

New York State Public Relations Board  
Empire State Plaza, Building 2  
Floor 18 & 20  
Albany, NY 12220

Attention: Chairman Timothy Connick, Esq.

September 16, 2024

Dear Chairman,

Thank you for the generous time you and your staff offered us last week in the conversations about farmworker labor practices. We appreciate your willingness to hear our concerns and learn more about the experiences on our farms. We would like to again emphasize the deep connection between farmers and the laborers they employ. We hope you will consider spending time with these farm laborers – especially those in New York on H2A visas – to learn more about the issues we presented to you.

We appreciate the information you have sent forth in follow-up after our meeting on Mr. Sanchez's contact information and the workers' helpline. It is critical that farm laborers are provided with a safe, secure way to call when a unionization issue arises. As a reminder, these are our other requests that are left pending from the meeting:

**Ongoing outreach to farm laborers** through One-Stop Shop for Agricultural Workforce Development to ensure they are updated on the PERB process and their rights as workers;

**Separate AJLs to resolve petitions and ULP charges** as contemplated by PERB's own regulations;

**The requirement that evidence be offered before processing a charge** when unions file a complaint against a farm employers, as outlined in the internal review rule (Rule 263.37(a)) in PERB's own statute;

**Publication of opinions and guidance (from PERB or the Attorney General's office) on FLFLPA matters and board supervision of interlocutory decisions of officers** to provide clear outlines of judicial review, evidence of case law, and a precedent for issues that stem from these matters. The current process is unpredictable and leaves employers without an understanding of how to proceed strategically with a case or their rights to appeal a decision;

**Enforcement of Section 708** to investigate representation questions via investigators, instead of taking a petitioning union's evidence at face value. There is no standard to prevent a union from forging signatures on dues deduction cards, which creates false certification on that basis;

**Guidance on compliance with Rule 263.30** on how an employers or workers can demonstrate that the union no longer represents a majority of workers;

**Union options on dues deduction cards** so that farm laborers can select and confirm the union they are signing to;

**Decertification options** on the PERB FLFLPA Petition for Union Clarification;

**Instantaneous copies of dues deduction cards** when a worker signs for union membership;

**Ongoing outreach to farm laborers** to ensure they are updated on the PERB process and their rights as workers.

We trust that PERB is already examining these requests and we look forward to continued conversations regarding them. The entities cosigned on this letter are unified in the desire to ensure safe, fair labor practices for our farm laborers, and we appreciate your time and your attention to this matter.

Sincerely yours,

New York Farm Bureau  
Northeast Dairy Producers Association  
New York State Horticultural Society  
New York State Vegetable Growers Association