

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

August 1, 2001

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

OPEN SESSION

1. **APPROVAL OF MINUTES:** Minutes for July 5, 2001, approved, as amended, Member Ramos-Richardson abstaining.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**

Chairwoman Shiroma welcomed Robert Murray as her Board Counsel. She also thanked Board Counsel Starkey for his assistance as interim Board counsel to the Chairwoman.

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.

Dan Tudor & Sons, The Fresh Fruit and Vegetables Workers (FFVW) filed

notices (NA , NO) at Tudor Ranch on July 24, 2001. No new activity reported.

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:

One new complaint:

Seaview Growers, Inc., 00-CE-16-EC (OX)

Supervisor allegedly made threatening statements and acted in a threatening matter to employee who served as spokesperson for a group of employees and who discussed the employer's working conditions with the supervisor. The complaint issued on July 27, 2001.

Three cases on calendar:

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

Pre-hearing August 14, 2001

Hearing August 28, 2001.

The Elmore Company, 00-CE-306-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.

BOARD DECISIONS:

Turco Desert Company, Inc., Case No. 00-CE-29-EC
Board decision, 27 ALRB No. 4, issued on July 30, 2001.

COURT LITIGATION: No new activity reported.

COMPLIANCE: No new activity reported.

6. BUDGET AND ADMINISTRATION:

(a) Information Technology and Web Site Development Project

Analyst Massie reported that Capital Data installed e-mail and network programs on computers for the new Board counsel, corrected network start up errors, and resolved a scanning malfunction. Ms. Massie also reported on concerns about protecting against new strains of computer viruses. She asked that staff not open suspect email messages and reminded staff to perform regular anti-virus software checks. Staff with laptops should bring them into the office for software upgrades.

Chief of Administration Arviso reported that the T-1 line is scheduled to be installed between July 31 and August 1, 2001. It is anticipated that it will be operational by August 6, 2001.

(b) Administration:

1) **Budget – Update:** Chairwoman Shiroma reported that the agency in the new fiscal year budget was approved for a permanent \$116,000 allocation for community education and gained three enforcement positions (two field investigators, one attorney) for the regional offices.

Chief of Administration Arviso reported that she submitted the agency's year-end statement to the State Controller's Office on July 31, 2001.

2) **BCP Proposal:** Chairwoman Shiroma noted that the deadline for agency proposals is September 13, 2001. The Chairwoman will distribute a proposed workplan with timelines for meeting this deadline.

Other Matters:

Annual Report – Update: Member Barrios reported on the progress of the subcommittee that is working on the 2000-2001 Annual Report. She noted that the direction is to make the report more professional in appearance and to highlight the Board's 25-year anniversary. She circulated a number of samples of reports from other agencies. A draft table of contents was circulated to the Board for review and comment. Member Ramos-Richardson will contribute information on the Board's historical background. Board Member Barrios proposed to dedicate the 2000-2001 Annual Report to the memory of Julie Demaris, former board counsel, recently deceased.

Translation of the 1999-2000 Annual Report into Spanish is nearly completed. When finalized, it will be uploaded to the Spanish language section of the ALRB web page.

ALRB Case Decision Volumes: Analyst Massie is completing an inventory of regional office ALRB case decision volumes for updating. Support Staff Nuño is working on the inventory of the headquarter's ALRB case decision volumes.

- (c) **Needs Assessment Report:** Chairwoman Shiroma noted that a review of the progress on the matters identified in the Needs Assessment Report will be made in consultation with General Counsel next week.
- (d) **Compliance:** No new activity to report.

7. OUTREACH PROJECT:

Board Member Ramos-Richardson reported that translation of the novella project is in progress.

The Board discussed concerns raised about the workers' rights pamphlets. Member Ramos-Richardson and Member Barrios will undertake a review of the pamphlet.

The Board discussed media outreach. Chairwoman Shiroma asked that the Board set up a meeting with the General Counsel to discuss funds for radio and newspaper communications.

Member Ramos-Richardson offered to organize an agricultural tour of El Dorado County for the Board and said she would provide additional information at a future meeting.

8. **LEGISLATION:** Board Counsel Wender reported on the status of bills of interest to the Board. On SB 1198, relative to the Agricultural Workers' Relief Fund, Chairwoman Shiroma reported that the Department of Finance had inquired about the potential for fiscal impact on the agency and that it was reported that no fiscal impact is anticipated.
9. **PERSONNEL:** Executive Secretary Barbosa reported that two legal interns for the headquarters office are scheduled to begin work later this month. He noted that intern applicants have expressed interest in the agency as a result of contacts made earlier this year by Member Barrios at U.O.P. McGeorge School of Law. He also noted that he is working with the regional offices that have expressed interest in hiring interns.

Chairwoman Shiroma noted that Executive Secretary Torres' last day in the office will be August 3, 2001. A reception for Ms. Torres will be held in the morning. A retirement celebration luncheon will be scheduled after the Labor Day holiday.

10. **FUTURE AGENDA REVIEW:** None.

PUBLIC MEETING ADJOURNED AT: 10:50 a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.