

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

INTERNATIONAL LONGSHORE AND
WAREHOUSE UNION,

Complainant,

v.

MONSANTO COMPANY,

Respondent.

CASE NO. 06-1(R)

ORDER NO. 2390

ORDER DETERMINING APPROPRIATE
BARGAINING UNIT AND DIRECTING
ELECTION; EXHIBITS A AND B

ORDER DETERMINING APPROPRIATE
BARGAINING UNIT AND DIRECTING ELECTION

On May 2, 2006, Petitioner INTERNATIONAL LONGSHORE AND WAREHOUSE UNION, LOCAL 142 ("ILWU" or "Union") filed a Petition for Determination of Collective Bargaining Unit and Election of Collective Bargaining Representative with the Hawaii Labor Relations Board ("Board"). The ILWU requested the Board to proceed pursuant to Hawaii Revised Statutes ("HRS") § 377-5 to determine the appropriate bargaining unit and conduct an election for certain employees of MONSANTO COMPANY ("MONSANTO" or "Employer").

Initially, on May 16, 2006, the Employer filed a Motion to Stay Proceedings Pending Outcome of Proceedings Before National Labor Relations Board because the ILWU had previously filed a similar petition with the National Labor Relations Board ("NLRB"). Thereafter, the ILWU filed a Statement of Objection to Employer's Motion to Stay Proceedings Pending Outcome of Proceedings Before National Labor Relations Board Filed 5/15/06. The ILWU contended that the motion was essentially moot because it had withdrawn its petition before the NLRB.

After several continuances, the Board conducted a pre-election conference by conference call on May 23, 2006. The Board agreed that the Employer's motion for a stay was moot. Thereafter, the parties, by and through their counsel, attempted, but were unable to agree on the composition of the bargaining unit.

The Board conducted a hearing on the composition of the bargaining unit on July 12 and 13, 2006. At the conclusion of the hearing, the parties agreed to submit closing

briefs by August 10, 2006 and any motions by July 24, 2006. Thereafter, on July 24, 2006, the Employer filed a Motion to Disqualify or for Withdrawal by a Board Member. On July 31, 2006, the ILWU filed a Memorandum in Opposition to Monsanto Company's Motion to Disqualify or for Withdrawal by a Board Member Filed July 24, 2006 and on August 1, 2006, the Board Chair issued a Withdrawal from Participation in Further Proceedings.¹

On August 11, 2006, the Employer, by and through its counsel, filed a request to extend the time to file briefs. In Order No. 2378, dated August 14, 2006, the Board granted the Employer's request to extend the filing date for closing briefs. The parties, by and through their counsel, filed closing briefs with the Board on August 14, 2006.

Based upon a review of the record in this case and the arguments in the parties' closing briefs, the parties dispute the eligibility of Timothy Burdeshaw ("Burdeshaw"), Kenneth Mansfield ("Mansfield"), the Field Crew Leads, Vladimir Montiero, Tim Mulkern, and Jasper Terulin to vote in a representation election for the instant bargaining unit. The parties also dispute the eligibility cutoff date for bargaining unit members, as well as proposed election dates. After a careful review of the record, the Board makes the following findings of fact, conclusions of law, and order resolving the disputed issues regarding the composition of the appropriate bargaining unit.

FINDINGS OF FACT

1. Petitioner ILWU was for all relevant times an employee organization which represents employees for the purposes of collective bargaining within the meaning of HRS § 377 - 1(5).
2. MONSANTO was for all relevant times a world-wide seed and crop protection chemical company engaged primarily in corn seed research and production at its farms located on Maui. MONSANTO employs approximately 400 employees on Maui including agricultural employees and thus is an employer within the meaning of HRS § 377 - 1(2).
3. MONSANTO has three main research farms on Maui, including the Piilani farm, Mokulele farm and the Malalae farm. MONSANTO also conducts farming operations for the purpose of growing seed in quantity at its "Foundation" department farm in Kaanapali.

¹Inasmuch as the Chair withdrew from participation in these proceedings, the Employer's motion to disqualify is moot.

