

1 [Supporting Gerawan Farm Workers]

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3 **Resolution supporting Gerawan farm workers their right to be represented by the**
4 **United Farm Workers, and urging Gerawan Farming to implement the terms of their**
5 **contract.**

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7 WHEREAS, In 1990, during the last major organizing drive under Cesar Chavez's
8 leadership, farm workers at Gerawan Farming voted in a state-conducted secret-ballot
9 election for representation by United Farm Workers (UFW), with the Agricultural Labor
10 Relations Board (ALRB) subsequently certifying UFW as the farm workers' union
11 representative; and

12 WHEREAS, In the following twenty-three years, Gerawan mounted various legal
13 challenges to the elections results, was found by the ALRB to have fired crew employees and
14 closed six farm labor camps in retaliation for their UFW support, petitioned the National Labor
15 Relations Board to find some Gerawan employees ineligible for UFW representation, and is
16 now engaged in a hearing regarding allegations it repeatedly and illegally campaigned to
17 decertify the UFW; and

18 WHEREAS, Because of Gerawan's punitive practices and ongoing refusal to negotiate
19 a contract, the UFW invoked California's Mandatory Mediation Law in 2013 to hammer out
20 contract terms - with the state-appointed mediator issuing a three-year contract that was
21 finalized in November 2013 by the ALRB, which ordered it to take effect right away; and

22 WHEREAS, The terms of the contract included retroactive wage increases and holiday
23 compensation payments from July 2013 - July 2014 of approximately \$1,700 for most of
24 Gerawan's 5,000 employees, which Gerawan still refuses to implement - a refusal resulting in
25

1 the loss of millions of dollars in increased wages to Gerawan's employees over the course of
2 the contract's entirety and lost revenue to the California economy; and

3 WHEREAS, Upon extensive investigations by the state, the ALRB chief prosecutor
4 issued a 28-page complaint detailing the actions taken by Gerawan "to undermine the UFW's
5 status as its employees bargaining representative; to turn its employees against the union; to
6 promote decertification of the UFW; and to prevent the UFW from ever representing its
7 employees under a collective bargaining agreement"; and

8 WHEREAS, The regional director of the ALRB dismissed two Gerawan attempts at
9 UFW decertification; and

10 WHEREAS, The ALRB General Counsel is prosecuting Gerawan for specific hostile
11 management practices which included supervisors encouraging employees during and after
12 work hours to sign the decertification petition, cancelling work and directing employees to pro-
13 decertification protests, and allowing employees supportive of decertification to arrive late to
14 work, leave early, and miss work altogether to engage in signature-gathering while enforcing
15 strict attendance policy measures against employees not supportive of decertification; and

16 WHEREAS, Gerawan Farming is the most recent example in the agriculture industry's
17 obstructionist practices toward employee organizing efforts; and

18 WHEREAS, Gerawan is being supported by extremist right groups that include the
19 Center for Constitutional Jurisprudence and Grover Norquist's Center for Worker Freedom, a
20 project of his Americans for Tax Reform underwritten by Crossroads GPS and the Koch
21 brothers, which fought workers in recent UAW organizing battles in Tennessee and that is
22 orchestrating a sophisticated media campaign on Gerawan's behalf to oust the UFW in the
23 Central Valley; now, therefore, be it

1 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
2 formally calls upon Gerawan Farming to implement the UFW union contract issued by the
3 neutral mediator and the State of California, to cease its hostile working environment, and to
4 acknowledge through action the basic human rights of fair compensation and non-
5 discriminatory treatment.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150126

Date Passed: March 31, 2015

Resolution supporting Gerawan farm workers, their right to be represented by the United Farm Workers, and urging Gerawan Farming to implement the terms of their contract.

March 19, 2015 Public Safety and Neighborhood Services Committee - RECOMMENDED


March 31, 2015 Board of Supervisors - ADOPTED

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang and Wiener

Excused: 2 - Mar and Yee

File No. 150126

I hereby certify that the foregoing Resolution was ADOPTED on 3/31/2015 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board


Unsigned

Mayor

4/10/15

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

4/10/15
Date