

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

**Board Conference Room
915 Capitol Mall
Sacramento, CA 95814**

July 25, 2001

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Richardson and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Heyck, Levy, Wender, and Starkey, Chief of Administration Arviso, Analyst Massie, Legal Intern Tamashiro, Board Staff Torres.
Others Present:
Absent: Member Barrios.

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for May 23, June 13, 20 and 27, 2001.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** Member Richardson reported that she attended CPR training conducted by the Department of General Services on July 24, 2001, and strongly recommended this training for staff. Chairwoman Shiroma asked the Executive Secretary to follow up with staff.
4. **ANNOUNCEMENTS:**
 - a. Chairwoman Shiroma announced that Esther Torres, executive secretary, is retiring from State service at the end of September. Her last day in the office will be August 3, 2001. The Chairwoman congratulated Ms. Torres for her 27 years of State service.
 - b. The Department of Personnel Administration is sponsoring participation in the American Heart Association's American Heart Walk on September 29, 2001, to support the fight against heart disease and stroke. Participants will walk one mile around the Capitol.

- c. A Special Executive Briefing: "eGovernment Portals: Delivering Immediate Value through Personalized Self-Service", will be held on August 1, 2001, in Sacramento.
- d. CAFÉ de California is sponsoring a statewide training conference in Sacramento on September 4-9, 2001, with the theme "Navigating the Net: The Digital Opportunity." The program highlights the latest trends in information technology and is being held in conjunction with Governor's e-government (My California) and staff development training.
- e. NIFACT, a group representing the Departments of Agriculture in New Mexico, Florida, Arizona, California and Texas, has issued a report, "Framework for the Future of Agriculture," which highlights shared interests and concerns of these states' agricultural communities in the context of upcoming farm policy legislation.

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: The Fresh Fruit and Vegetables Workers (FFVW) filed notices (NA , NO) at Tudor Ranch on July 24, 2001.

Wilgenburg Dairy Farm, 01-RC-1-VI

Election held February 2, 2001.

Tally:

FFVW 1096	8
No Union	25
UCBs	<u>24</u>
Total	57

The Regional Director issued his Report on Challenged Ballots June 1, 2001. Neither party filed exceptions to the report, which became final on June 14, 2001. The Regional Director will be scheduling the opening and counting of the ballots. The Executive Secretary will issue his ruling on the objections following conclusion of the challenged ballot proceedings.

United Farm Workers

(Excelsior Farms & Warmerdam Packing Co.), 01-UC-1-VI

The UFW filed a unit clarification (UC) petition on May 18, 2001, with the Visalia Regional Office seeking to clarify and/or amend the Board's

certification in 94-RC-3-VI. The matter is under investigation and is pending the Regional Director's unit clarification report.

COMPLAINT REPORT:

Two new complaints have issued:

Excelsior Farming, 01-CE-46-VI

Employer allegedly refused to bargain with the certified representative by changing its past practice of directly hiring all agricultural employees and commenced hiring agricultural employees through a labor contractor.

Sambado & Sons, Inc., 01-CE-41-VI

Discharge of one employee allegedly because he engaged in protected concerted activity.

No prehearing conferences held.

No hearings in progress.

No cases pending ALJ decision.

No ALJ decisions issued.

No cases pending exceptions or reply.

No cases transferred to the Board.

Three new cases on calendar:

California Redi-Date, Inc., 00-CE-25-EC

Pre-hearing August 14, 2001

Hearing August 28, 2001.

The Elmore Company, 00-CE306-EC

Backpay Specification issued, consolidated with complaint July 16, 2001

Pre-hearing August 17, 2001

Hearing September 11, 2001.

Grewal Enterprises, Inc., 98-CE-162-EC

Pre-hearing August 21, 2001

Hearing September 25, 2001.

SETTLEMENTS:

Desert Citrus Properties, 00-CE-30-EC et al.

Ventura Coastal Corporation, 00-CE-31-EC, et al.

Rancho Valnies, Inc., 00-CE-32-EC et al.

Gilbert Gomez, 00-CE-285-EC, et al.

Bertha Gomez, 00-CE-307-EC

The Regional Director dismissed the above-referenced complaints and closed cases as Respondents have complied with the terms and conditions of the informal settlement agreements.

Pictsweet Mushroom Farms, 00-CE-7-EC(OX), et al.

The Regional Director dismissed the complaint and closed related cases as Respondent has complied with the terms and conditions of the informal settlement agreement.

BOARD DECISIONS: None.

COURT LITIGATION:

Coastal Berry Company, H021585 (26 ALRB No. 3)

The Petitioner has requested oral argument by telephone conference.

COMPLIANCE: No new activity.

6. BUDGET AND ADMINISTRATION:

(a) **Information Technology and Web Site Development Project:** Analyst Massie reported that a Flex Your Power link has been added to the ALRB web site. Upgrades in the headquarters and regional offices are in progress, including installation of a T-1 line. Ms. Massie will follow up concerning computer upgrades in the Salinas Regional Office.

(b) Administration:

- 1) **Budget-Update:** Chief of Administration Arviso provided the Board with an update on year-end budget numbers.
- 2) **1-800 Telephone Number:** The Board approved acquiring the 888-ALRB toll free number. Ms. Arviso to follow up. The Board discussed ongoing concerns about misdirected calls to the headquarters and regional offices. Ms. Arviso to conduct a one-week survey to assess the problem and to follow up with the telephone vendor for possible solutions.
- 3) **BCP Proposal:** Budget Change Proposals are due September 13, 2001. The

Board identified this area for future agenda.

- 4) **State Auditor's Report re DOIT:** Ms. Arviso generally described the State Auditor's report concerning the Department of Information Technology (DOIT) and noted that the ALRB is following good practices, as set out in the report.
- 5) **Security:** Chairwoman Shiroma updated the Board on security measures being reviewed at the Headquarters Office. Ms. Massie to program telephones for immediate access to State Police. Ms. Arviso to check into availability of direct connection with State Police
- 6) **Other:** Executive Secretary Barbosa noted that inventory of Board decisions is to be completed by all staff by July 27, 2001.

(c) **Needs Assessment Report:** No changes to report.

(d) **Compliance:** No changes to report.

7. **OUTREACH PROJECT:** Per Member Richardson, progress on the novella continues and Spanish translation of the Annual Report is underway. A review of the workers' rights Spanish language pamphlet is also being made.
8. **LEGISLATION:** Board Counsel Wender provided an update on legislation of interest to the Board. He noted that AB 471, relating to labor relations for horse track employees, has reached the Governor's desk.
9. **PERSONNEL:** Chairwoman Shiroma noted that she has been informed that the Department of Personnel Administration has declined to authorize the Attorney IV classification for the ALRB. The Board is awaiting formal confirmation for follow up.
10. **FUTURE AGENDA REVIEW:** None.

PUBLIC MEETING ADJOURNED AT: 11:30 a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.