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U.S Department of Agriculture

Agricultural Outlook Forum 2002

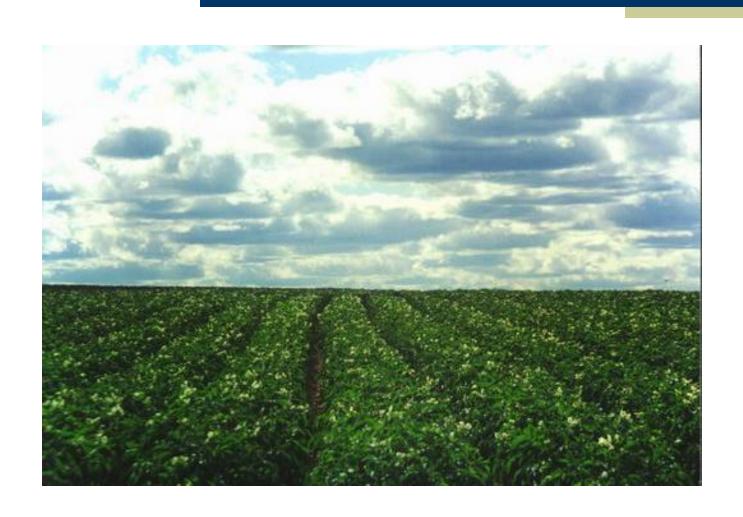
February 21 & 22, 2002

PRODUCER INITIATIVES TO DEAL WITH PRODUCTION CONTRACTS

CONTRACT BARGAINING FOR POTATOES AND OTHER CROPS

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CONTRACT BARGAINING FOR POTATOES AND OTHER CROPS



Agricultural Bargaining Council of Maine

- Organized 1970
- Non-profit corporation
- Represents 90% of growers in Maine
- Represents 92% of processor volume



Maine Agricultural Marketing & Bargaining Act of 1973

- Membership agreement
- Bargaining certification
- Good Faith bargaining
- Required mediation
- Binding arbitration
- Maine Bargaining Board
- Check Off Law



Potato Marketing Association of North America

- 12 Associations
 - 6 States: Washington, Oregon, Idaho, Wisconsin, Minnesota/North Dakota, Maine
 - 6 Provinces: Alberta, Manitoba, Ontario, Quebec,
 New Brunswick & Prince Edward Island
- Sharing information
- Expanding to global



Membership Agreement

- Exclusive agent
- Assessment
- Negotiate contract terms & conditions
- Monitor deliveries
- Clearing house for information
- Promote harmony between growers and processors



Maine Bargaining Board

- Makeup of Board
- Certification of association
- Forum for dispute resolution



Check Off Law

- Required processor to withhold assessment from members
- Required processor to forward to association
- Requires accounting
- May withhold 2% administrative fee



Bargainers Certification

- Numbers to qualified
- Association in good standing
- Financially sound
- Bargaining committees & officers



Good Faith Bargaining

 Law requires good faith bargainers if certified



Voluntary & Required Mediation

- May volunteer for mediation
- Required mediation on time table
- Mediator may call for 2 days more of bargaining
- Write report turn over to arbitrator



Binding Arbitration

- Arbitrator presented with final offer from each party
- Arbitrator has 10 days to pick one or the other
- Arbitrator has broad powers such as:
 - Hold hearings
 - Administer oath
 - Examine, witness, documents
 - Issue subpoenas

