



For Immediate Release
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CONTACT: Erin Shaw
(916) 930-0100, erin@stutzmanpa.com

MEDIA ADVISORY

**Gerawan Farming Issues Statement on ALRB General Counsel's
Overreach to Impose Contract Without Farm Worker Input**

The Gerawan family, owners and operators of Gerawan Farming, issued the following statement after it learned that the general counsel of the Agriculture Labor Relations Board (ALRB) is going to the courts to impose a contract on Gerawan employees without input from the farm workers and without counting the ballots of a decertification election held in November 2013. The ALRB's latest effort comes weeks after longtime Gerawan employee, Silvia Lopez, filed a civil rights lawsuit against members and staff of the ALRB for their refusal to count the ballots for the past five months.

“We trust the courts to see through this blatant overreach by the ALRB general counsel. Imposing a contract that has not been negotiated by our employees and before ballots have been counted to determine if our employees have allowed the UFW to speak on their behalf is illegal, immoral, and nonsensical. At best, forcing a contract on employees without their participation is unjustly premature. Until the results of the decertification ballot results have been acknowledged by the ALRB, our employees should not face the outrageous decision of either having to pay dues to a party that has not earned the right to represent their interests or losing their employment.”

When: Today, April 9, 2014 at 3:30 P.M.

Where: Oral arguments will be heard by Judge Donald S. Black
Department 502 of the B.F. Sisk Courthouse
1130 O Street, Fresno, California.

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Additional Background

Gerawan Farming is family grower of peaches and grapes in the Fresno area. The farm is known as the preferred employer for up to 5,000 farm workers. Gerawan has a history of paying the highest wages and benefits in the industry.

In 1990, the United Farm Workers won an election to represent Gerawan's farm workers. After one bargaining session, the union abandoned the employees before any contract was negotiated on their behalf. The union has repeatedly refused to explain the 20-year absence, saying it has no obligation to explain it.

In October of 2012, the union sent a letter to Gerawan to say they were ready to bargain, even though 98% of the current employees did not participate in the one and only election that took place almost a quarter century ago. In good faith, Gerawan Farming began bargaining sessions in January 2013. • After just eight bargaining sessions over a three-month period, during which the UFW never made an economic proposal, the UFW asked the government to step in to write and impose a contract on Gerawan and its employees. This contract will force the workers to pay 3% of their paycheck to the UFW or lose their jobs. The workers have no right to accept or reject the contract and the ALRB has banned the workers from intervening, participating or even attending the proceeding.

To impose the contract, the UFW invoked a 2003 mandatory "mediation" law that was meant to resolve years-long negotiations that were intentionally dragged-out by growers. However, in the case of Gerawan, there were no negotiations because the union had disappeared. This is a blatant abuse of the 2003 law.

The employees asked for an election to decertify the UFW as their Board-imposed representative. Farm workers collected nearly 3,000 signatures to win the right to choose whether the UFW has earned the right to speak on their behalf. The election was held November 5, 2013 after several public demonstrations where thousands of Gerawan employees walked off the job and protested the ALRB's decision to force UFW representation without being elected by the workers.

The state has written a contract and is now seeking to impose it through the judicial system on Gerawan Farming and the employees despite the unknown outcome of the election and the complete lack of worker participation in the contract.

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