



Office of the Mayor

20

CONSENT CALENDAR
February 22, 2022

To: Honorable Members of the City Council

From: Mayor Jesse Arreguín (Author), Councilmember Terry Taplin (Co-Sponsor),
Councilmember Kate Harrison (Co-Sponsor)

Subject: Supporting the Agricultural Labor Relations Voting Choice Act

RECOMMENDATION

Adopt a Resolution in support of the Agricultural Labor Relations Voting Choice Act. Send a copy of the Resolution to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymember Buffy Wicks.

BACKGROUND

Under the 1975 Agricultural Labor Relations Act (ALRA), farm workers have the right to choose whether they want to be represented by a union. This representation election is held via secret ballot at a polling place designated by the Agricultural Labor Relations Board (ALRB), which is usually at the place of employment.

In recent years, the State of California has taken actions to make voting more accessible. This includes making it easier to vote by mail, increasing early voting, and the ability to drop off ballots at multiple locations. Many of these actions took place in response to the COVID-19 pandemic at a time when people may not have felt comfortable going inside a voting station. Not only did these actions ensure that voter turnout did not decrease during the pandemic, but it led to an increase in voter turnout. In the 2016 election, voter turnout in California was 78.0%. In 2020, it increased to 87.9%, the highest turnout since 1952.

The Agricultural Labor Relations Voting Choice Act looks to build upon to successes of California's voter reform by updating the ALRA. Specifically, it would allow farmworkers to vote using a representation ballot card, in addition to the existing voting procedures. This option would be beneficial to people who have a language barrier and/or lack familiarity with the voting process.

The City of Berkeley has long supported advancing election reform and supporting the United Farm Workers (UFW). In 1974, in the buildup to the passage of the ALRA, the City Council adopted a couple of resolutions in support of UFW, including support for AB 3370, which while it ultimately was not adopted, it laid the foundation for the ALRA.

FINANCIAL IMPLICATIONS

None

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with adopting this recommendation.

CONTACT PERSON

Mayor Jesse Arreguín 510-981-7100

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

SUPPORTING THE AGRICULTURAL LABOR RELATIONS VOTING CHOICE ACT

WHEREAS, in 1975, farm workers won the right to vote for union representation under California's Agricultural Labor Relations Act and under the California Agricultural Labor Relations Act, farm worker representation elections were conducted the way other political elections were – at a physical polling place; and

WHEREAS, since then, the state has updated how Californians vote for their local, state and federal elected officials by making it easier to register to vote, increasing the amount of time to vote, adding more ways and access to vote, allowing someone else to turn in their ballot, this bill would similarly update how a farm worker exercises their existing right to vote for union representation; and

WHEREAS, California law was also changed to allow all state and local public workers - including teachers, firefighters, nurses, and staff - to vote to have a union by simply signing a union representation card; and

WHEREAS, following the 2020 general elections, Governor Gavin Newsom said, "Making voting easier, providing more choice, more opportunity...is fabulous" and signed into law ways to make it easier for Californians to vote in his elections, including the Recall Election in 2021 and the upcoming 2022 election; the Agricultural Labor Relations Voting Choice Act would afford farm workers similar opportunities in union representation elections by helping to facilitate farm workers' longstanding right to vote, free from any form of vote suppression; and

WHEREAS, under the Agricultural Labor Relations Voting Choice Act, the ballots will continue to remain secret, farm workers will have a choice to vote at a "polling place" as they do now, or they can receive assistance in filling out and returning their "representation ballot card" as long as the person who assists them co-signs the representation ballot card and returns it to the state agency overseeing farm worker union elections, the Agricultural Labor Relations Board, in a sealed and signed envelope.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby supports the United Farm Workers (UFW) in urging the Legislature and Governor to support the Agricultural Labor Relations Voting Choice Act in 2022.