4. MONSANTO has a multi-season program to grow corn at an accelerated pace because Hawaii's climate can accommodate four growing seasons during a calendar year. Transcript ("Tr.") p. 99.
5. On the three research farms, field crews tend to the systematic pollination and cross-pollination of each corn plant. Each plant is marked and labeled; paper bags are placed over the silks and tassels to ensure that each plant is pollinated by the proper strain. Through selection and control of the pollination process, specific traits and desirable characteristics are developed, such as resistance to pests, weeds, or drought.
6. The field crews perform all the manual tasks related to the plants, including sampling, intercrossing, or harvesting and the machine operations, including irrigating, fertilizing, planting and cultivation. Tr. p. 101.
7. The maintenance workers maintain the equipment, machinery and pumps. Tr. p. 102.
8. At the commencement of the hearing on July 12, 2006, the ILWU stipulated to the inclusion of previously disputed or questioned employees² in the appropriate bargaining unit. The ILWU stipulated to include Angelita Inay, Rolando Nicolas, Cecil Asuncion, Henry Hedden, Michael Barlow, Julius Cuaresma, Paul Fanesog, Evelyn Agodon, Rublej Aisa, Orlando Castres, Calvin Clark, Rowene Eleneki, Maxinson Gallen, Damasa Juan, Jason Knoche, Sam Smith, and Richard Tasse.
9. In its Post-hearing Memorandum filed on August 14, 2006, the ILWU stipulated that Asuela is eligible to vote. Post-Hearing Memorandum of ILWU, Local 142, filed on August 14, 2006, p. 10. The ILWU further did not contest the inclusion of Filomena Saclayan, Jesusa Mabini, and Tranquilino Papagayo in the bargaining unit and their eligibility to vote. *Id.*, p. 11. The ILWU also referenced the exclusion and ineligibility of Paul Koeler, Arena Tabigne, Joel Para, Maryanne Texeira, Roy Asao, Alexis Henzel, and Nena Bilan.³ *Id.*

²The ILWU set forth its disputed or questioned individuals in its Union's Position Statement filed with the Board on July 5, 2006.

³By letter dated June 2, 2006, ILWU's counsel informed the Employer's counsel that these "remaining seven (7) individuals within the classification of prefoundation/foundation, field research technician, research assistant, research assistant senior, research associate, and safety technician do not fall under the 'Agriculture' Unit and should be excluded from the Bargaining Unit as petitioned for by the Union." The Employer has not contested the exclusions of these employees

10. The ILWU identified three individuals Vladimir Monteiro, Tim Mulkern, and Jasper Terulin who are temporary workers hired on June 6, 2006 to work in the Maintenance Department as excluded from the appropriate unit and therefore ineligible to vote in any election. Tr. pp. 126-129.
11. Mansfield is classified as a Seed Tech I. Tr. p. 136. Seed Techs operate farm equipment; the designation of I, II, III, or IV indicates experience at operating more complex farm machinery. The ILWU agreed to include six Seed Tech I's, six Seed Tech II's, one Seed Tech III, and one Seed Tech IV in the appropriate bargaining unit. There is no evidence that Mansfield possesses supervisory authority and the Board finds that Mansfield is not employed in a supervisor capacity.
12. Burdeshaw is a Maintenance Tech II in the Foundation operation where the seed corn is grown in quantity. Burdeshaw does not supervise any other workers and works alone in the repair shop. Tr. pp. 51, 63, 67. Burdeshaw's generic Job Profile indicates that he would "Supervise Maintenance Technician I and associated support personnel." Union's Exhibit I. Although Burdeshaw is not supervising other workers at this time, his Job Profile clearly includes supervisory duties and would perform supervisory duties should a Maintenance Tech I or other support personnel be assigned to him. The Board finds that Burdeshaw is employed in a supervisory capacity.
13. Henry Hedden ("Hedden") and Michael Barlow ("Barlow") are also Maintenance Tech II's (Employer's Exhibit C) and stipulated to be included in the bargaining unit. However, given that their generic Job Profiles of Maintenance Tech II include supervisory duties, the Board finds that Hedden and Barlow are employed in a supervisory capacity.
14. MONSANTO employees 32 Field Crew Leaders who are responsible to oversee the work of crews of between 5 and 30 Field Crew Members. According to the Job Profile of the Field Crew Lead, the Key Business Accountabilities include "Assist salaried staff members in providing supervision, training, and direction to other field crew members." (Employer's Ex. 5) According to the Scope of the Job, the Leads are "Responsible for supervising other field crew members when directed by management." Id.
15. The Field Crew Leads are responsible for monitoring and supervising the work of the field crew and report to the Research Assistants and managers who are not often present in the field. Tr. pp. 176 and 380. The Field Crew Leads report problems in the field to the Research Assistants and have the discretion

from the bargaining unit.

to assign overtime work to crew members. Tr. pp. 161, 190-92, 219. The Field Crew Leads prepare annual employee evaluations of the crew members which MONSANTO relies upon to determine pay increases, as well as whether the employees should be laid off or retained. Tr. pp. 197, 240. The Field Crew Leads also recommend hiring or firing, which recommendations are given weight by the managers. Tr. pp. 193-94.

