



April 22, 2024

Agricultural Labor Relations Board
Board Chair Victoria Hassid and Members
1325 J Street, Suite 1900-B
Sacramento, CA 95814

*Sent via email to: Santiago Avila-Gomez, Executive Secretary
Santiago.Avila-Gomez@alrb.ca.gov*

Subject: Proposed Regulatory Action – Notice File No. Z2024-0226-02

Dear Chair Hassid and Members:

Agricultural Council of California (Ag Council) represents more than 15,000 farmers across California, ranging from small, farmer-owned businesses to some of the world's best-known brands. We recognize that a robust and thriving workforce is at the core of our existence. We strive to compete with other industries in providing competitive salaries and benefits, so that farmworkers want to return to our place of employment year after year. We not only compete with other farmers -- but we also compete with much larger corporations and other industries to attract and retain a skilled and qualified workforce.

On the food processing side, we have members who have been unionized for decades. Many food processors in California work with the Teamsters and UFCW, among others. In some cases, our members have multigenerational, unionized workers, within our member locations. As a result, Ag Council has followed card check closely and appreciates the opportunity to comment on the *Proposed Regulatory Action – Notice File No. Z2024-0226-02*.

Ag Council asks that ALRB approve changes to the regulation to provide more clarity. Absent regulations to provide guidance, uncertainty and confusion have consumed the process. This ambiguity requires us to urge ALRB to quickly adopt regulations given ongoing concerns around the collection of signatures and what constitutes a valid pathway to certification.

Ag Council requests that ALRB provide stronger safeguards to ensure integrity in the petition and certification process with the following actions.

First and foremost, we urge ALRB to allow employees to revoke their signature if they: 1) do not fully understand the process, 2) believe their signature was misused or 3) do not support the unionization effort at their place of employment. Questions abound regarding the current practice of collecting signatures and this would ensure that employees' opinions are being fairly and justly considered.

In addition, the proposed regulation allows signatures to be used even if employees are not

currently working at the location, and ALRB should ensure that workers who have signed cards are currently employed by the agricultural employer. If employees fully understand the unionization process and knowingly sign an authorization card or petition, they are seeking representation for the employer in which they are currently employed. Therefore, signatures should only be accepted for personnel actively employed by the employer that is being certified.

The proposed regulation allows five days for an employer to object to the certification. This is not a reasonable and sufficient amount of time to gather facts and file an objection. We ask that employers be provided 30 days, which is the same amount of time the union is allowed to collect additional signatures.

Finally, to validate authorization cards or petitions, we urge ALRB to require signature-matching from the employer and the union, or an outside third party, to verify that signatures match employee records.

Thank you for your consideration of these requests. Should you have any comments or questions, feel free to contact me at (916) 443-4887 or emily@agcouncil.org.

Sincerely,

A handwritten signature in cursive script that reads "Emily Rooney".

Emily Rooney
President

