

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

December 18, 2002

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Barrios and Rivera,
Staff Present: Executive Secretary Barbosa; Board Counsels Levy, Wender,
Heyck and Murray; Analyst Massie.
Others Present: None.
Absent: None.

OPEN SESSION

1. APPROVAL OF MINUTES: None

2. BOARD MEMBER COMMENT: None

3. PUBLIC COMMENT: None.

4. ANNOUNCEMENTS:

---The quarterly meeting with the Regional Director's will take place by phone on January 15, 2003.

---Executive Secretary Barbosa announced that the Strategic Planning Labor Enforcement Committee would meet on December 20, 2002, at 10:00 a.m.

5. WEEKLY STATUS REPORT ON ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, HEARINGS AND COURT LITIGATION:

ELECTION REPORT:

NOTICE OF INTENT TO TAKE ACCESS AND NOTICE OF INTENT TO ORGANIZE:

Schubert Nursery, 02-NA-7-SAL and 02-NO-1-SAL

The union is Teamsters Local 890. The employer is located in Salinas.

PENDING ELECTION MATTERS:

Milky Way Dairy, 02-RC-2-VI

On November 27, 2002, the Executive Secretary granted the parties' request to continue the hearing to February 17, 2002. On December 2, 2002, the petitioner filed a motion for reconsideration of the Board's order rejecting in part and affirming in part the Regional Director's Challenged Ballot Report. On December 13, 2002, the employer filed its opposition to the motion. The matter is now pending before the Board for decision on the motion.

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

The employer's motion to dismiss the complaint is pending before the Regional Director. The employer is no longer in business.

Ventura Coastal Corporation aka Rancho Val Nies and Desert Citrus Properties, Inc., and Bob Nies, 02-UC-2-EC (R)

The employer filed a UC petition with the El Centro regional office on November 25, 2002, seeking to clarify the status of agricultural employees working at the Lemon Drop Ranch in Indio. This issue that was not resolved at the time of certification.

COMPLAINT REPORT:

NEW COMPLAINTS ISSUED: None.

PREHEARING OR SETTLEMENT CONFERENCES HELD: None

NEW CASES SET FOR HEARING: None.

CASES ON CALENDAR:

Dan Tudor & Sons, 01-CE-72-VI

The hearing is set for January 6, 2003.

Fresh Pic Harvest, 01-CE-52-EC(R)

The pre-hearing conference is set for January 14, 2003.

The hearing is set for January 21, 2003.

Milky Way Dairy, 02-RC-2-VI

The hearing is set for February 17, 2003.

Gourmet Veg-Pac, Inc., 01-CE-1004-EC

The pre-hearing conference is set for February 5, 2003.

The hearing is set for February 19, 2003.

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

The pre-hearing conference is set for March 11, 2003.

The hearing is set for March 25, 2003.

Grimmway Enterprises, Inc., 02-CE-3-EC(R)

The pre-hearing conference is set for April 22, 2003.

The hearing is set for April 29, 2003.

CASES PENDING EXCEPTIONS AND/OR REPLY: None.

CASES SETTLED OR RESOLVED: None.

CASES TRANSFERRED TO BOARD FOR DECISION: None.

CASES ASSIGNED TO ALJ:

Maria G. Duran, 01-CE-606-EC (R)

A motion was filed on November 27, 2002.

BOARD DECISIONS: None

COURT LITIGATION:

McCaffrey Goldner Roses, F041479

The employer's opening brief was received November 27, 2002. The Board's response brief is due January 10, 2003.

Richard's Grove & Saralee's Vineyard, Inc., 02-CE-37-SAL

The General Counsel will not seek injunctive relief in this matter.

6. BUDGET AND ADMINISTRATION

Information Technology and Web Site Development Project:

Analyst Massie reported that the installation of the PRI line is complete.

PacBell informed her that all telephone lines would be operational by noon today. All telephone numbers that have been changed will have a referral message to the new number for six months.

Regulations:

Chairwoman Shiroma requested staff to make a concentrated effort to

complete a proposed regulations packet as soon as possible for consideration by the Board. The Board discussed the various interpretive issues posed by the mandatory mediation law in light of the input received from its Ad Hoc Advisory Committee and others. A subcommittee of staff and Board members was formed to draft proposed regulations for consideration by the Board at a meeting to be held on January 3, 2003.

Budget:

Because the ALRB and other state agencies must eliminate all non-essential travel, the quarterly meeting of the Regional Directors will be conducted by telephone on January 15, 2003.

Policies and Procedures:

Member Barrios reported that all ALRB employees have signed and returned the form acknowledging receipt of the sexual harassment policy.

Labor and Workforce Development Agency:

Executive Secretary Barbosa gave a status report.

Impact of *Hoffman Plastic Compounds v. NLRB* on the ALRB:

No report.

Annual Reports for 2000/2001 and 2001/2002:

Chairwoman Shiroma gave a status report.

7. OUTREACH PROJECT-Novella and Brochures:

The Board will discuss the packet prepared by Counsel Levy after the Regulations project has been completed.

8. LEGISLATION: No new activity to report.

9. PERSONNEL: No new activity to report.

10. COMPLIANCE:

Counsel Murray distributed his report on the status of compliance cases, which was discussed. There are currently 21 active cases of which 8 are new.

11. FUTURE AGENDA REVIEW: None

PUBLIC MEETING ADJOURNED AT: 11: 45 a.m.