16. The ILWU's proposal to conduct an election on August 17, 2006 would not provide sufficient time for the Board to properly notice an election. The Employer's proposal to have the Board conduct the election in late September, inter alia, would enable employees currently on extended leaves to return and permit the Board to prepare for the representation election.

CONCLUSIONS OF LAW.

1. The Board has jurisdiction over the instant petition pursuant to HRS § 377-5.
2. Pursuant to the stipulation of the parties, Angelita Inay, Rolando Nicolas, Cecil Asuncion, Henry Hedden, Michael Barlow, Julius Cuaresma, Paul Fanesog, Evelyn Agodon, Rublej Aisa, Orlando Castres, Calvin Clark, Rowene Eleneki, Maxinson Gallen, Damasa Juan, Jason Knoche, Sam Smith, and Richard Tasse are included in the appropriate bargaining unit.
3. Without objection from the ILWU, Asuela, Filomena Saclayan, Jesusa Mabini, and Tranquilino Papagayo are included in the bargaining unit.
4. In the absence of objection from the Employer and evidence to the contrary, Paul Koeler, Arena Tabigne, Joel Para, Maryanne Texeira, Roy Asao, Alexis Henzel, and Nena Bilan are excluded from the bargaining unit.
5. HRS §377-1(13) provides the definition of an individual employed in an executive or supervisory capacity as follows:

“Person employed in an executive or supervisory capacity” means any employee who has the authority to hire or fire other employee or whose suggestions and recommendations as to hiring or firing and as to the advancement, promotion, or demotion of other employees will be given particular weight...
6. As there is no evidence to support the conclusion that Seed Tech I Mansfield is employed in a supervisory capacity, the Board concludes that Mansfield is

included in the appropriate bargaining unit and eligible to vote. The party challenging his inclusion has the burden of proof.

7. Burdeshaw works alone in the maintenance section at this time. However, according to his Job Profile, he has supervisory authority over others in his unit. Thus, the Board concludes that Burdeshaw is a supervisor and excluded from the bargaining unit.
8. Notwithstanding the agreement of the parties to have the other Maintenance Tech II's included in the bargaining unit, as the position description is generic and applies to all employees, the Board concludes that all Maintenance Tech II's, including Hedden and Barlow, are also excluded from the bargaining unit and ineligible to vote in any representation election.
9. The Field Crew Leads are employed in a supervisory capacity as they are responsible for monitoring the work of their crews and supervise them in the field. They evaluate the work of their crew members and their recommendations on the crew members' job performance is given weight by the MONSANTO managers. The Field Crew Leads are responsible to correct the workers and assign overtime if required. The Field Crew Leads are excluded from the appropriate bargaining unit and are ineligible to vote.
10. In order to ensure a vote by the current employees, the Board imposes as the eligibility cutoff date the end of the payroll period immediately prior to the issuance of this order. Thus, Vladimir Monteiro, Tim Mulkern, and Jasper Terulin who are temporary workers⁴ hired on June 6, 2006 to work in the Maintenance Department are included within the appropriate bargaining unit and eligible to vote.

DIRECTION OF ELECTION

Pursuant to a Petition filed under HRS § 377-5(c), the Hawaii Labor Relations Board (Board), having ascertained that there is a question concerning the representation of certain employees of MONSANTO for the purposes of collective bargaining, directs an election as follows:

⁴In M.B. Sturgis, Inc., 331 N.L.R.B. No. 173 (2000), the National Labor Relations Board held that temporary employees may join a bargaining unit of permanent employees, so long as they are in the same "community of interest" as the permanent employees. Absent evidence that the employees do not share the same community of interest as the permanent employees, the temporary nature of employment does not preclude their inclusion in the bargaining unit.

