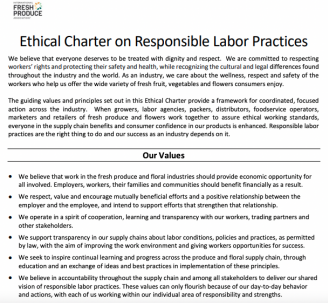




# ECIP

## 2. Ethical Charter Implementation Program





LA Times series "Product of Mexico"

PMA and United Fresh form a Joint Committee of buyers and suppliers

Joint Committee publishes the Ethical Charter\* on Responsible Labor Practices

Major buyers and suppliers pilot a non-audit-based capacity-building program aligned with the Ethical Charter

Buyers and suppliers launch the Ethical Charter Implementation Program (ECIP) across the industry

- Capacity building – not compliance test or audit
- Learn – Assess – Benchmark: continuous improvement
- Suppliers and growers ranked by credible engagement
- Industry-wide field-level data on labor; worker input

# How is ECIP Governed?

Since August 2022, EFI has met monthly with an advisory group:

## BUYERS



## FLC & SUPPLIERS



The IFPA board appointed a representative to the advisory group in January 2023. IFPA is an observer to the ECIP process.

### 3. CA Farmworker Credentialing Pilot

- 🌱 **Recognize and document farmworker skills** – foundational, crop-specific and technical skills - professional workforce
- 🌱 **Build collaboration** among state agencies, employer associations, worker organizations, training providers and community colleges to align around a credentialing framework
- 🌱 **Develop curricula and processes** for teaching and assessing the skills a farmworker can demonstrate to earn a formal credential
- 🌱 **Scale training** to ensure workers can gain access to new skills that help them advance up a career ladder with credentials



# ALRB/EDD visit to GoodFarms in Oxnard on September 12, 2024: what did you hear from farmworkers about EFI?



# Towards Social Sustainability in Agriculture: *Equitable Food Initiative*

Christy Getz, Moderator

Associate Professor of Cooperative Extension and Food Systems

UC Berkeley College of Natural Resources

ALRB Public Board Meeting

Panel Discussion

October 30, 2024

# Certifying the Social: Guiding Research Questions

- What is the landscape of U.S. market-based voluntary certification initiatives that address labor issues in the agricultural sector?
- What is the potential of these initiatives to ensure labor rights and increase social sustainability in agriculture?
- How do market-based initiatives intersect with non-market strategies that aim to improve farm labor conditions?
- What can we learn from in-depth site-based research on these initiatives?

# *Equitable Food Initiative:* Research Reflections



Windset Farms Leadership Team (2018)