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**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