1. SECRET BALLOT ELECTION: An election by secret ballot shall be conducted by a Board representative among the employees named in Exhibit A, which is attached hereto and made a part hereof, to determine whether or not such employees desire to be represented by the Union. Said election shall be held at the time and place indicated in the Notice of Election, which is attached hereto and made a part hereof as Exhibit B.

2. BARGAINING UNIT: The appropriate bargaining unit shall consist of the following:

INCLUDED: All full-time (F/T) and part-time (P/T) Field Laborer, Heavy Equipment Operator, Screener, Potter, Pollinator, Bird Watcher, Seed Lab Worker, Transplanter, Seed Sampler, Irrigator, Janitor, and Lead Heavy Equipment Operator.

EXCLUDED: All Section Managers, Scientists (Professionals), Accounting Clerks, Administrative Clerks, Safety Director, Assistants to Managers, All Salaried Employees, All Clerical Employees, Accounting Employees, Confidential Employees, Supervisors. Guards and/or watch persons as defined in the Act.

3. ELIGIBLE VOTERS: The eligible voters shall be those employees included within the unit described above who are listed in Exhibit A.

Employees who did not work during certain payroll periods because they were ill or on vacation or temporarily laid off and employees in the armed forces of the United States who present themselves in person at the polls are eligible. However, employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of election are ineligible.

A list of eligible voters will be attached to the Notice of Election as Exhibit 1.

4. LIST OF EMPLOYEES. On or before August 28, 2006, the Employer shall submit to four copies (4) of a list of bargaining unit employees and their home addresses to the Board.

5. NOTICE OF ELECTION: The Board shall prepare a Notice of Election, referred to as Exhibit B, *supra*. The Employer, upon the request of, and at a time designated by the Board, shall post copies of said Notice of Election at conspicuous and usual posting places on the premises of the Employer so as to afford all interested persons notice of the pending election. The Employer shall certify to the Board that the notices have been posted.

6. OBSERVERS: The Employer and the Union shall be entitled to station an equal number of authorized observers, not to exceed (three) per side, selected from among the nonsupervisory employees of the Employer in the designated polling places during the election to assist in its conduct, to challenge the eligibility of voters, and to verify the tally. The Employer and the Union shall file a letter with the Board indicating the names of their authorized observers by September 18, 2006. The Board representative may have other duly authorized representatives present at the time of voting to assist in any manner.

7. PREPARATION OF POLLING PLACE: The Employer shall be responsible for the preparation of the polling place to accommodate the election process.

8. HANDING OUT BALLOTS: Each voter shall be handed a ballot by the Board representative in the presence of the observers. The representative shall be authorized to explain to any voter making inquiry regarding the methods of marking the ballot. The services of an interpreter may be employed if necessary. Any further information requested by a voter shall be given only by the representative, through the interpreter, if necessary, and only after agreement of both observers.

9. MARKING OF BALLOTS: Each ballot shall be marked by pencil or pen in only one of the squares shown on the ballot. Ballots not marked or improperly marked or ballots signed shall be rejected.

10. CHALLENGES AND REPORTS THEREON: All challenged ballots shall be counted separately and the reason for the challenge recorded in the manner prescribed by the Board representative. If challenged ballots are determinative of the election, the Board shall investigate the challenge and make a finding with respect thereto, which finding shall be binding upon all parties.

11. DETERMINATION OF ELECTION: A majority of the valid ballots cast shall determine the question of representation for the employees of the Employer who are included in the bargaining unit hereinbefore described.

Immediately upon the conclusion of the election, the votes shall be counted and tabulated by the Board representative in the presence of the observers, and the representative shall report to the Employer and the Union the results of the election by furnishing a Tally of Ballots.

Thereafter, the Board shall certify the results of the election in accordance with the provisions of the Hawaii Labor Relations Act.

12. RUN-OFF PROCEDURE: In the event that no choice on the ballot in the election receives a majority of the valid ballots cast, the Board shall proceed in accordance with § 377-5(d), HRS.

INTERNATIONAL LONGSHORE AND WAREHOUSE UNION, LOCAL 142 and MONSANTO
COMPANY
CASE NO. 06-1(R)
ORDER NO. 2390
ORDER DETERMINING APPROPRIATE BARGAINING UNIT AND DIRECTING ELECTION

DATED: Honolulu, Hawaii, August 17, 2006.

