

Sakuma workers vote to join union; boycott over

Berry farm to negotiate contract

By **DON JENKINS**
Capital Press

In an election supervised by outside observers, workers at Sakuma Brothers Farms in northwestern Washington voted Monday for union representation, a rare case of farmworkers organizing in the state.

The berry farm, which agreed to the election after three years of labor unrest, said 195 workers voted yes, while 58 voted no.

CEO Dan Weeden said in a written statement that the company will negotiate with the union, Familias Unidas Por La Justicia.

"Throughout this process it has been our goal as a company and my personal goal to give our employees a fair and honest voice," he said. "Sakuma now looks forward to a productive negotiation of a contract with FUJ for our employees."

Sakuma, a family-owned farm founded by brothers from Japan before World



Don Jenkins/Capital Press

Workers at Sakuma Brothers Farms in northwestern Washington voted Monday for union representation.

War II, has been the target of pickets and lawsuits since 2013.

FUJ organizers and their supporters promoted a secondary boycott of Driscoll's and Haagen Dazs, companies supplied by Sakuma. Organizers called off the boycott when Sakuma agreed to hold the election.

"While we are still a ways off from a contract, it is time to celebrate the victory to date and to recognize that justice prevailed yesterday," the union posted Tuesday on Facebook.

If the company and FUJ

sign a contract, Sakuma will become the third agricultural producer in Washington to have a collective bargaining agreement with workers, according to sources.

The United Farm Workers represents workers at Beef Northwest, a feedlot in Quincy, and Chateau Ste. Michelle, a winery in Woodinville.

The UFW was not involved in organizing Sakuma's workers. "We're quite pleased by the vote. The more unionized workers in the state the better," said UFW National Vice President Erik Nichol-

son, who's based in Washington.

Washington Growers League Executive Director Mike Gempler said FUJ's success may encourage other union organizers.

"I think it will give confidence to the labor activists that they can repeat their success on other farms. I think that's the primary impact," he said. "It was purely a voluntary decision by Sakuma Brothers. They felt that was the best decision for their business given their situation."

Sakuma proposed a union certification vote after a prolonged boycott, reminiscent of a campaign in the 1990s against Chateau Ste. Michelle.

The National Labor Relations Act exempts farmworkers from collective bargaining rights. Unlike California, Washington does not have a separate state law for certifying farmworker unions. California's law protects farmworkers and employers from unfair practices, according to the state's Agricultural Labor Relations Board.

Gempler said he was involved in negotiations in the early 1990s on a Washington

agricultural labor relations law. Legislation failed to pass, and the subject has not been raised in recent years.

State Sen. John McCoy, D-Tulalip, attended Monday's vote count in Mount Vernon. He said he would be interested in talking with producers and labor leaders about an agricultural labor law. "We probably ought to have the conversation," he said.

Washington State Labor Council spokesman David Groves said a law could help all sides.

"I think it would be in the employers' best interest. Clearly, it would be in the workers' best interests," he said.

In 2014, Sakuma paid \$850,000 to workers and their attorneys to settle a federal class action over pay practices. The suit also changed farm pay practices statewide. Piece-rate workers must now be paid separately for rest breaks.

Monday's election was supervised by former National Labor Relations Board regional director Richard Ahearn and Kerstin Lindgren of Fair World Project.

Oregon nursery, landlord prevail in sexual harassment suit

By **MATEUSZ PERKOWSKI**
Capital Press

An Oregon nursery and its landlord have prevailed in a lawsuit that accused them of creating a hostile work environment.

Carlton Plants and Carlton Nursery of Dayton, Ore., were sued last year by former employee Criselda Romero-Manzano, who claimed the companies ineffectively responded to her sexual harassment complaint.

Romero-Manzano had complained to a supervisor in 2013 of unwanted advances by a crew leader, after which she was reassigned to another crew leader, according to court documents. She lost her job a year later after she exhausted her medical leave that was related to a work injury.

In her 2015 complaint, Romero-Manzano claimed she'd suffered economic loss because of lost wages and emotional distress because the companies "did not effectively respond to plaintiff's report of sexual harassment" and subjected her to a hostile work environment.

Romero-Manzano accused the crew leader of "sexual comments, invitations of a sexual nature, and unwanted sexual touching."

