

**STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD**

**BOARD MEETING MINUTES**

**Board Conference Room  
915 Capitol Mall, 3<sup>rd</sup> Floor  
Sacramento, CA 95814**

**December 12, 2001**

Time: 10:00 a.m.  
Members Present: Chairwoman Shiroma, Board Members Ramos Richardson, Barrios and Mason.  
Staff Present: Executive Secretary Barbosa, Board Counsel Wender, Levy, Murray, Heyck, Analyst Massie and Board Staff Nuño.  
Others Present: General Counsel Turner, Compliance Officer Blanco, Chief Administrative Law Judge Sobel, Personnel Manager Kojima, Accounting Manager Davis, Executive Secretary Lundgren, Administrative Law Judge Secretary Johnson  
Absent: Chief of Administration Arviso.

**OPEN SESSION**

1. **APPROVAL OF MINUTES:** The Board approved minutes for December 4 and 5, 2001 4-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**
  1. The Board presented Accounting Manager Davis with a certificate of appreciation thanking her for all of her assistance during the ongoing budget crisis.
  2. The Board presented Chief Administrative Law Judge Sobel with a certificate commemorating his twenty-five years of service with the State of California.
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.

**Election Petitions:**

**Hure Brothers, 01-RC-3-VI**

The Visalia Regional Director opened and counted the unresolved challenged ballots and issued his final tally of ballots on December 11, 2001. The tally revealed the following results:

UFW	53
No Union	63
UCB's	3
Total	119

The Executive Secretary will now proceed with his review of the UFW's election objections.

**Peter Vander Ham, 01-RC-3-EC(R)**

The employer's election objections are under review.

**COMPLAINT REPORT:**

One new complaint has issued:

**Coendich and Vukasovich Vegetable Farms, 99-CE-26-SAL.**

No prehearing conferences have been held.

One pre-hearing conference scheduled for today (December 12, 2001):

**Pictsweet Mushroom Farms, 00-CE-332-EC (OX).**

No ALJ decisions have issued:

One case is pending post-hearing briefs:

**Pictsweet Mushroom Farms, 01-CE-620-EC(OX)**

Post-hearing briefs are due December 20, 2001.

Two new cases have been set for hearing:

**Pacific Sod and Pacific Earth Resources, 01-CE-588-EC(OX)**

Pre-hearing conference May 7, 2002

Hearing May 21, 2002.

**Cameiro Heifer Ranch, Inc. 01-CE-638-EC**

Pre-hearing Conference June 4, 2002

Hearing June 18, 2002.

Six cases on calendar:

**Seaview Growers, Inc.**, 00-CE-15-EC (OX) (new)  
Pre-hearing January 15, 2002  
Hearing January 29, 2002.

**Pictsweet Mushroom Farms**, 00-CE-332-EC(OX)  
Hearing February 14, 2002.

**BLT Farms, Inc.**, 01-CE-501-EC(OX)  
Pre-hearing March 12, 2002  
Hearing March 26, 2002.

**California Redi-Date, Inc.**, 00-CE-25-EC  
Prehearing Conference – completed  
Hearing April 23, 2002.

**Pacific Sod and Pacific Earth Resources**, 01-CE-588-EC(OX)  
Pre-hearing conference May 7, 2002  
Hearing May 21, 2002.

**Cameiro Heifer Ranch, Inc.** 01-CE-638-EC  
Pre-hearing Conference June 4, 2002  
Hearing June 18, 2002.

One case pending transfer to the Board:

**The Elmore Company**, 00-CE-306-EC  
Reply to Respondent's exceptions are due January 4, 2002.

**SETTLEMENTS:** None.

**BOARD DECISIONS:** No changes to report.

**COURT LITIGATION:**

**Coastal Berry Company**, H021585 (26 ALRB No. 3): The court issued its decision on November 27, 2001. The decision is being reviewed by the Board.