HAWAII LABOR RELATIONS BOARD



EMORY J. SPRINGER, Member



SARAH R. HIRAKAMI, Member

Copies sent to:

Richard E. Jaudes, Esq.
Richard M. Rand, Esq.
Danny Vasconcellos, Esq.

EMPLOYEE LISTING

Employee Name

Aceres, Tarciana
Acob, Charlita
Acob, Leila
Adame, Moises
Adzuara, Pastor
Agnó, Lucita
Agodon, Evelyn
Agonoy, Ofelia Lucia
Agonoy, Paulino
Agorilla, Monica
Agsalud, Alberto
Agsalud, Andrea
Aguinaldo, Agustina
Aisa, Rublej
Albano, Fe
Alejo, Amelia
Alejo, Celestino
Alejo, Christopher
Alejo, Jessie
Alejo, Wilfredo
Alipio, Alberto
Allado, Pacifico
Allado, Veronica
Amolacion, Rudy
Antonio, Maria Rosalina
Aquino, Felisa
Arreola, Eduardo
Arrocena, Editha
Arrocena, Mercedes
Asuela, Lesmond
Asuncion, Cecil
Asuncion, Edita
Atiburcio, Nelia
Atiburcio, Victorino
Balderama, Maribeth
Ballesteros, Maria
Ballesteros, Nena
Barbado, Juanito
Bareng, Filomena
Bareng, Lucrecia
Barrientos, John Paul

Batoon, Florencia
Batoon, Rosendo
Batoon, Victoriano
Bautista, Feliza
Baysa, Rosita
Bertomen, Vicente
Brown, Joshua
Buenavista, Adelina
Bugaoisan, Ponciano
Caabay, Eduardo
Caabay, Nemesia
Cabaccang, Geraldine
Cabaccang, Perfecto
Caban, Elena
Cabanas, Leo
Cabang, Romeo
Cabanting, Nino
Cabrera, Patrocinio
Cabrera, Virginia
Cacho, Arnel
Cadang, John
Cadavona, Julia
Cadavona, Rudy
Cadelinia, Clara
Cadelinia, Norverto
Cadiante, Juan
Cadiz, Policarpo
Calija, Consolacion
Calija, Santiago
Camalig, Cristina
Camelosa, Rogelio
Camungao, George
Canosa, Cecilio
Cardinez, Pablita
Carpio, Laurencia
Casta, Rogelio
Castillo, Andres
Castillo, Herminio
Castres, Orlando
Ceria, Margarita
Charley, Winson
Chua, Eleanor
Clark, Calvin
Corpuz, Emilia

Corpuz, Onofre
Cortez, Geronimo
Cuaresma, Julius
Cube, Dominga
Dagdag, Benjamin
Daguio, Jorge
Dahilig, Edward
Dahilig, Merylyn
Dahilig, Robertly
Damo, Alipia
Damo, Esmeralda
Damo, Fely
Damo, Mildred
De Peralta, Zenaida
DeLaCruz, Felicitas
Delacruz, Maria
Domingo, Benjaminita
Drapete, Cristina
Dumlao, Roberta
Dunn, Jeanne
Edmalin, Rudmar
Edmalin, Virgin
Elaydo, Constante
Elaydo, Pacita
Eleneki, Rowene
Estacio, Necitas
Estomen, Eugenia
Ezra, Francis
Fagaragan, Constancia
Fajardo, Dominador
Fanesog, Paul
Gajdusek, Jason
Galapia, Aileen
Galapia, Winnie
Galiza, Sherwin
Gallen, Maxinson
Garcia, Herminio
Garcia, Remedios
Godoy, Felix
Gonzales, Resty
Gonzales, Zenaida
Guzman, Consuelo
Guzman, Fedore
Guzman, Loreto

