

at all. For the purpose of this proceeding they cannot elect to accept only a part without committing themselves to the whole.

8. Upon acceptance of the Recommendations there shall forthwith be a termination of all current strike and boycott activities, and public notice thereof with a copy to the undersigned. Company cooperation to carry out the letter and spirit of the Recommendations is required. If there is acceptance, and there subsequently is a charge that strike or boycott activities are continuing, or that there is a failure of the Company to cooperate fully, a finding will be made with respect to such charge, by Messrs. Kagel and Haughton and in an appropriate case a cease and desist order will be issued, which the accepting parties hereby agree shall be enforceable in an appropriate court as an order finding a breach of contract.

9. If there is an acceptance of this Report and Recommendations each party must sign a joint statement of such acceptance, which will be drafted by the undersigned after consultation with the parties. Such notice shall be posted on the properties.

10. There shall be scheduled under the administration of the American Arbitration Association on August 30, 1966, at the Sierra Vista Ranch property, Di Giorgio Corporation, in Delano, and at other appropriate sites in order also to determine representation at Borrago Springs, a representation election. Depending on circumstances, and subject to decision by Messrs. Kagel and Haughton it may be necessary to keep the polls open an additional day. Eligible employees will express free choice by secret ballot, without restraint, interference, or coercion, before the election and during such election, as to their preferences of a collective bargaining representative. The Association as the Administrator, will supervise such other agencies as it may call upon to assist it in the administration of the election.

11. Totals of all votes cast in the election shall be counted as if they were cast at a single geographic unit.

12. Union representatives shall have access to corporate properties during non-working hours in order to meet with eligible employees.

13. The Di Giorgio Company shall supply to the concerned unions and to the designated representative of the undersigned from payroll records and/or personnel records, names and addresses of employees eligible to vote in the election. Such a list is to be supplied within 14 days of the date of this Report and Recommendations. The names and addresses of new hires are similarly to be supplied within 24 hours of the dates of hire.

14. The Notice of Election and the Sample Official Secret Ballots, will be provided within five days of these Recommendations.

15. The undersigned will retain continuing jurisdiction over the conduct of the representation election and circumstances relating thereto as they may occur prior to the election and at the time of such election. Further, for the purpose of receiving complaints he shall designate a resident representative to be assigned to Delano until and including August 30, 1966.

16. Complaints and questions directed to the resident representative will be answered or decided promptly by Mr. Haughton and Mr. Kagel.

17. As a part of the procedure to assure that a fair and orderly election will be conducted, each party on a ballot shall have the right to appoint two observers at each election site. Such observers for Company or Union shall be Non-Supervisory employees. No member of Supervision or non employee union representative shall be permitted in the proximity of the polling places during election hours. For the purposes of this section, and without precedent for this or any other proceedings, a laid off or terminated employee, otherwise eligible, may be designated as an observer.

18. If a person desiring to cast a vote is challenged such individual shall vote, but his or her vote shall be placed in a separate envelope with the voters name entered thereon. Thereafter Messrs. Haughton and Kagel, after hearing evidence relating to such challenge, shall make a final and binding decision as to whether the vote shall be counted or not.

19. Supervisory employees who have the right to hire and fire employees or to effectively recommend hiring and firing are ineligible to vote and shall be excluded from any resulting collective bargaining unit. Similarly there shall be excluded office clerical employees.

Voting shall be conducted on ballots which give to employees a choice to vote if they wish to be represented by a Union, and the Union, if any, they wish to be represented by.