

State Supreme Court agrees to hear Gerawan case, UFW says

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The United Farm Workers Union said Wednesday that the California Supreme Court has agreed to review a Fresno appellate court's ruling that favored Gerawan Farming, the Fresno County fruit grower that has been in a long-running battle with the union over a labor contract.

In May, a panel of [Fifth District Court of Appeal judges](#) accepted Gerawan's argument that the state's [Agricultural Labor Relations Board](#) violated the law when it forced the company and the [United Farm Workers](#) union into mediation.

At the time, [Gerawan](#) officials hailed the decision as a win for worker rights, while UFW representatives vowed an appeal to the California Supreme Court.

The union and Gerawan have been locked in a legal battle for more than two years over who will represent nearly 3,000 of Gerawan's field workers. Although the union won the right to represent the workers in 1992, efforts to implement a contract have been wrought with problems, including a worker attempt to oust the union and subsequent legal challenges.

Gerawan argued, and [the appeals court agreed](#), that the ALRB should have given the company the opportunity to prove that the union abandoned the workers during its nearly two-decade absence. The board did not, and the union pushed the contract negotiations into a process known as mandatory mediation and conciliation, or MMC.

By doing so, the appellate justices wrote, the MMC process violated "equal protection principles" that constituted an improper delegation of legislative authority.

In a statement issued Wednesday, the UFW said it expected the state Supreme Court would take up the union's appeal of the Fifth District Court of Appeal's ruling since the state's mandatory mediation law had been upheld in 2006 by the Third District Court of Appeal in Sacramento.