Haban, Jeffrey
Haban, Myrna
Hilde, Kristopher
Hinds, Oliver
Ibanez, Venerando
Ildfonso, Delia
Inay, Angelita
Ioanis, Richard
Juan, Damasa
Knoche, Jason
Kojenlang, Hilton
Labuguen, Romel
Lajorda, Ruel
Lampitoc, Alvin
Leano, Flordelino
Leones, Judy
Leones, Oscar
Long-Gat, Gerardo
Lorenzo, Amor
Lucendo, Alejandria
Lugerang, Francis
Mabini, Jesusa
Macadangdang, Julio
Macadangdang, Lucrec
Macadangdang, Richar
Magaoay, Leon
Magdirila, Aurora
Magliba, Dominga
Magliba, Rodrigo
Malicad, George
Mamuad, Nicolasa
Mansfield, Kenneth
Manuel, Romualdo
Mateo, Benedicto
Medrano, Avicia
Mendoza, Jose
Mercado, Carlos
Mercado, Von Ryan
Miguel, Mark Bryan
Miguel, Vivian
Molina, Isidro
Molina, Rosita
Monteiro, Vladimir
Morales, Nida

Mulkern, Tim
Mwarecheyoung, Quint
Naidas, Jayson
Nicolas, Rolando
Oandasan, Mariano
Pablo, Sabina
Padasdao, Gregorio
Padiong, Joel
Pagador, Emerita
Pagala, Aniceta
Pagala, Dionicio
Pallas, Leonora
Paludipan, Francisco
Papagayo, Tranquilino
Paragas, Ernesto
Paragas, Marina
Paranaque, Marqueza
Pascua, Carolina
Pascua, Jimmy
Patao, Arsenia
Paz, Macrina
Paz, Norman
Peter, Oliver
Pinquian, Domingo
Quedding, Amalia
Quedding, Dandy
Queja, Florentino
Quinsaat, Anacleta
Rabang, Benita
Rabang, Ciriaco
Ramento, Angela
Ramento, Jonell
Ramiscal, Dolores
Ramos, Enrico
Ramos, Erick
Ramos, Ester
Ramos, Iluminada
Ramos, Manuel
Ramos, Teresita
Ranchez, Carmelita
Ranchez, Nesley
Ranchez, Niranio
Ranchez, Sonia
Rekis, Rex

Rimalos, Buenaventura
Rimalos, Erlinda
Rivera, Castora
Rosetes, Natividad
Rumbaoa, Desiderio
Saclayan, Filomena
Sagario, Demetrio
Salazar, Angela
Salazar, Constante
Sanchez, Juliana
Santiago, Kristina
Santiago, Vanessa
Siazon, Ambrocia
Smith, Sam
Sobrepena, Martina
Sonis, Brand
Sonis, Manny
Sonis, Mason
Tabag, Jerry
Tabag, Leonida
Tabag, Maricel
Tabag, Raymond
Tabag, Romeo
Tablang, Erwin
Tabrilla, Marciana
Taroma, Leticia
Tasse, Richard
Terluin, Jasper
Tiri, Basilia
Tobias, Alfonsa
Trilles, Juan
Tumacder, James
Tumacder, Jerald
Tumacder, Josephine
Tumacder, Sheina
Uberita, Adelina
Uberita, Ernesto
Uberita, Feliciano
Utrera, Felipe
Vallesteros, Indelicio
Velasco, Maria
Velasco, Pedro
Vergara, Dionicio
Viernes, Benito

Viernes, Efren
Viernes, Marianita
Viernes, Reynaldo
Villamor, Enrique
Villamor, Gloria
Visaya, Rosita
Vite, Marina
Yadao, Lilia
Yadao, Lorinel
Yago, Andres
Yago, Isabel
Zerna, Josefino

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

INTERNATIONAL LONGSHORE AND
WAREHOUSE UNION,

Complainant,

v.

MONSANTO COMPANY,

Respondent.

CASE NO. 06-1(R)

NOTICE OF ELECTION TO CERTAIN
EMPLOYEES OF MONSANTO
COMPANY; EXHIBITS 1 AND 2

NOTICE OF ELECTION TO CERTAIN EMPLOYEES OF MONSANTO COMPANY

An election will be held to determine whether certain employees of the MONSANTO COMPANY wish to be represented for the purpose of collective bargaining by the INTERNATIONAL LONGSHORE AND WAREHOUSE UNION, LOCAL 142.

The election will be held on September 28, 2006 at MONSANTO's Piilani Highway Farm, Warehouse, 2111 Piilani Highway, Kihei, Hawaii 96753. The voting hours will be between 6:30 - 10:00 a.m. and 12:30 - 4:30 p.m.

At the option of the representative of the Hawaii Labor Relations Board, the polls may be reopened at a time and place specified by said representatives in order to permit any employee to vote who was unable to do so at the time specified above because of being on company business.

