

Mack's report dealt mainly with the new legislation for farm workers in California, the secret ballot election bill.

GENERAL OUTLINE OF BILL

- The bill will become effective on August 28, 1975
- Between now and then, a 5-person Board will be appointed by the Governor and approved by the Senate. (5 year office terms, staggered; salaries @ \$45,000)

The Board is responsible for setting up regulations and procedures for the bill and the elections.

All interested parties can make recommendations for the Board members and the regulations.

- 3 Campaigns will be waging:
 1. Growers - trying to convince the workers not to vote for any union. We know that the growers are already starting to hire for the harvest (even though it's so early). They are asking the workers questions like "Have you ever been on strike? Are you a Union member? Have you worked on the boycott?" If the answer is "yes" to any of these, you don't get hired.
 2. Teamsters - They will be buying votes, bribing, threatening physical violence, as they did in the past. Already, the Teamsters have free access to the fields and the labor contractors are collecting petitions for elections. This is an unfair advantage over the UFW - but whether or not the petitions will be accepted will be up to the Board to decide.
 3. UFW - Our election campaign has begun with some significant staff changes (which will be listed later.). The staff in California will be sizing up their areas and making plans for our election strategy.
- Eligibility to vote: all workers on payroll at time of election plus strikers since 1973.
- To petition for an election: 50% of the peak season work force must be working.
 1. Of those currently working, a union must get 50% of the workers to petition for the election.
 2. For another union to get on the ballot, they must present petitions representing 20% of the workers.
- Elections: (many procedures will still have to be decided by the Board)
 1. Elections must be held within 7 days after the petitions are presented to the Board.
 2. Elections can be held within 2 days if the petitions are signed, presented to the Board and the workers go out on strike. In this case for another union to get on the ballot they have to present their 20% within 24 hours.

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3. If there is no majority or a tie in the election, there will be a run-off election between the two parties with the highest amount of votes.

4. If "no union" wins, no more elections can be held at that ranch for one year. Also any previous contracts are invalidated.

- Challenges: Any party can challenge an election if it believes that another party has done something that would affect the outcome of the election. Challenges must be made within five days after the election and challenges are not limited to normal "Unfair Labor Practices".

After the initial 5 day wait for more challenges, the Board must then hear all challenges within 5 days.

You have 30 days in which to appeal any rulings made by the Board on the challenges.

- The following are some Unfair Labor Practices for growers:

firing (for Union activities, talking about the Union, etc.)
threatening to fire
demoting
laying off
changing wage scales
promises of benefits to workers if they don't vote for the Union, etc.
spying on Union meetings
surveillance of workers
doomsday threats ("if the Union comes in we'll go out of business")
threatening workers that they will lose their benefits if the UFW wins
bringing in people for the purpose of affecting the outcome of an election (These people are called "ringers".)

- ULP's for unions:

bribing
threatening physical violence

- Negotiations: the Bill says that growers must negotiate in "good faith".

The board can make the contract retroactive the length of time during negotiations if we can prove the grower was not negotiating in good faith. (Example: If we negotiate for six months and finally the grower signs a contract only because of boycott pressure- and if we can prove this - then the Board can make the contract retroactive for the 6 months spent in negotiations).

- Boycotting provisions:

1. We can always primary boycott - there are no restrictions.
2. We can secondary boycott the grapes from any ranch where we have won an election.