

Western Growers has voiced its opinion in response to the California State Legislature's passage of Assembly Bill 616 on Wednesday, claiming the bill "strips farmworkers of essential democratic rights".

The bill, first introduced on Feb. 12, works to have an alternative to the secret ballot election process that has been a part of the Agricultural Labor Relations Act (ALRA).

The bill permits agricultural employees to select their labor representatives through a representation ballot card election by submitting a petition to the board supported by ballot cards signed by a majority of employees in the bargaining unit.

However, ALRA assures that employees have the opportunity to express their choice with respect to union representation through a secret ballot election held at a time and place convenient to those employees under the supervision of the Agricultural Labor Relations Board.

Western Growers expressed that AB 616 erodes this guarantee and raises the risk that union representation and the economic consequences for employees of being required to pay dues and obey union rules could be imposed on employees who do not wish to have union representation.

"It is both ironic and shameful that a body of elected leaders would act to strip farmworkers of their own democratic protections in the union election process, including the right to a secret ballot vote overseen by the Agricultural Labor Relations Board," Western Growers President and CEO Dave Puglia said.

Employers will be in perpetual legal defense mode at the ALRB, as AB 616 has harsh penalties against employers but not the unions, according to the association.

"Despite misleading claims to the contrary, AB 616 is not a simple, benign shift to mail-in ballots. Rather, this bill aims to circumvent the democratic process entirely, and vests in union organizers the dangerous power to disenfranchise farmworkers and predetermine election outcomes," Puglia said.

"Ten years after his predecessor vetoed card check, we call on Governor Newsom to once again protect the fundamental freedom of choice for farmworkers."

AB 616 passed by a vote of 52-19 with eight abstentions.