A list of those who are eligible to vote is attached to this Notice as Exhibit 1. A sample ballot is attached as Exhibit 2.

DATED: Honolulu, Hawaii, August 17, 2006.

HAWAII LABOR RELATIONS BOARD



SARAH R. HIRAKAMI, Member

Copies sent to:
Danny Vasconcellos, Esq.
Rick Jaudes, Esq.
Richard M. Rand, Esq.

EMPLOYEE LISTING

Employee Name

Aceres, Tarciana
Acob, Charlita
Acob, Leila
Adame, Moises
Adzuara, Pastor
Agnó, Lucita
Agodon, Evelyn
Agonoy, Ofelia Lucia
Agonoy, Paulino
Agorilla, Monica
Agsalud, Alberto
Agsalud, Andrea
Aguinaldo, Agustina
Aisa, Rublej
Albano, Fe
Alejo, Amelia
Alejo, Celestino
Alejo, Christopher
Alejo, Jessie
Alejo, Wilfredo
Alipio, Alberto
Allado, Pacifico
Allado, Veronica
Amolacion, Rudy
Antonio, Maria Rosalina
Aquino, Felisa
Arreola, Eduardo
Arrocena, Editha
Arrocena, Mercedes
Asuela, Lesmond
Asuncion, Cecil
Asuncion, Edita
Atiburcio, Nelia
Atiburcio, Victorino
Balderama, Maribeth
Ballesteros, Maria
Ballesteros, Nena
Barbado, Juanito
Bareng, Filomena
Bareng, Lucrecia
Barrientos, John Paul

Batoon, Florencia
Batoon, Rosendo
Batoon, Victoriano
Bautista, Feliza
Baysa, Rosita
Bertomen, Vicente
Brown, Joshua
Buenavista, Adelina
Bugaoisan, Ponciano
Caabay, Eduardo
Caabay, Nemesia
Cabaccang, Geraldine
Cabaccang, Perfecto
Caban, Elena
Cabanas, Leo
Cabang, Romeo
Cabanting, Nino
Cabrera, Patrocinio
Cabrera, Virginia
Cacho, Arnel
Cadang, John
Cadavona, Julia
Cadavona, Rudy
Cadelinia, Clara
Cadelinia, Norverto
Cadiente, Juan
Cadiz, Policarpo
Calija, Consolacion
Calija, Santiago
Camalig, Cristina
Camelosa, Rogelio
Camungao, George
Canosa, Cecilio
Cardinez, Pablita
Carpio, Laurencia
Casta, Rogelio
Castillo, Andres
Castillo, Herminio
Castres, Orlando
Ceria, Margarita
Charley, Winson
Chua, Eleanor
Clark, Calvin
Corpuz, Emilia

Corpuz, Onofre
Cortez, Geronimo
Cuaresma, Julius
Cube, Dominga
Dagdag, Benjamin
Daguio, Jorge
Dahilig, Edward
Dahilig, Marilyn
Dahilig, Robertly
Damo, Alipia
Damo, Esmeralda
Damo, Fely
Damo, Mildred
De Peralta, Zenaida
DeLaCruz, Felicitas
Delacruz, Maria
Domingo, Benjaminita
Drapete, Cristina
Dumlao, Roberta
Dunn, Jeanne
Edmalin, Rudmar
Edmalin, Virgin
Elaydo, Constante
Elaydo, Pacita
Eleneki, Rowene
Estacio, Necitas
Estomen, Eugenia
Ezra, Francis
Fagaragan, Constancia
Fajardo, Dominador
Fanesog, Paul
Gajdusek, Jason
Galapia, Aileen
Galapia, Winnie
Galiza, Sherwin
Gallen, Maxinson
Garcia, Herminio
Garcia, Remedios
Godoy, Felix
Gonzales, Resty
Gonzales, Zenaida
Guzman, Consuelo
Guzman, Fedore
Guzman, Loreto

