

All of the concerned parties understand that their copies of the attached are confidential until publicly released by your office.

I want to thank you and the some two hundred persons who cooperated with me so fully during the course of my fact finding. It would not have been possible to complete this report in the time available if it had not been for the full support of people in the Industrial Relations Department of the State of California.

In closing, special thanks is due to Mr. Sam Kagel of San Francisco for the public spirited way in which he has made his time available, and for his generosity in agreeing to serve as one of the arbitrators for the final resolution of the problem.

Sincerely yours,

RONALD W. HAUGHTON.

AMERICAN ARBITRATION ASSOCIATION, ADMINISTRATOR

IN THE MATTER OF THE FACT FINDING PROCEDURE THE DI GIORGIO CORP., BORREGO SPRINGS AND DELANO, CALIFORNIA PROPERTIES, ET AL.

#### REPORT AND RECOMMENDATIONS

1. On June 30, 1966, the undersigned was nominated by the American Arbitration Association at the request of the Honorable Edmund G. Brown, Governor of the State of California.

2. The request by the Governor was to study the recent representation election held by the Di Giorgio Corporation and certain charges that it does not accurately reflect the wishes of the farm workers for representation at the Borrego Springs and Delano Properties. The Governor asked that there be recommended a fair and equitable resolution of this matter, which he referred to as a part of a total problem. Finally, the Governor stated that, "in view of the absence, at present, of any State or National labor relations law covering farm workers" he would like to receive a set of guidelines for the holding or representation elections in agriculture.

3. Because of the importance of the matter to the people of the areas, to the employees, to Di Giorgio, and to the concerned unions, an immediate fact finding effort was undertaken. I can now Report that there have been face-to-face meetings with some 200 persons in Sacramento, Los Angeles, San Diego, Julian, Borrego Springs, Hemet, Delano, Burlingame, and San Francisco. These include members and representatives of all of the concerned unions, the corporation, rank-and file employees of Di Giorgio, members of the Catholic and Protestant Ministry, private citizens and State government officials.

4. By all normal measures the time span has been short. But because of the complete cooperation of the parties, and of citizens, any additional fact finding at this point would be superfluous.

5. All of the parties were furnished with a preliminary draft of a Report and Recommendations on July 7, 1966. The purpose of this document was to narrow areas of disagreement and to serve as a basis for in depth discussions with each party separately. Finally, at a joint meeting in the offices of the American Arbitration Association, San Francisco, on July 12, 1966, each party was furnished with a second draft document and was advised that, subject to consideration of exceptions to be made on that date, such document would be the basis of a final Report and Recommendations which would be sent to the Governor on July 14, 1966.

6. In the interest of accomplishing a fair and equitable resolution of the total problem as requested, attention will be directed not to what happened, or to "who-shot-John" but to solutions and to precise procedures leading thereto. Lest there be any doubt I am neither condemning nor endorsing the election of June 24, 1966. I am recommending among other matters the scheduling of an election under the auspices of the American Arbitration Association.

7. My Recommendations as to the election and other matters are set forth below. Prompt acceptance of such Recommendations is required to establish the climate of fair play and consideration of the rights of all concerned. Acceptance or rejection by the concerned parties of the Recommendations herein should be provided to the office of the Governor of California by telegram not later than Tuesday, July 19, 1966. Failure to respond on or before this date will be regarded as rejection of the Recommendations. Thus, the National Farm Workers Association, the Agricultural Workers Organizing Committee, the Teamsters Union and Di Giorgio must accept the terms of the Recommendations in their entirety or not