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For Immediate Release

Contact: Michael Marsh, President and CEO
(202) 629-9320

NCAE Files Freedom of Information Act Request Regarding USDA Grant Funds

(Arlington, VA) Earlier today, the National Council of Agricultural Employers (NCAE) filed a Freedom of Information Act (FOIA) request with the U.S. Department of Agriculture (USDA) to better understand farmworkers' allegations of coercion by the United Farm Workers (UFW) related to the disbursement of federal grant funds.

"NCAE is calling upon USDA to produce information regarding USDA's relationship with UFW Foundation and their "contact persons", the UFW team, related to the Farm and Food Worker Relief (FFWR) grant program," explained Michael Marsh, President and CEO of NCAE. "Farmworkers' allegations have surfaced across the country and NCAE wants to understand what USDA has done to protect farmworkers and guard against misuse of taxpayer dollars."

In March 2023, USDA initiated the FFWR grant program which provided one tribal entity and 14 non-profit organizations—including the UFW Foundation—roughly \$670 million to issue relief payments of \$600 to farmworkers to help defray expenses they incurred preparing for, preventing exposure to, and responding to the COVID-19 pandemic.

Within the first two months of the program's initiation, NCAE was informed that farmworkers in New York had alleged that UFW Foundation agents apparently misinformed them that signing a UFW "card check" union authorization card was a requirement to obtain the grant funds. If workers were coerced or "tricked" into signing union cards to receive the one-time \$600 grant payment and the unionization effort was successful, the workers alleged they were now required pay the union a portion of their wages in dues.

**1550 Wilson Boulevard, Suite 700
Arlington, VA 22209
202-629-9320**

NCAE immediately shared the farmworkers' concerns with Secretary Vilsack and encouraged USDA to investigate the alarming reports.

NCAE likewise expressed the concern to USDA that New York farmworkers were specifically targeted because the New York legislature had recently passed a "card check" law that abandoned farmworker protections inherent in a secret ballot union election. Under the law, a union becomes the authorized bargaining representative with more than 50% of the workforce signing a union authorization card.

USDA replied to NCAE's request for an investigation into the allegations, that USDA would conduct additional training and oversight such as program audits.

Distressingly, in March of this year, following California's adoption of a similar "card check" law, NCAE learned from media that 148 farmworkers in California had expressed in written declarations that some were allegedly misinformed by UFW Foundation's agents that signing a UFW union authorization card was a requirement to obtain their \$600 payment.

NCAE immediately shared the farmworkers' concerns with Secretary Vilsack, along with the many media reports documenting the situation, and encouraged USDA to investigate those alarming reports yet again.

It is unclear whether the training and oversight USDA had promised to conduct failed to occur, failed to instruct, or was simply ignored.

"USDA entrusted the UFW Foundation with almost \$98 million of taxpayer funding to issue FFWR payments to farmworkers," explained Marsh. "It is outrageous for one farmworker to experience the coercion or trickery that they have alleged. To have it occur repeatedly is unacceptable."

NCAE is the national trade association focusing on agricultural labor issues from the employer's viewpoint.

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