**Turco Desert Co., Inc.**, E030125 (27 ALRB No. 5): The Board's response brief is due December 26, 2002.

**Cieniga Farms, Inc.**, B152844 (27 ALRB No. 5): The petitioner's opening brief was due November 30, 2001. Board Counsel Levy reported that she had spoken to the Writ Clerk at the court who said he would contact the Petitioner regarding the filing of a

request for dismissal.

**COMPLIANCE:** No new activity to report.

**6. BUDGET AND ADMINISTRATION:**

(a) **Information Technology and Web Site Development Project:** Analyst Massie reported that she had been advised of an interruption of internet service in the El Centro Regional Office. She further reported that internet service had been restored, but that there may be other periodic interruptions affecting the El Centro area.

(b) **Administration - Budget – Oxnard Field Office:** The Board reviewed and approved Regional Director Alderete's plan for the Oxnard field office with minor changes. The Board agreed to pursue a hiring freeze exemption for the vacant positions in the Oxnard office.

**Relocation of Salinas Regional Office:** Board Counsel Heyck reported that the requisite forms to initiate the relocation process would be filed with the Department of General Services, Real Estate Division.

**2002/2003 Budget reductions:** Chairwoman Shiroma announced that she had received a memo from the Department of Finance (DOF) indicating that due to the small size of the ALRB, the agency's share of the 3, 5, 10, and 15 percent budget reduction for Fiscal Year 2002/ 2003 would be \$100,000.00. The Board agreed to use its previous O E & E reduction of \$96,000.00, plus an additional reduction of \$4, 000.00 in overhead expenses to meet the budget reduction.

(c) **Policies and Procedures – Policy on Privacy and Workplace Searches:** The Board approved the draft Policy on Privacy and Workplace Searches. Board Counsel Levy will send the policy to the Regional Directors for a two-week period to review and comment.

(d) **Regulations -Update:**  
Board Counsel Murray, Wender and Chief Administrative Law Judge Sobel circulated a draft of regulations implementing Senate Bill 1198 (Agricultural Employees Relief Fund). Board Members and Counsel will review the draft and discuss at the next Board meeting.

(e) **Needs Assessment – Update:** No new activity to report.

(f) **Training-** Executive Secretary Barbosa reported that New Horizons Computer Learning Center is offering training at special reduced price for training to be conducted over the next three months.

**7. OUTREACH PROJECT – Ad Hoc Committee Update; Novela and Brochures Update-**

**Ad Hoc Committee-**Executive Secretary Barbosa reported that several additional representatives from constituent groups have accepted the Board's invitation to be members of the ad hoc advisory committee, and that he will follow up with others who have not yet responded to the invitation letter and determine whether they have an interest in participating.

**Novela-** Executive Secretary Barbosa reported that Javier Juarez will submit an illustrated draft copy of the novela for the Board to review in mid-January, 2002.

**Brochures-** The Board discussed Board Counsel Wender's proposed changes to the Access brochure for employees and agreed to incorporate his suggestions. The Board also agreed to incorporate Board Member Mason's suggestion to move a paragraph in the existing "Agricultural Workers' Rights" brochure. Board Member Ramos Richardson reported that she will proceed with translation of the brochures into Spanish.

**8. LEGISLATION:** No new activity to report.

**9. PERSONNEL:** Executive Secretary Barbosa reported on a memo he received from the Department of Finance regarding positions not affected by the current hiring freeze. The Board requested that staff proceed with an application for an exemption from hiring freeze for selected positions.

**10. COMPLIANCE:** Board Member Barrios reported that Chairwoman Shiroma, Executive Secretary Barbosa, Board Counsel Levy and she met on December 10, 2001 with Chief Information Security Officer and Chief Monitor of the California Employment Development Department (EDD) regarding obtaining EDD's assistance in locating various affected employees in a compliance case.

**11. FUTURE AGENDA REVIEW:** Discussion of Draft regulations implementing Senate Bill 1198 (Agricultural Employees Relief Fund).

**PUBLIC MEETING ADJOURNED AT:** 12:05 a.m.

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

