

Supplemental Material

For

City of Sacramento

City Council
Financing Authority
Housing Authority
Redevelopment Agency

Agenda Packet

Submitted: March 28, 2008

For the Meeting of: Tuesday, April 1st, 2008

Additional Material
 Revised Material

TITLE:

- PROPOSED RESOLUTION FOR BLUE DIAMOND
- 12/20/2007 LETTER: COMMUNITIES ORGANIZING SUPPORT FOR BLUE DIAMOND WORKERS:
- 2/5/2008 RESPONSE LETTER FROM BLUE DIAMOND

Contact Information: Councilmember Steve Cohn (916) 808-7003

Please include this supplemental material in your agenda packet. This material will also be published to the City's Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.



Communities Organizing Support for Blue Diamond Workers

*—Because it takes a community
to win justice on the job.*



Dec. 10, 2007

Douglas Youngdahl, CEO
Blue Diamond Growers
1802 C St.
Sacramento, CA 95814

Dear Mr. Youngdahl,

As political, civic and religious leaders and engaged members of the Sacramento community, we care about the labor situation at the Blue Diamond Growers plant here and want to see a positive resolution. We are writing to request a meeting with you as soon as possible.

We care because we care about the members of our community who work at the Sacramento plant. We know that the almond market has been very good to Blue Diamond, and Blue Diamond has been very good to its growers. We would like to see Blue Diamond show the same consideration to the workforce that makes its operation viable. To us this means respecting the workers as vital participants in the process who deserve a voice in their conditions.

We care because we have an investment in Blue Diamond as residents and taxpayers, through the City of Sacramento's use of public funds to keep Blue Diamond here in 1995. With the receipt of those public funds comes a duty to be accountable to the public. To us this means respecting the spirit as well as the letter of U.S. labor law.

As we listened to the workers who courageously spoke up at the community forum on Nov. 18, we learned that the letter of the labor law alone doesn't ensure a fair and free union election. Being realistic, we all have to acknowledge the unequal balance of power in any workplace. Given the advantages the employer has, we need to take special care to safeguard a free vote. Without such care, a union election resembles a vote taken under martial law in someplace like Pakistan more than a civic election here in the United States.

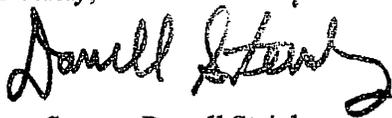
We strongly recommend that workers at the plant be given the chance to vote on union representation with the following conditions:

- The election will take place in a neutral location such as a school or church;
- Management of Blue Diamond and the union will have equal and fair access to voters;
- Both sides agree that there will be no harassment or intimidation of workers;
- The election will be by secret ballot with impartial election monitors. Location and monitors will have to be acceptable to both sides.
- The parties should mutually agree to a community oversight of the entire election process.

Again let us stress that we value Blue Diamond's contribution to this community, and want to see your labor situation resolved in a fair and equitable way. We believe we offer a new path towards such a resolution, and look forward to a chance to discuss it with you. Please contact Diana Cowan in Senator Darrell Steinberg's office by mail at 1020 N St., Suite 576, Sacramento, CA 95814 or by phone at (916) 651-1529 to let us know when we can do so. We hope to hear from you by Dec. 28.

Thank you very much.

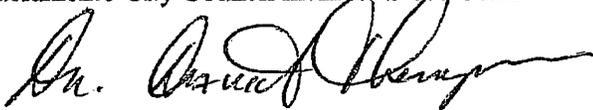
Sincerely,



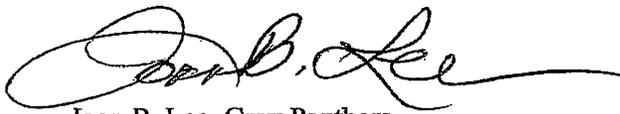
State Senator Darrell Steinberg



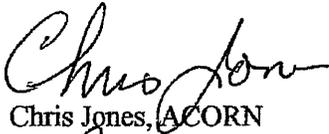
Sacramento City Council member Steve Cohn



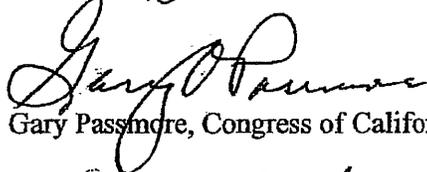
Rev. Dr. David Thompson, Westminster Presbyterian Church



Joan B. Lee, Gray Panthers



Chris Jones, ACORN



Gary Passmore, Congress of California Seniors



Guambry Santillan, Sacramento City College MEChA, LCLAA



Paul Burke, Sacramento State University

DRAFT CITY COUNCIL RESOLUTION RE: BLUE DIAMOND

WHEREAS

A. The City values its historic relationship with Blue Diamond Growers, which has been headquartered in Sacramento since its founding in 1910, and is the largest almond processing facility in the world, exporting 70% of its almonds to world markets and relying heavily on its positive brand name identification.

B. The City entered into a set of agreements in 1995 with Blue Diamond to provide significant economic and operational benefits to Blue Diamond, in exchange for their commitment to retain and expand its Sacramento plant, and continue to employ at least 700 full-time equivalent employees in Sacramento.

C. The City Council is concerned about the continuing conflict between Blue Diamond and its workers, who have been organizing to seek union recognition with the International Longshore and Warehouse Union (ILWU).

D. The City Council wishes to use its good offices, to facilitate a fair and early resolution of the issue of union representation.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

1. To designate an ad hoc committee composed of no more than four Council Members to be appointed by the Mayor.
2. The designated ad hoc committee will offer to meet informally with representatives of Blue Diamond management, representatives of Blue Diamond workers and ILWU, and community members to encourage an early resolution of outstanding issues.

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SENATOR DARRELL STEINBERG

12:35:06 p.m.

02-08-2008

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Blue Diamond Growers

February 5, 2008

Senator Darrell Steinberg
1020 N Street, Suite 576
Sacramento, CA 95814

RE: Letter from Communities Organizing Support for Blue Diamond Workers

Dear Senator Steinberg:

I would like to acknowledge your office's telephone inquiry today regarding the Communities Organizing Support for Blue Diamond Workers letter dated December 10, 2007. Since you were a signer of this letter, you are aware that the letter strongly recommends that our employees be given the chance to vote in a non-NLRB sanctioned election.

As you are aware, the National Labor Relations Act has established a governmental agency, the National Labor Relations Board (NLRB) to handle representation issues. In 2005, Blue Diamond Growers petitioned the NLRB to conduct a representation election. This would allow our employees the opportunity to decide for themselves whether they wished to be represented or not. When confronted with an election, the ILWU declined interest in representing workers at Blue Diamond's Sacramento plant.

It is our position that any decision regarding representation should only be made by our employees through the secret ballot election process under the supervision and direction of the NLRB.

We appreciate your interest in this matter and your willingness to meet with us. However, we feel that a meeting regarding the Communities Organizing Support for Blue Diamond Workers letter would not be an appropriate forum at which to address this matter.

Respectfully,

Douglas D. Youngdahl
President & Chief Executive Officer

cc: Ed Quinn