

Farmworkers should have same rights as other union employees

By Silvia Lopez Special to The Bee

Perhaps no one works harder than farmworkers who pick the bounty of fruits and vegetables grown in California. I speak from experience, having worked more than 28 years in the fields harvesting bell pepper, squash, green beans, grapes, peaches, cherries, lettuce, watermelon, melon, strawberries and raisins across the San Joaquin and Gilroy-Hollister valleys.

This backbreaking work deserves more than respect and gratitude. Farmworkers also should receive the same basic rights as other organized workers when it comes to having a voice in labor relations. Most, if not all, unions in California and elsewhere do allow their workers to decide on their negotiated contracts.

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But under the Agricultural Labor Relations Act, California's farmworkers are not guaranteed the right to attend mandatory mediation talks about their contracts. More importantly, once those contracts are hammered out, workers are not able to vote on whether to approve or reject their contracts. In other words, they have no say in the contracts that govern their wages, benefits and other workplace conditions.

[Assembly Bill 1389](#) would address these flaws. The measure, which goes Wednesday before the Assembly Labor and Employment Committee, offers some very reasonable, simple improvements to protect workers.

It gives workers the right to attend mediated negotiations on contracts directly affecting their pay, benefits or working conditions. It gives them the right to approve or reject a mediated contract. And it protects workers from unions that abandon them by giving them the right to choose a new union if a union leaves for more than three years.

The flaws in current law were exposed during an ongoing labor dispute involving employees of Gerawan Farming, including myself. But it would be a mistake to connect the controversy directly to AB 1389, which will have zero impact on the Gerawan dispute because it is tied up in the courts.

What AB 1389 does seek is to establish some fundamental improvements in the law so that future controversies can be avoided. Whether one is pro- or anti-union is beside the point. Any reasonable person should agree that a worker should have the right and freedom to choose whether or not to be in a union, as well as the power to ratify a contract that governs wages, benefits and other workplace conditions.

This is not a Democratic or Republican issue, though some special interests will seek to politicize the bill. This would be unfortunate because it distracts from a core civil rights issue. It is time to give farmworkers the same rights as other organized workers.

Silvia Lopez has worked at Fresno-based Gerawan Farming for more than 16 years and is an advocate for farmworker rights.

