

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

**Board Conference Room
915 Capitol Mall, 3rd floor
Sacramento, CA 95814**

June 25, 2002

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Wender, Levy, Heyck
and Murray, Analyst Massie
Others Present:
Absent:

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for June 19, 2002, 3-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**
 - The Board received a letter from former NLRB Chairman William Gould regarding a labor meeting in South Africa that will take place in February 2003.
 - UFW President Arturo Rodriguez will be the keynote speaker at the ALRA conference which will be held in San Diego July 20-24, 2002.
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:

Sonoma Cutrer Vineyards, Inc., 02-RC-1-SAL

The Regional Director issued his report on challenged ballots on May 17, 2002. The UFW filed exceptions to his report on June 14, 2002. Board review of the exceptions is in progress. Also, review of the UFW's election objections petition is ongoing.

Ventura Coastal Corporation, 02-RC-2-EC(R)

On June 24, 2002, the Board issued an order directing the El Centro Regional Director to prepare and serve a supplemental report setting forth the bases for his recommendation to open and count the ballots of the 23 challenged voter. The report is due July 1, 2002. Replies, if any, are due July 5, 2002. Review of the UFW's and Employer's objections petitions to the election are ongoing.

Robert R. Hall, 02-UC-1-EC (SD)

An investigative hearing is set for August 5, 2002.

Coastal Valley Management, Inc., et al 02-RC-3-SAL

On June 19, 2002, the UFW filed a representation petition with the Salinas Regional Office seeking an election at Coastal Valley Management, Inc., et al. On June 22, 2002, the regional director dismissed the petition for lack of peak. The petitioner will not be seeking review of this decision.

COMPLAINT REPORT:

No new complaints have issued:

No pre-hearing conferences held.

One case was taken off calendar:

California Redi-Date, 00-CE-336-EC

The General Counsel moved to take the case off calendar pending resolution of cases being adjudicated by the NLRB which address the same issues and involve the same respondent and some of the same charging parties. The Executive Secretary granted the motion June 25, 2002.

Five cases are on calendar:

Rivera Vineyard, 01-CE-317-EC(R)

Pre-hearing conference August 13, 2002

Hearing August 27, 2002.

Cocopah Nurseries, Inc., 00-CE-399-EC

Pre-hearing conference September 17, 2002

Hearing September 24, 2002.

Desert Citrus Properties, Inc., 01-CE-178-EC(R)
Pre-hearing conference October 10, 2002
Hearing October 29, 2002.

Pete Vanderham Dairy, Inc., 01-CE-996-EC(R)
Pre-hearing conference December 10, 2002
Hearing December 17, 2002.

One case pending reply:

McCaffrey Goldner Roses, 00-CE-92-VI
Exceptions filed June 20, 2002
Reply due July 3, 2002.

One settlement approved by assigned ALJ and pending exceptions:

Long Family Partners LTD, 01-CE-19-SAL
Exceptions due June 26, 2002.

No new cases transferred to the Board for decision.

BOARD DECISIONS: No new decisions issued.

COURT LITIGATION:

Turco Desert Co., Inc., E030125 (27 ALRB No. 4)
Board waived oral argument in this matter and is awaiting Court decision.

The Elmore Company, D040054 (28 ALRB No. 3)
Board response brief due July 15, 2002.

COMPLIANCE: The Board granted Compliance Officer Blanco's request for a one-week extension of the due date for the quarterly compliance report to July 17, 2002.

6. BUDGET AND ADMINISTRATION:

- (a) **Information Technology and Web Site Development Project** –
The Adobe Acrobat software has not yet arrived.
- (b) **Regulations** – No change. Deadline for written comment on proposed SB1198 regulations is July 1, 2002.
- (c) **Budget**–The Board reviewed its current contracts.

(d) **Policies and Procedures** – Update – There will be a meeting today, June 25, 2002, of the Committee to decide on new assignments.

(e) **The Labor and Workforce Development Agency:** Nothing new to report.

7. **OUTREACH PROJECT:** Novella – Javier Juarez has completed his English translation of the revised novella. After reviewing the translation, Executive Secretary Barbosa will transmit the novella and brochures to the ad hoc committee for its review and comments.

8. **LEGISLATION** – Update on Pending Bills that may Affect the ALRB:

1) **Senate Bill 1236** (Labor and Workforce Development Agency):

The matter passed out of the Senate on June 20, 2002 and was assigned to the Assembly Committee on Labor and Employment on June 24, 2002.

2) **Senate Bill 1736** (Agricultural Employer-Employee Disputes: Binding Arbitration):

The legislation was amended June 19, 2002, to add two new principal coauthors, Senators Richard Polanco and Gloria Romero, as well as intent language. It was then re-referred to the Committee on Appropriations.

3) **Senate Bill 1818** (Backpay Awards):

A hearing before the Assembly Committee on Labor and Employment has been set for June 26, 2002.

4) **Senate Constitutional Amendment 7** (Access to Information)

On June 24, 2002 the bill was passed out of the Committee on Constitutional Amendments and re-referred to the Committee on Appropriations.

9. **PERSONNEL:**

The Board plans to submit a response to the Department of Finance denial of its request for exemptions to the hiring freeze.

10. **COMPLIANCE:** Board Counsel Murray will be meeting with Professor Phil Martin regarding his work on comparable contracts. Member Barrios reported on the case tracking method used at the Department of Fair Employment and Housing.

11. **FUTURE AGENDA REVIEW:**

PUBLIC MEETING ADJOURNED AT: 11 a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.