

Silvia Lopez has come far since leaving Mexico's Baja California as a toddler with her family in 1979, only speaking a Mixtec language and not Spanish, let alone English. Today, she is a recently legal resident of the United States, has four children, and is at the center of a decertification campaign against the United Farm Workers (UFW). Speaking with www.freshfruitportal.com, she vows to protest again if the California Agricultural Labor Relations Board (ALRB) does not count votes from an election aimed at keeping Gerawan Farming employee wages out of UFW coffers.

With 15 years of experience at Gerawan, Lopez and other workers were taken by surprise just over two years ago when the UFW came and demanded a weekly fee of 3% from their wages.

"They said that if we didn't sign they'd give us five days to formalize the contract, to think about whether we'd sign to be members, and if we didn't they would ask the company to fire us," she says.

"We didn't want to sign because it didn't seem logical to us, nor normal, that they would oblige us to be members of a union when we never had the opportunity to have an election. We never voted for them, we never asked to be represented by the United Farmworkers Union (UFW)."

Lopez says 3% of a salary might not seem like much for some people, but for her it is lost cash that could be used for groceries or school books for her kids.

"Everything is expensive for me, and I don't need to give my money to a union, because the company where we work has always treated us well," she says, emphasizing Gerawan pays the most in the area at a rate of US\$11 per hour.



Silvia Lopez

"If I go to an office to work they'll pay me US\$9 per hour for 20 hours a week, that doesn't work for me. Here we can work more than 60 hours a week, and when we work 60 hours they pay overtime, almost US\$15 per hour.

"The company has always been very fair. They have never robbed the sweat of their workers, they've never robbed even a minute of our time. Our checks always have been paid."

Readers can click [here](#) for further background on the issue.

After the union arrived, Lopez and her colleagues then sought help from lawyer Paul Bauer, who explained what was needed to decertify from the union.

"He explained our rights to us in more detail, along with our responsibilities too, and with my workmates we started to speak with our colleagues and raised more than 2,600 worker signatures," she says.

"I can't exaggerate and I don't want to lie, but out of the workers I'd say 5% of the workers want to have the union.

"We had an election on Nov. 5, 2013, we fought a lot to have the election. We voted, but the votes haven't been counted."

Since then the Center for Worker Freedom has given its support for Lopez's cause, backed by Grover Norquist's NGO Americans for Tax Reform.

The group has been very active in the campaign, which culminated in a protest outside ALRB offices in Visalia late last month, with the presentation of what was reported as more than 1,000 signatures calling for votes from the decertification election to be counted.

The ALRB however claims it received reports of interference in the election, and the General Counsel is now conducting an investigation. Statements from the board appear to show no further action will be taken until Sept. 29 at the earliest.

A key issue highlighted by the UFW in the case relates to allegations its member Pablo Gutierrez was fired from Gerawan for taking a photo in the field.

Lopez says this claim is not entirely true.

"I found out that he was fired from the company for making a video - union propaganda - on

the company's property," she says.

"This is against company policy. My colleagues and I, we have taken photos where we've been eating or celebrating, but we haven't taken videos of company property."

The worker also points to what she describes as a "dirty game" from the UFW, allegedly bringing in children, the elderly and disabled people - none of whom work at Gerawan - to hold counter-protests.

"That is not the right way to do things. It's deceiving and vulgar to act in that way," she says.

"The union is trying to get Wal-mart to boycott our products, trying to get them not to buy the brand of our fruit. That's something I don't see as right - it damages our jobs because if you don't have buyers, we won't have work.

"So I visited Wal-mart with my work colleagues and we told them we were the real employees of Gerawan, asking that they please keep buying our fruit because we harvest, we work and we know we are picking quality fruit."

On August 26, Center for Worker Freedom executive director Matt Patterson said he didn't believe UFW founder Cesar Chavez would have supported the union's current actions relating to Gerawan. Lopez however takes the criticism further, and slams the activist himself, describing a recent film about him as a "disaster".

"In this country the Filipinos were the ones who started their fight. Later, Cesar Chavez came along and he's an American citizen, he was born in Arizona...Cesar Chavez took advantage of the situation," she says.

"Justice will come sooner or later, because it's not fair that they oblige us to give them our money."

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