



CITY COUNCIL

**Darryl Moore**  
Councilmember District 2

CONSENT CALENDAR  
June 2, 2009

To: Honorable Mayor and Members of the City Council

From: Councilmember Darryl Moore  
Councilmember Jesse Arreguin  
Councilmember Kriss Worthington  
Councilmember Max Anderson

Subject: Support SB789, CA Employee Free Choice Act for Farm Workers, To Give Agricultural Employees an Alternative Method for Choosing their Collective Bargaining Representative

RECOMMENDATION

Adopt a resolution in support of SB789, CA Employee Free Choice Act for Farm Workers, to give agricultural employees an alternative method for choosing their collective bargaining representative

BACKGROUND

Involuntary manslaughter charges were filed today against three top officials of the defunct labor contractor company, Merced Farm Labor, in the case of 17-year-old Maria Isabel Vasquez Jimenez--who died of a heat stroke last May 16. However, violations occur every day and nothing is done. Last year five other farm workers died of heat related causes after Maria's death. Complaints regarding lack of drinking water, shade and work breaks to make use of these simple but lifesaving measures are an everyday occurrence for farm workers. Farm workers are an unusually vulnerable workforce demographic in California that is often subject to these types of conditions. Therefore, it is especially important to establish collective bargaining and a union presence. There is overwhelming evidence, of workers being prohibited from engaging in the collective bargaining process due to organizing efforts being blocked by employers through coercion, anti-union pamphlets, and captive audience meetings prevent fair elections from taking place. The California Labor Federation states that the statistics on employer interference in union organizing campaigns, as detailed in a report by Cornell University scholar Kate Bronfenbrenner, are alarming: Ninety-two percent of private-sector employers require employees to attend closed-door meetings to hear anti-union propaganda. Seventy-five percent of employers hire outside consultants to run anti-union campaigns. Half of employers threaten to shut down if employees join a union. In 25 percent of organizing campaigns, private-sector employers illegally fire workers because they want to form a union. Majority choice elections will allow California's farm

workers to choose the best options for having a fair say as it relates to their working conditions.

FISCAL IMPACTS OF RECOMMENDATION

None at this time

CONTACT PERSON

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Councilmember Kriss Worthington	District 7	510-981-7170

Attachments

1: Resolution

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

RESOLUTION IN SUPPORT OF SB789, PROTECTING THE RIGHTS OF FARM WORKERS

**WHEREAS**, farm workers are a particularly vulnerable workforce demographic that is forced to deal with abuses and safety violations on a daily basis; and

**WHEREAS**, basic necessities, such as clean drinking water, shade to protect them from the searing sun, and clean restrooms are regularly denied to them; and

**WHEREAS**, involuntary manslaughter charges were recently filed against three top officials of the defunct labor contractor company, Merced Farm Labor, in the case of 17-year-old Maria Isabel Vasquez Jimenez, who died of a heat stroke last May 16; and

**WHEREAS**, SB789, CA Employee Free Choice Act for Farm Workers, would go a long way in making it easier for farm workers to organize and enforce the laws that California's government is not enforcing; and

**WHEREAS**, SB789 just passed the senate floor and will soon be heard in the assembly.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Berkeley hereby supports SB789, CA Employee Free Choice Act for Farm Workers, by Senator Darrell Steinberg, that will help to protect farm workers from everyday abuses that have led to the deaths of so many.

**BE IT FURTHER RESOLVED** that the City Clerk shall transmit copies of this resolution to California Senators Darrell Steinberg and Loni Hancock, Assemblymember Nancy Skinner and Governor Arnold Schwarzenegger.

