

Ann Hurlbut

Sorter

Blue Diamond Growers

Congressional Forum on the Employee Free Choice Act

Sacramento, CA

April 20, 2006

My name is Ann Hurlbut. I have been employed as a sorter at Blue Diamond Growers for 28 years. Sorters are the largest and lowest-paid group of workers at the plant, which is the largest almond processing plant in the world. Right now more than 600 people work at the plant.

As sorters, we manually inspect nuts. We have the last look at them before they're shipped out. We sit at a belt looking down and moving our hands all day. Everybody's hands and arms hurt from this. Your body hurts from being in one position all day. The dust in the plant bothers everyone. Some people get asthma from it. The plant is very noisy and sometimes hot as well.

We decided to organize because Blue Diamond is denying us health care benefits, pay raises and bonuses.

* Between 1995 and 2005, our pay went up 29%, but our health insurance payments went up 528%. We know they can afford to treat us better. They made \$651 million last year.

We started meeting in September 2004 but we waited several months before we announced our intention to organize and be represented by the ILWU. We did that at the Cesar Chavez March in Sacramento in 2005.

Even before we came out publicly, Blue Diamond started an aggressive anti-union campaign. They call us "the misguided few" and "an unruly mob." Their flyers tell employees our union dues will be \$500, and that we can't participate in a pension plan for five years. They tell us if our name is on the organizing committee, we will be terminated. Four of us have been terminated. My name is on that list.

Blue Diamond has meetings with us to interrogate us about our feelings about the union. I am afraid to say anything positive about the union in our workplace because of fear of retaliation. I have seen women cry after those meetings. They tell us such things as:

1. If you don't like it here, get a job somewhere else.
2. If you vote in the union, we will re-locate the facility out of Sacramento.
3. If you vote in the union, we will replace you with scabs. They have put a temp agency in the lobby of the main plant.
4. If you vote in the union, you may end up with less wages and benefits than you have now.

The work atmosphere is very tense. Some people are for the union but don't want to be identified but are encouraging to us in a quiet way. In another way, organizing has been hard on each other causing divisions among old friends. We are always on guard and would like to organize without threats, intimidation and harassment. You'll hear more about this from my co-workers.

We have taken a lot of actions in support of our organizing:

* We've taken actions in the plant—we talked to co-workers, passed out flyers, and wore our yellow union shirts (When we wear these shirts, anti-union people say, "Oh, you're wearing your dirty shirt today.>"). The members of the organizing committee signed a letter to management telling them to respect our rights.

* We've taken actions in the community—We talked to churches and student groups, Sacramento City Council members and the vice-mayor. We testified for AJR 27, which put California on record as supporting the Employee Free Choice Act.

* We've taken action in court—We testified to the National Labor Relations Board about the ways Blue Diamond violated our rights

We have seen some results from these actions. We got raises, and the company lowered the number of hours needed to qualify for benefits. We're glad for this but we know that without a contract these benefits can be taken away.

We also got a positive decision from the NLRB March 17. An administrative law judge ordered Blue Diamond to rehire two of the people it fired—Ivo Camilo and Mike Flores—and post a notice telling us about the labor law and promising to respect it. Blue Diamond keeps saying it didn't do anything wrong, though it decided not to appeal.

But the Labor Board in San Francisco thought Blue Diamond's violations were so bad that it asked the full Board in Washington, D.C. for permission to seek a court order against the company. This order is called a 10(j) injunction. It would force Blue Diamond to rehire the fired workers and follow the rest of the judge's order.

We're glad we got the NLRB decision, but getting a union shouldn't be so hard.

We need a voice in the work place. We employees want the right to choose BETTER for ourselves, our families, our community and our company. Our goal is a good legal contract.

We need changes in the labor law so we can make this choice without fear and firings. We need the Employee Free Choice Act.