

Farm workers call mediation bills a 'road to justice'

BILLS

From A1

without hope."

Senate President Pro Tem John Burton, D-San Francisco, who carried the main bill and had clashed with Davis in August over the issue, said Davis "had pressure from both sides" and called the governor's signing "a good thing."

Farmers had lobbied hard for the governor to reject forced mediation for farm labor disputes. They called the bills unconstitutional and legally questionable. Growers and others inside the state's \$27 billion agriculture industry also conducted a major letter-writing campaign to the governor's office, calling a newer concept of "mediation" simply a thinly veiled version of binding arbitration.

Mediation or arbitration would allow the state's Agricultural Labor Relations Board to force contracts on them, farmers said, and lessen California farming's competitive edge in the world economy.

The issue had placed Davis in a bind between the mostly Hispanic farm workers, who are aligned with one of his most loyal groups of supporters, and the agriculture industry that had made significant contributions to Davis' re-election effort against Republican financier Bill Simon.

Simon said Monday in Orange County he would have vetoed the bills.

"I'm comfortable with that system as it presently exists," he said.

During the last days of August, Davis pressured lawmakers to pass a compromise bill that rejected the binding arbitration provisions in a bill they had passed only three weeks earlier.

The new bill substituted a less stringent mediation process to break deadlocks in labor disputes.

Later, under renewed pressure from Davis, the Legislature passed another companion bill setting limits on mediation at five years and limiting the number of potential mediation cases to 75. It also doubled the number of days for required negotiations to 180 before bringing in mediators.

Mediators trying to break deadlocks would have three weeks to draft a proposed labor contract and recommend it to the Agricultural Labor Relations Board. The board would have 10 days to accept or reject the contract — and both sides could appeal the



Rich Pedroncelli / AP

United Farm Workers Union member Carolina Olgun, of Delano, marches Monday during a vigil outside the Capitol in Sacramento.

board's decision to state courts.

Lawmakers portrayed themselves as having no other options under the threat of a veto and said they were making "significant concessions."

The bills apply only to farm operations with more than 25 workers.

Supporters for the state's farm laborers argued that farmers have historically stalled during contract talks and intimidated their workers. Many pointed out that since 1975, when the state created a collective bargaining system for farm labor disputes during Gov. Jerry Brown's administration, only 43 percent of unionizing elections have resulted in actual labor contracts.

During a long summer debate, the United Farm Workers Union countered farmers' claims that mediation and arbitration would put them out of business with support from statewide labor unions and Hollywood celebrities. The union also attracted widespread attention in mid-August with a 150-mile march from Merced to Sacramento. Since arriving, farm workers have maintained an almost nonstop Capitol vigil with lighted candles and such religious symbols as the Virgin of Guadalupe.

That vigil ended in cheers Monday when they learned Davis had signed the bill.

Davis also signed a bill Monday to make public doctors' medical malpractice settlements, if the physician has had three or more settlements of more than \$30,000 within the last decade.

Sen. Liz Figueroa's bill adds two additional public members to the Medical Board of California, establishes an independent monitor to evaluate the board's enforcement and increases the penalty for unlicensed

practice of medicine.

Davis also signed a bill Monday creating a criminal penalty for misusing proprietary information from state agencies or the California Independent Operator.

That bill, by Assemblyman Kevin Shelley, D-San Francisco, was inspired by hearings held this summer about whether Texas-based Perot Systems misused sensitive information it gained through working with the California Independent System Operator.

Among the bills vetoed Monday by Davis was one that would have placed strict limits on disposal of waste from decommissioned nuclear sites. That bill, by Sen. Gloria Romero, D-Los Angeles, would have prohibited the disposal of waste with residual radioactivity at landfills.

Davis instead issued an executive order banning waste from those sites from being sent to municipal landfills and ordering the state Department of Health Services to comply with environmental review laws in crafting new regulations.

Romero said Davis' order mirrors a court order issued this summer by a Sacramento County Superior Court judge who threw out the state's previous regulations.

— AP writer Jennifer Coleman contributed to this report

On the Net:

Read all the bills, SB1156 by Burton, AB2596 by Herb Wesson, SB1950 by Figueroa, AB2578 by Shelley and SB1970 by Romero at www.leginfo.ca.gov.

United Farm Workers Union: www.ufw.org
Western Growers Association: www.wga.com