



LEGISLATIVE ETHICS COMMITTEE
COMPLAINT FORM

Date Received: _____
Case Number: _____

The Legislative Ethics Committee has the authority to investigate complaints against legislators for alleged violations of matters covered by Chapter 138A of the North Carolina General Statutes ("The State Government Ethics Act) or Article 14 of Chapter 120 (Legislative Ethics Act).

CONTACT INFORMATION

(Please Type or Print clearly)

The State Government Ethics Act requires that a complaint contain the name, address, and telephone number of the person filing the complaint. The Legislative Ethics Committee cannot accept anonymous complaints.

Printed Name: Julie Taylor / National Farm Worker Ministry

Address: 112 Cox Avenue, Ste. 208

City: Raleigh

State: North Carolina

Zip: 27605

Telephone No: (919) 807-8707

NATURE OF THE COMPLAINT

The Legislative Ethics Committee only has jurisdiction over legislators. It does not have jurisdiction over legislative employees, public servants, or judicial officers.

1. Identify the person who you believe may have violated specific provisions of the State Government Ethics Act or the Legislative Ethics Act:

Name: Brent Jackson

Office of the person against whom this complaint is filed: State Senator, District 10

2. Provide the date(s) the alleged violation occurred: On or around June 25-June 28, 2017
3. Please provide a concise statement of the nature of your complaint **and** specific facts indicating that a violation of Chapter 138A (the State Government Ethics Act) *or* Chapter 120 (the Legislative Ethics Act) of the North Carolina General Statutes has occurred. Please provide as much detail as possible and attach any documentation you have that supports your claim. *Attach additional pages if needed.*

Senator Jackson is the owner of a diversified farm in Autryville, NC and employs over 100 employees to plant, cultivate, and harvest numerous crops. A group of his employees have joined the Farm Labor Organizing Committee (FLOC), a labor union, and sought to improve wages, treatment, and work conditions over the past three years. In 2015, seven employees filed a federal civil claim against Senator Jackson's farm, seeking back wages for time worked while "off the clock." In 2016, these seven were not hired back to the farm. They amended their claims in court to include retaliation and through the help of their union, FLOC, they publicized their belief that they were retaliated against through collective action in person, on social media, and through press events. After a mediation session, these claims were resolved through a financial settlement that was given final approval by a federal court judge in July, 2017. In late June, 2017, Senator Jackson sponsored a bill aimed at stopping other members of FLOC from speaking out about similar violations and continuing their efforts to improve wages and work conditions on farms in North Carolina.

Senate Bill 615 made it illegal for farmers to agree to deduct voluntary union dues from workers who want to pay those dues. It also made it illegal for a farmer and his or her workers to reach a legal settlement that includes an agreement with a labor union. The bill was clearly aimed at stopping FLOC and their members from achieving sufficient resources to continue their work. It also sought to stop farmers and workers from reaching mutually beneficial agreements to try and limit union agreements in the state. If the bill has its intended effect and NC agricultural workers are not able to come together to speak out about wage and other violations or to advocate for improved wages and work conditions through collective bargaining agreements, Senator Jackson stands to receive a direct financial benefit from his ability to pay workers less, fire and hire his workers without any justification or seniority rights, and use supervisors that are verbally abusive to employees and intimidate them into not speaking out when problems arise.

Because of his direct financial connection to the subject matter, Sen. Jackson should not have sponsored a bill to try and stop agricultural workers from organizing and successfully improving work conditions through joining labor unions and negotiating collective bargaining agreements.

Attach additional pages if needed.

4. If possible, check the statutory provision you believe has been violated (*check all that apply*):

Chapter 138A: the State Government Ethics Act

- Use of public position for private gain (§138A-31)
- Receipt of a prohibited gift (§138A-32)
- Conflict of interest while taking legislative action (§138A-37)

Article 14 of Chapter 120 of the General Statutes (Legislative Ethics Act):

- Bribery (§120-86)
- Personnel-related action (§120-86.1)
- Disclosure of confidential information (§120-87)
- A specific violation of the criminal law by a legislator while acting in the legislator's official capacity as a participant in the lawmaking process (§120-103.1(a)(3)). Please specify the particular criminal law allegedly violated:

Violation of an Ethical Principle and Guideline adopted by the Legislative Ethics Committee:

Other (please explain) _____

5. Provide the names of other persons who may have information that would support your allegations.

Justin Flores, Vice-President, Farm Labor Organizing Committee

6. State whether the individuals and conduct complained of have been the subject of a prior complaint or proceeding of any kind. If so, state the place where the prior complaint was filed and its current status.

No

SWORN COMPLAINT

I hereby swear or affirm, under penalty of perjury and other penalties established by North Carolina law, that the information provided in this complaint is true, correct, complete, and of my own personal knowledge, or if not, I believe the information to be true based upon:

Signature July 18, 2017

Date

STATE OF NORTH CAROLINA
COUNTY OF Wake

SWORN TO (or affirmed) and subscribed before me this day by: _____

Date: _____ Official Signature of Notary Public _____

Typed or Printed Notary Name: _____

(Official Seal) My Commission Expires: _____

Submit the completed sworn complaint to:
Cochairs, Legislative Ethics Committee
c/o Research Division, North Carolina General Assembly
300 N. Salisbury Street
Room 545, Legislative Office Building
Raleigh, North Carolina 27603-5925.