

# **Employer-Employee**

## **Collective Bargaining in Agriculture**

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There are no state of Ohio or federal laws controlling or providing for collective bargaining by farm employers and employees. Agricultural employment is specifically exempted from the National Labor Relations Act. The Act and its amendments establish the rules and procedures for collective bargaining in industries other than agriculture.

The Act does not make bargaining between farm employers and employees illegal; it simply does not provide the rules and procedures for such bargaining. The exemption also excludes agriculture from the services of the National Labor Relations Board.

Any collective bargaining regulations existing in other states through state laws, e.g., California laws, do not apply in Ohio. In 1986 in northwest Ohio, a vegetable processor, several growers, and a farm labor organization (Farm Labor Organizing Committee, FWOC) entered into a private collective bargaining contract covering the hand harvest of cucumbers for processing. The contract covered several issues, e.g., recognition of a bargaining organization for labor, procedures for hearing grievances and pay. The private contracts established a committee for monitoring and hearing grievances. In 1987 another processor, its growers and the same farm labor organization entered into a similar arrangement related to the hand harvest of cucumbers. In 1991, a third processor, its growers, and the farm labor organization also entered into a similar contract. In 1993, an agreement between the cucumber growers and FWOC changed the status of workers. Temporary employees no longer work as independent contractors. They must be treated as employees. Employees harvesting cucumbers are covered by the same labor laws and regulations as other farm workers.