

FLOC v. Cooper

Civil Rights Coalition Fights Unconstitutional and Anti-worker North Carolina Farm Labor Act

The Farm Labor Organizing Committee (FLOC) and two farmworkers have filed suit against North Carolina Governor Roy Cooper in response to unconstitutional and anti-worker legislation passed by the Republican supermajority state legislature.

At heart of the lawsuit is the ability of North Carolina's 100,000 farmworkers – of whom 90% or more are Latinx and of Mexican heritage– to exercise their First Amendment rights to association and expression and collectively bargain in the state for fair wages and working conditions.

Intentionally tacked on at the last minute to a larger bill that had nothing to do with farmworkers or unions, the amendment makes it impossible for FLOC – the only farm worker union organizing in North Carolina – to enter into voluntary, legal agreements with growers to allow workers to choose to have union dues deducted from their pay.

North Carolina is already “right to work” state and therefore any agreement to dues deductions would have occurred only at the request of individual workers, and only if the agricultural employers agreed to honor these requests.

The law also makes it impossible for lawsuits to be settled with a term agreeing that the employer will recognize the union, and totally blocks FLOC's ability to settle any lawsuits with agricultural producers in the state.

The law comes after FLOC members have publicly spoken out about many labor and human rights violations occurring in the agricultural industry in North Carolina, including many successful legal claims, public education campaigns, and efforts to pressure tobacco giants such as Reynolds American to improve conditions for workers in their supply chain through more fair contracting methods and higher prices for NC tobacco growers.

The amendment was sponsored by Rep. Jimmy Dixon at the urging of the Farm Bureau and some North Carolina agricultural producers.

North Carolina State Senator Brent Jackson, who owns Jackson Farming Company and was recently sued for wage theft by Latino farmworkers, aided by FLOC, was a sponsor of the bill.

