

**STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD**

**BOARD MEETING MINUTES**

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

**February 20, 2002**

Time: 10:00 a.m.  
Members Present: Chairwoman Shiroma, Board Members 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, Accounting Manager Davis, and Regional Director Capuyan ( via telephone).  
Absent:

**OPEN SESSION**

1. **APPROVAL OF MINUTES:** The Board approved minutes for February 14, 2002, 3-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**
  1. UC Davis Environmental Law Society will be hosting the Agriculture and the Environment Building a Sustainable and Health Future conference on March 8, 2002 at the Buehler Alumni Center.
  2. Fresh Fruit & Vegetable Workers Local 1096 will be hosting its open house on Tuesday, February 26, 2002 at Richgrove Veteran's Hall, 607 Richgrove Drive, Richgrove, CA at 4:00 p.m.
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:**

**Scheid Vineyards, 02-RD-1-SAL**

The Salinas Regional Director dismissed the decertification petition as the petitioner failed to make the necessary showing of interest.

**Allied LLC, 02-RC-1-EC**

The regional director dismissed Teamsters Union Local 542 representation petition pursuant to the petitioner's request.

**Goyenette Dairy Farms, 02-RC-1-VI**

Fresh Fruit and Vegetable Workers Local 1096 filed a representation petition with the Visalia Regional Office seeking an election at Goyenette Dairy Farms. The petitioner met the showing of interest and the pre-election conference is scheduled for Wednesday, February 20, 2002.

**COMPLAINT REPORT:**

One new complaint issued:

**Ronald Panziera, 01-CE-55-SAL**

The case involves the unlawful suspension and discharge of various employees because they allegedly engaged in protected concerted activity.

The pre-hearing conference in **Coastal Valley Management, 00-CE-3-SAL**, has been cancelled as the parties have reached a tentative settlement agreement.

One case pending reply:

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

Exceptions received February 7, 2002.

Reply due March 15, 2002.

One case is currently in hearing:

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

Hearing opened February 14, 2002.

Six cases on calendar:

**McCaffrey Goldner Roses, 00-CE-92-VI**

Pre-hearing 01/07/02 (completed)

Hearing February 25, 2002.

**BLT Farms, Inc., 01-CE-501-EC(OX)**

Pre-hearing March 12, 2002

Hearing March 26, 2002.

**Jasmine Vineyards, Inc., 00-CE-110-VI**

Pre-hearing conference, March 11, 2002

Hearing, March 28, 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 June 4, 2002  
Hearing June 18, 2002.

One new case was transferred to the Board for decision.  
**Pictsweet Mushroom Farms**, 01-CE-620-EC(OX).

**SETTLEMENTS:** No new cases reported.

**BOARD DECISIONS:** No new cases issued.

**COURT LITIGATION:**

**Turco Desert Co., Inc.**, E030125 (27 ALRB No. 4): The petitioner's reply brief was received February 1, 2002. The matter is pending oral argument or decision by the court.

**Cieniga Farms, Inc.**, B152844 (27 ALRB No. 5): The Court granted the petitioner's request for an extension of time to file its opening brief. The petitioner's opening brief is due February 28, 2002.

**COMPLIANCE:** The parties in **Sunrise Mushrooms, Inc.**, 02-CE-01-SAL, entered into an informal settlement agreement.

**6. BUDGET AND ADMINISTRATION:**

- (a) Information Technology and Web Site Development Project – Analyst Massie reported that on February 14, 2002, Capital Data performed routine weekly maintenance on the system. Ms. Massie also reported that she will be installing an updated version of the Norton Antivirus program on Headquarters' computers. Ms. Massie announced that the updated Groupwise software will be installed soon, and that she will advise all affected of the installation schedule.
- (b) **Regulations** – Analyst Massie reported that the Notice of Changes to Original Text of Proposed Regulatory Action (15-day notice) has been posted to the ALRB website. Board Counsel Wender noted that the deadline for comment on the 15-day notice is March 8, 2002. Mr. Wender also reported that he had received

several comments from ad hoc advisory committee members on the draft of the proposed regulations implementing Senate Bill 1198 (Agricultural Employees' Relief Fund).

- (c) **Budget** – The Board discussed the status of the current year's budget.
- (d) **Policies and Procedures** – Chairwoman Shiroma reported that completed internal policies and procedures are ready for signature by the Board.
- (e) **Salinas Office Relocation** –The Board, General Counsel Turner and Salinas Regional Director Capuyan (who participated in the discussion by telephone), discussed options for reducing the square footage of the current Regional Office to save overhead costs. The Board, General Counsel and Regional Director agreed to authorize the Department of General Services Real Estate Division to proceed with a written proposal to the building's owner.

7. **OUTREACH PROJECT** – Novela: Executive Secretary Barbosa reported that a draft of the illustrated Novela will be circulated to the Board soon.

Meeting with Employment Development Department (EDD) Representatives: Executive Secretary Barbosa announced that the February 22, 2002, 1:30 p.m. meeting with EDD will be rescheduled due to scheduling conflicts.

Annual Report: Executive Secretary Barbosa circulated a list of several items that still need completing for the ALRB Annual Report.

8. **LEGISLATION:** Board Counsel Wender reported that Senate Bill 1236 which would create a State Labor Agency, though presently just a spot bill, was introduced January 7, 2002, and is currently before the Senate Committee on Governmental Organizations. Mr. Wender also reported that another matter of potential interest to the Board is a proposed Senate Constitutional Amendment which would put into the State Constitution a guarantee of public access to government.
9. **PERSONNEL:** Executive Secretary Barbosa reported that Program Services Manager Winston spoke to Theresa Boron at the Department of General Services about the hiring of law students via a contract for services. She stated that we could not execute a contract for student services because we are permitted to contract out for personnel services only when a job cannot be filled through normal civil service channels.
10. **COMPLIANCE:** Board Counsel Murray reported that he is pursuing options to provide the Board with copies of past and current collective bargaining agreements.
11. **FUTURE AGENDA REVIEW:** None.

**PUBLIC MEETING ADJOURNED AT: 11:40 a.m.**

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