

## Summary of the History between Gerawan Farming, Inc. and the United Farm Workers

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- 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.
- The UFW won a contested election in 1990 when there were far fewer employees.
- After legal challenges by both sides, the ALRB certified the UFW as the bargaining representative in 1992. There was one bargaining session in 1995. Then, the union went away, completely abandoning the employees. The union has repeatedly refused to explain the 20-year absence, saying it has no obligation to explain it.
- In October 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.
- Bargaining began in January 2013. The UFW proposed that employees be required to pay 3% of their wages to the UFW or be fired. This is despite the fact that the UFW was absent for 20 years and had done nothing for the employees.
- After ten 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.
- To impose the contract, the UFW invoked a controversial 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 workers have no voice in the “mediation” proceedings. The Agricultural Labor Relations Board banned the workers from intervening, participating in, or even attending the “on the record” portion of this mandatory arbitration proceeding.

- The employees asked for an election to decertify the UFW as their Board-imposed representative. A “regional director” in the Visalia office of the ALRB dismissed the request and blocked an election, alleging fraudulent signatures and coercion by Gerawan. Gerawan *and* the employees said that the allegations are false.
- Gerawan employees reacted angrily: (1) Hundreds of Gerawan employees picketed at the ALRB Visalia headquarters; (2) Two-thousand Gerawan employees refused to work one day and instead staged a public demonstration; and (3) eight busloads of Gerawan farmworkers traveled to Sacramento to protest at ALRB headquarters and the Governor Jerry Brown’s office.
- A second petition drive was initiated by the workers. More than 2,600 workers asked the Board to hold an election. Once again, the ALRB regional director blocked the election. This time, the Board reversed the regional director’s decision and ordered the election to proceed.
- On November 5, 2013, thousands of Gerawan workers cast ballots to decide for themselves whether to oust the UFW.
- That was months ago. The election is over, but the ballots have not been counted. They have been “impounded” by the Board, while the staff “investigates” last minute, or eleventh-hour charges made by the UFW – charges the UFW wants to use to vacate the election.
- While these ballots gather dust, the Board has created a labor contract and is poised to impose it on Gerawan and the employees. This was not a negotiated contract. Neither the company nor the employees can opt out. There will be no vote to ratify up or down.
- The contract forces Gerawan to change its wages and how it operates, despite the fact that Gerawan has always paid the highest wages in the industry and has had success. The contract forces the employees to pay 3% of their earnings to the UFW, which is more than the initial wage increase imposed by the contract.
- The ALRB is supposed to preserve peace in the fields, promote stability in the agricultural industry, and protect the right of workers to choose who will speak for them at the bargaining table. Gerawan had peace in the fields before UFW and ALRB came along to upend that peace and put a family business and its employees under siege.

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