

# Strike talks begin anew

## Election dispute still rages

□ Non-strikers present their side of story — **Page A2**

By DONALD MILLER

Sentinel Staff Writer

WATSONVILLE — Teamster and Watsonville Canning and Frozen Food Co. officials sat down this morning for their first negotiating session since last December.

Argument over last week's union certification election, however, continued to build, though both sides said Monday that the bitter disputes would not hinder today's meeting.

In an important ruling for the union, a federal labor relations official said Monday the Teamsters remain the legal bargaining agent for Watsonville Canning employees.

In addition, the official disputed Watsonville Canning's claim that it made its payroll records available to the union before the election.

Officials of the National Labor Relations Board, which supervised the election, have said it will take at least several months to wade through the 1,720 challenged ballots — of 1,774 total votes cast — and determine the union's future role at the cannery.

The NLRB's Clark Finkbiner, who was in charge of the election, said Monday until the election is decided, Teamsters Local 912 still is the recognized bargaining agent for Watsonville Canning employees. Finkbiner also said the union can continue to peacefully picket the company.

The strike of some 1,000 workers over a variety of wage and benefit cuts began last September.

Finkbiner's comments came during a conference call including union leader Sergio Lopez.

Lopez was in the midst of a pre-negotiations meeting with local and state Teamster leaders plus a committee of striking workers.

The union has claimed that 919 strikers voted last Thursday in a company parking-lot trailer, compared to 844 replacement workers from the company who voted in the plant lunchroom, thus ensuring a union victory.

Finkbiner said the NLRB will release a list of "raw numbers of bodies" as soon as possible to show who voted where. The list will provide at least an indication of the final vote result.

Watsonville Canning has produced its own numbers, claiming 899 replacement workers voted to 844 strikers. The union numbers, however, are closer to the final vote total.

Alex Ybarraloza, of the Teamsters regional Joint Council 7, said the union was going into today's negotiations with "our minds open. The election is behind us."

Watsonville Canning President Ron Trine Monday echoed Ybarraloza's statement, saying, "We're going in with an open mind to see what they have to say."

He did accuse union officials of "dragging their feet" and hampering the election tally by filing challenges about voter eligibility.

Watsonville Canning, however, challenged every striker who tried to vote, a tactic Finkbiner called "highly unusual."

Trine last week asked the Teamsters to produce records that would prove union members were eligible voters.

Finkbiner said Monday that it is the employer's responsibility to produce payroll records confirming workers were employed when they said they were. The union, he said, is under no obligation to produce any documents or records.

Strikers were deemed eligible to vote if they were employed by Watsonville Canning at the time the strike began, last Sept. 9. Replacement workers were eligible if they were working during the week ending July 26.

Trine denied Monday that the company was asking the union to produce any records. He said Watsonville Canning has consistently stated company payroll records can be examined. Trine said the company tried to give the union such records before the election, but were told that union officials "didn't have time" to look at them.

Lopez, in his conference call with Finkbiner, asked the NLRB official whether it was true that back on July 28, union attorneys asked for the company payroll records.

Finkbiner replied that he did not know about July 28, but that on Aug. 13, the day before the election, the union subpoenaed the company payroll records, which still were not provided. The company had provided the union with a list of replacement workers who it said were eligible to vote, but the list had mostly first initials instead of first names and incomplete addresses, the union has charged.

Finkbiner went on to say that the NLRB could not compel the company to turn over the records.