

STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD

BOARD MEETING MINUTES

Board Conference Room
915 Capitol Mall
Sacramento, CA 95814

December 20, 2000

Time - 10:00 a.m.

Members Present - Chairwoman Shiroma; Board Members
Richardson, Barrios and Mason.

Staff Present - Executive Secretary Barbosa; Board
Counsel Levy, Wender, and Starkey; Chief
of Administration Arviso; Analyst Massie;
Board Staff Torres.

Others Present -

Absent - General Counsel Turner.

OPEN SESSION

1. **APPROVAL OF MINUTES.** The Board approved the minutes for December 13, 2000, 4-0.
2. **PUBLIC COMMENT.** None.
3. **GENERAL COUNSEL COMMENT.** None.
4. **BOARD MEMBER COMMENT.** Chairwoman Shiroma reported that she and Executive Secretary Barbosa met with Gabriel Vivas concerning public education efforts through media outlets, particularly media targeted to Spanish-speaking audiences. Mr. Vivas has offered to make a follow up presentation with specific proposals early next year.

Chairwoman Shiroma also noted that she, General Counsel Turner and Executive Secretary Barbosa met with bankruptcy attorney Michael Nakagawa concerning review of ALRB cases for bankruptcy issues and possibly providing training for ALRB attorneys in the area of bankruptcy.

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

ELECTIONS REPORT:

NOTICE OF INTENT TO TAKE ACCESS and NOTICE OF INTENT TO ORGANIZE - No new filings reported.

No new election petitions filed.

COMPLAINT REPORT:

Four complaints issued:

Coastal Berry Company, 99-CE-135-EC(OX)
Employer allegedly disciplined and discharged employee because the employee engaged in a work stoppage with other employees to protest a dispute concerning wages.

Coastal Berry Company, 99-CE-136-EC(OX)
Employer allegedly disciplined and discharged employee because the employee engaged in a work stoppage with other employees to protest a dispute concerning wages.

Coastal Berry Company, 99-CE-154-EC(OX)
Employer allegedly discharged one employee because the employee concertedly complained about the company's pay practices.

Coastal Berry Company, 99-CE-163-EC(OX)
Employer allegedly refused to rehire one employee because the employee concertedly complained about the company's hiring policies and practices.

No pre-hearing conferences have been held.

One case is pending exceptions and/or reply.

Vinifera, Inc., 00-RC-2-SAL
Exceptions due December 20, 2000
Reply due December 29, 2000.

The union informed the Executive Secretary that neither the employer nor the union would be filing exceptions to the IHE decision. Certification is to issue tomorrow.

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 in progress.

BOARD DECISIONS: None.

COURT LITIGATION: No change in status.

6. BUDGET AND ADMINISTRATION.

- (a) **Board Regulations:** Discussion tabled pending input from the Regional Directors.
- (b) **Information Technology and Web Site Development Project:** Ms. Massie reported that work continues on bringing Spanish language materials on line. Translated brochures have been sent to the Regional Offices for additional review.
- (c) **Administration - Update:** Chief of Administration Arviso reported that she and Personnel Officer Kojima last week attended training for managers in the area of preventing sexual harassment in the work place. The Board asked that she cost out training for the ALRB's managers and supervisors who have not yet taken the training. Ms. Arviso also reported that she is working with General Counsel Turner on administrative matters related to the opening of the Oxnard sub-regional office.
- (d) **Strategic Plan - Update:** The Board reviewed and discussed the draft report to the Legislature and directed further revisions.

(e) **Compliance - Procedure for Closing Compliance Cases Without Full Compliance:** This matter was tabled for a future meeting. Counsel Wender noted that he is reviewing recently issued amendments to the Administrative Procedure Act that may bear on the subject and he will update his earlier analysis.

7. **OUTREACH PROJECT - Approval of Proposed Employee Newsletter.** This matter was tabled for a future meeting.

8. **LEGISLATION.** Counsel Wender circulated a memorandum describing Senate Bill 25, relating to the creation of a Labor Agency.

9. **ANNOUNCEMENTS.**

Julie Demaris, Board Counsel for the Chairwoman, has retired, effective Monday, December 18, 2000. The Board recognizes and thanks Ms. Demaris for her many years of service and many contributions to the ALRB as a senior board counsel and legal advisor.

10. **PERSONNEL.** None.

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

PUBLIC MEETING ADJOURNED AT: 12:30 p.m.

NO CLOSED SESSION MEETING WAS HELD.