U.S. District Judge Anna Brown has agreed with Carlton Plants and Carlton Nursery that the lawsuit was time-barred and must be dismissed.

Romero-Manzano originally received permission from the U.S. Equal Employment Opportunity Commission and Oregon's Bureau of Labor and Industries to file the lawsuit against only Carlton Nursery, not Carlton Plants.

However, Carlton Nursery did not employ Romero-Manzano as it's a separate entity that leases acreage to Carlton Plants, Romero-Manzano's actual employer, Brown said.

While she did eventually amend her lawsuit to include Carlton Plants as a defendant, the permission to sue from EEOC and BOLI had by then expired, the judge said.

Romero-Manzano also failed to establish that the two companies were so inter-related that they should legally be treated as one entity, Brown said.

Nurseries propagate millions of Cosmic Crisp apple trees

By **DAN WHEAT**
Capital Press

EPHRATA, Wash. — Ricardo Santacruz stoops over a small rootstock tree and slices a notch in its trunk a few inches above the ground so fast that if you blink you'll miss it.

With equal speed he slices a bud from a short chunk of Cosmic Crisp apple limb from a bundle of them on his hip, places the bud in the notch and moves onto the next tree.

Cosmic Crisp is the new Washington State University variety the Washington apple industry believes will become more popular than Honeycrisp and hopes is the state

apple of the future.

Ten years ago, Willow Drive Nursery, south of Ephrata, produced a lot of Gala, Fuji and Granny Smith apple trees. In recent years, Honeycrisp and managed varieties have exceeded 75 percent of sales.

"This year Cosmic Crisp is the big dog," said Jim Adams, co-owner, adding it's over one-third of what the company budded this August and September for 2018 sales.

"I know we're close to 4 million in the state for Cosmic Crisp for all nurseries for 2018," Adams said. "Excitement is there."

Cristy Warnock, operations manager of PVM (Proprietary Variety Management), Yakima, said she's awaiting an update from nurseries, that the estimate in March was 2 million but that 4 million is definitely likely for 2018 and 2019 combined.

An offspring of Honeycrisp and Enterprise, Cosmic Crisp is the first apple bred in Washington to be exclusively grown by any and all Washington



Photos by Dan Wheat/Capital Press

Ricardo Santacruz reaches for a Cosmic Crisp limb of buds as Eduardo Morales gets ready to wrap bud behind him. Part of crew of 45 in background budding Cosmic Crisp buds onto rootstock trees at Willow Drive Nursery, Ephrata, Wash., Sept. 12.

growers. The first commercial plantings will be next spring and fruit will reach markets in 2020.

Santacruz's knife is so sharp it looks like he's cutting butter. Despite bandages and tape, his thumb and fingers are a bit bloody. With five-years of experience, the 39-year-old is notching 3,000 to 4,000 trees per day, about 500 per hour or eight to 10 per minute.

"A lot of skill goes into it. He has to make a match, side-to-side and up and down. It doesn't fit, it doesn't heal properly and the bud can dry out and die," said Brett Adams, Jim's brother and another co-owner of Willow Drive.

Buds are inserted on the west sides of rootstock trunks so trunks will support them in prevailing winds from the west. Alberto Barron and Eduar-



Cosmic Crisp bud placed in notch of rootstock tree will be wrapped in plastic to heal in. Next spring the stem will be cut off above the new bud to grow a Cosmic Crisp tree.

do Morales come quickly behind Santacruz, wrapping buds in strips of plastic for air-tight seals. They will come back in a month and cut the plastic off after the buds heal into the cambium tissue below the bark.

In January or February, when the rootstock is dormant, crews will cut off the rootstock just above the buds. The buds will grow new Cosmic Crisp apple trees that will be harvested that fall for winter storage and then planting in the spring of 2018.

LEGAL
NOTICE OF PUBLIC MEETING
The USDA Natural Resources Conservation Service (NRCS) announces a meeting of the Washington State Technical Advisory Committee on September 27, 2016 from 9:30 am to 3:00 pm, 316 W. Boone Ave., Suite 450, Spokane, WA. Remote access is also available.
For more information contact Bonda Habets, (509) 323-2900. 38-1/1#4

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