

STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD

BOARD MEETING MINUTES

Board Conference Room  
915 Capitol Mall  
Sacramento, CA 95814

November 29, 2000

Time - 10:00 a.m.  
Members Present - Chairwoman Shiroma; Board Members  
Richardson, Barrios and Mason.  
Staff Present - Executive Secretary Barbosa; Board  
Counsel Demaris, Levy, Wender, and  
Starkey; Chief of Administration Arviso;  
Analyst Massie.  
Others Present -  
Absent - General Counsel Turner; Board Staff  
Torres.

**OPEN SESSION**

1. **APPROVAL OF MINUTES.** The Board approved the minutes for November 15, 2000, 4-0.
2. **PUBLIC COMMENT.** None.
3. **GENERAL COUNSEL COMMENT.** None.
4. **BOARD MEMBER COMMENT.** Chairwoman Shiroma reported on the site visits that she and General Counsel Turner recently made to the Salinas and Visalia regional offices. She stated that these visits gave her a renewed appreciation for the regional staff and the work that they do. Chairwoman Shiroma also noted that she and the General Counsel are scheduled to visit the El Centro regional office in two weeks.

5. WEEKLY STATUS REPORT ON ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, HEARINGS AND COURT LITIGATION.

**ELECTIONS REPORT:**

**NOTICE TO TAKE ACCESS**

**UFW/Cocopah Nurseries, Inc.**, 00-NA-3-EC  
Filed November 27, 2000.

**NOTICE OF INTENT TO ORGANIZE**

No filings this week.

**ELECTION PETITIONS**

**Vinifera, Inc.**, 00-RC-2-SAL

The Executive Secretary granted the Employer's request for an extension of time to file exceptions to the Investigative Hearing Examiner's (IHE) decision. Exceptions are now due December 20, 2000, and the reply to exceptions is due December 29, 2000.

**COMPLAINT REPORT:**

One consolidated complaint issued:

**Desert Citrus Properties**, 00-CE-30-EC

The El Centro Regional Director issued six complaints (Desert Citrus Properties, Ventura Coastal Corporation, Rancho Valnies, Gilbert Gomez Farm Labor Contractor, and Bertha Gomez Farm Labor Contractor), which were consolidated under the lead case of Desert Citrus Properties.

Two specifications issued:

**Clara Contreras/Pacific Blue Ribbon**,  
99-CE-165-EC; **Clara Contreras/Raymond Babb  
dba Babb Farms**, 99-CE-166-EC

The El Centro Regional Director issued a backpay specification on November 17, 2000. He also filed a Labor Code section 1160.8 petition for court enforcement with the superior court seeking enforcement of the

Board's order re reinstatement of one employee. The order to show cause hearing is scheduled for January 8, 2001.

**Mt. View Farming, 00-CE-63-VI**

The Visalia Regional Director issued a backpay specification on November 20, 2000, involving a single employee in the amount of \$1,844.00, without interest.

Two new cases have been set for hearing:

**Wilgenburg Dairy, 98-CE-59-VI**

Prehearing Conference, December 11, 2000  
Hearing, January 16, 2001.

**Turco Desert Company, 00-CE-29-EC**

Prehearing Conference, January 17, 2001  
Hearing, February 13, 2001.

One hearing has been continued:

**Pictsweet Mushroom Farms, 00-CE-7-EC(OX)**

Prehearing Conference, March 14, 2001  
Hearing, March 21, 2001.

One case is pending exceptions and/or reply:

**Vinifera, Inc., 00-RC-2-SAL**

Exceptions due December 20, 2000  
Reply due December 29, 2000.

One case is pending opening and reply briefs:

**The Hess Collection Winery, 99-CE-23-SAL**

Opening brief due December 29, 2000  
Reply brief due January 8, 2001.

**HEARINGS:** No hearings are in progress.

**BOARD DECISIONS:** None.

## COURT LITIGATION:

**Vincent B. Zaninovich & Sons, Inc.**, F034095

The Board's brief has been circulated for review. The brief will be filed with the California Supreme Court by Thursday, November 30, 2000.

## 6. BUDGET AND ADMINISTRATION.

- (a) **Board Regulations:** Discussion tabled pending input from Regional Directors. After discussion, the Board took under advisement a proposal from Regional Director Kerry Donnell to schedule time during the regional directors' meetings throughout next year to discuss revisions to all of the Board's manuals and regulations. The Board will use the January 17, 2001, regional directors' meeting to discuss, among other things, the general question of whether changes to the compliance manual are needed and the extent of such changes, if any. Board Counsel Levy and Starkey will survey staff about compliance manual use before that meeting.
- (b) **Information Technology and Web Site Development Project:** Ms. Massie reported that she is continuing to work on formatting Spanish language informational materials for the ALRB web site. Member Richardson noted that she has some suggested changes for the translated materials. Ms. Massie will inquire into the status of the Board manuals and whether they are available for placement on the web site. Ms. Massie also stated that she will be attending a seminar on information security, sponsored by the Department of Information and Technology.
- (c) **Administration - Update:** Chief of Administration Arviso distributed copies of the budget summary. In other updates, Ms. Arviso reported on the availability of the 800 line; she provided an update on office equipment purchases; and she reported that the agency's internal telephone directory will be updated soon.

(d) **Strategic Plan - Update:** Board Counsel Starkey is working on the draft report, which will be presented for additional review next week. All edits are due by Monday and will be circulated to the Board offices. The Board is to review the proposed recommendations for the report.

(e) **Compliance - Procedure for Closing Compliance Cases Without Full Compliance:** Member Barrios and Board Counsel Levy presented proposed changes to the compliance manual for case closing. After discussion, the Board tabled further review of the proposed changes for next week's meeting.

7. **OUTREACH PROJECT.** Discussed as part of Strategic Plan Update, above.

8. **LEGISLATION.** No report for this meeting.

9. **ANNOUNCEMENTS.** Chairwoman Shiroma noted that the holiday food drive is underway.

10. **PERSONNEL - Staffing Oxnard Subregional Office:** Chairwoman Shiroma noted that the sub regional office is scheduled to begin operation in January 2001, and staffing announcements will be made at a future meeting.

11. **FUTURE AGENDA REVIEW.** None.

**PUBLIC MEETING ADJOURNED AT: 12:00 p.m.**

**WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.**