

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

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

January 14, 2002

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

OPEN SESSION

1. APPROVAL OF MINUTES:

The Board unanimously approved the minutes of January 3, 2003.

2. PUBLIC COMMENT: None.

3. BOARD MEMBER COMMENT: None

4. ANNOUNCEMENTS:

---The State Employee Charitable Campaign is sponsoring a Thank You Luncheon on January 23, 2003 from 11 a.m. to 1:30 p.m. at the Hilton Sacramento Arden West, 2200 Harvard Street. Attendance is by invitation only.

---McGeorge School of Law is holding a Career Night and Job Fair on February 6, 2003 between 5-7 p.m. Member Rivera will contact the school to determine whether students would be interested in volunteer positions.

---The public meeting notice for February has been circulated and will be sent out on Thursday, January 16, 2003.

---On behalf of the Board, Chairwoman Shiroma congratulated Chief Administrative Law Judge Tom Sobel for his appointment by Governor Davis to the position of Deputy General Counsel.

---Dorothy Kojima will represent the Board at the DPA's upcoming "Layoff Training". Executive Secretary Barbosa may also attend.

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:

Schubert Nursery, 02-NA-7-02, 02-NO-1-SAL
The Employer is located in Salinas.

PENDING ELECTION MATTERS:

Milky Way Dairy, 02-RC-2-VI

The hearing on challenged ballots is scheduled for February 17, 2003. Review of the parties' objections will follow the conclusion of challenged ballot proceedings.

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

Employer's motion to dismiss the complaint is pending before the Regional Director. Employer is allegedly no longer in business. The Regional Director's investigation is ongoing.

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

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, an issue that was not resolved at the time of certification. The Regional Director's investigation is in progress

COMPLAINT REPORT:

No new complaints have issued.

No new cases have been withdrawn or settled.

No pre-hearing or settlement conferences have been held.

Six cases have been closed:

Tanner Berry Farms, 01-CE-36-SAL

EKT Farms, 01-CE-48-SAL

Long Family Partners, 01-CE-19-SAL

UFW, 01-CL-2-VI

Wilgenburg Dairy Farms, 01-CE-09-VI

J.G. Boswell Company, 98-CE-21-VI

One new case has been set for hearing:

UFW, 01-CL-1-VI

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

The hearing is set for February 24, 2003.

L.E. Cook is the employer.

Seven cases are on calendar:

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

The pre-hearing conference was held November 22, 2002.

The settlement conference is set for February 4, 2003.

The hearing is set for March 3, 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.

Sun City Growers, 02-CE-53-EC(R)

The pre-hearing conference is set for May 13, 2003.

The hearing is set for May 28, 2003.

Northend Equipment Inc., 02-CE-48-EC

The pre-hearing conference is set for June 17, 2003.

The hearing is set for June 24, 2003.

One case is pending exceptions and/or reply:

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

The ALJ ruling granting General Counsel's default motion issued on December 23, 2002. Any exceptions are due by January 16, 2003.

No new cases have been transferred to the Board for decision.

BOARD DECISIONS: None.

COURT LITIGATION:

McCaffrey Goldner Roses, F041479

The Board's brief was filed on January 8, 2003. The matter is now pending the filing of Petitioner's reply brief, if any.

6. BUDGET AND ADMINISTRATION:

Information Technology and Web Site Development Project:

Analyst Massie reported that the server from the closed Oxnard office will be utilized as a dedicated e-mail server. The ALRB web site's search engine has been malfunctioning, and Ms. Massie will follow up with the site host to determine the problem.

Regulations: No report.

Budget:

Executive Secretary Barbosa announced that Jon Barnato is the new consultant in the Senate Budget Committee. He has taken over assignment for the ARLB budget from Alex MacBain.

Policies and Procedures: No report.

Labor and Workforce Development Agency:

Committee Reports:

The Sub-Committee on Coordination of Enforcement Efforts met Thursday, January 9, 2003, at 10:00 a.m. via videoconference.

The Taskforce for Strengthening California's One-Stop Career Center System is meeting January 15, 2003 from 1 - 4:30 p.m. The agenda has been circulated. Board Member Barrios will be representing the Board.

Impact of *Hoffman Plastic Compounds v. NLRB* on the ALRB: No report. The Board members agree to no longer include this item in future Agendas unless there is something specific to report.

Annual Report Fiscal Years 2000/2001 and 2001/2002: No report.

7. OUTREACH PROJECT- Novela and Brochures:

The Board will discuss the suggested changes to the Novela at a special meeting on January 21, 2003.

8. LEGISLATION: No report.

9. PERSONNEL: No report.

10. COMPLIANCE:

Counsel Murray reported on Compliance Officer Blanco's fourth Quarter 2002 report. That report shows three cases closed during the period and overall good progress.

11. FUTURE AGENDA REVIEW: None.

PUBLIC MEETING ADJOURNED AT: 1:40 p.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.