Haban, Jeffrey
Haban, Myrna
Hilde, Kristopher
Hinds, Oliver
Ibanez, Venerando
Ildefonso, Delia
Inay, Angelita
Ioanis, Richard
Juan, Damasa
Knoche, Jason
Kojenlang, Hilton
Labuguen, Romel
Lajorda, Ruel
Lampitoc, Alvin
Leano, Flordelino
Leones, Judy
Leones, Oscar
Long-Gat, Gerardo
Lorenzo, Amor
Lucendo, Alejandria
Lugerang, Francis
Mabini, Jesusa
Macadangdang, Julio
Macadangdang, Lucrec
Macadangdang, Richar
Magaoay, Leon
Magdirila, Aurora
Magliba, Dominga
Magliba, Rodrigo
Malicad, George
Mamuad, Nicolasa
Mansfield, Kenneth
Manuel, Romualdo
Mateo, Benedicto
Medrano, Avicia
Mendoza, Jose
Mercado, Carlos
Mercado, Von Ryan
Miguel, Mark Bryan
Miguel, Vivian
Molina, Isidro
Molina, Rosita
Monteiro, Vladimir
Morales, Nida

Mulkern, Tim
Mwarecheyoung, Quint
Naidas, Jayson
Nicolas, Rolando
Oandasan, Mariano
Pablo, Sabina
Padasdao, Gregorio
Padiong, Joel
Pagador, Emerita
Pagala, Aniceta
Pagala, Dionicio
Pallas, Leonora
Paludipan, Francisco
Papagayo, Tranquilino
Paragas, Ernesto
Paragas, Marina
Paranaque, Marqueza
Pascua, Carolina
Pascua, Jimmy
Patao, Arsenia
Paz, Macrina
Paz, Norman
Peter, Oliver
Pinquian, Domingo
Quedding, Amalia
Quedding, Dandy
Queja, Florentino
Quinsaat, Anaclea
Rabang, Benita
Rabang, Ciriaco
Ramento, Angela
Ramento, Jonell
Ramiscal, Dolores
Ramos, Enrico
Ramos, Erick
Ramos, Ester
Ramos, Iluminada
Ramos, Manuel
Ramos, Teresita
Ranchez, Carmelita
Ranchez, Nesley
Ranchez, Niranio
Ranchez, Sonia
Rekis, Rex

Rimalos, Buenaventura
Rimalos, Erlinda
Rivera, Castora
Rosetes, Natividad
Rumbaoa, Desiderio
Saclayan, Filomena
Sagario, Demetrio
Salazar, Angela
Salazar, Constante
Sanchez, Juliana
Santiago, Kristina
Santiago, Vanessa
Siazon, Ambrocia
Smith, Sam
Sobrepena, Martina
Sonis, Brand
Sonis, Manny
Sonis, Mason
Tabag, Jerry
Tabag, Leonida
Tabag, Maricel
Tabag, Raymond
Tabag, Romeo
Tablang, Erwin
Tabrilla, Marciana
Taroma, Leticia
Tasse, Richard
Terluin, Jasper
Tiri, Basilia
Tobias, Alfonsa
Trilles, Juan
Tumacder, James
Tumacder, Jerald
Tumacder, Josephine
Tumacder, Sheina
Uberita, Adelina
Uberita, Ernesto
Uberita, Feliciano
Utrera, Felipe
Vallesteros, Indelicio
Velasco, Maria
Velasco, Pedro
Vergara, Dionicio
Viernes, Benito

Viernes, Efren
Viernes, Marianita
Viernes, Reynaldo
Villamor, Enrique
Villamor, Gloria
Visaya, Rosita
Vite, Marina
Yadao, Lilia
Yadao, Lorinel
Yago, Andres
Yago, Isabel
Zerna, Josefino

BALLOT	BALOTA	BALOTA
STATE OF HAWAII	ESTADO NG HAWAII	ESTADO TI HAWAII
HAWAII LABOR RELATIONS BOARD	KAGAWARANG NG HAWAII NG MANGGAGAWA	JUNTA HAWAII TI RELACIONES ITI TRABAJO
OFFICIAL SECRET BALLOT	BALOTANG OPISYAL NA SECRETO	OPISYAL NGA SEKRETO BALOTA
For Certain Employees of	Sa Ilang Empliyados ng	Para Kadagiti Dadduma nga Empleyados ti

MONSANTO COMPANY

Do you wish to be represented for purposes of collective bargaining by--	Nais mo bang magkaroon ng kinatawan sa pakikipag-usap at pakikipagsundo sa--	Kayat mo ti mairepresentar para ti pannakitinnawar ti grupo nga ipanguloan ti--
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INTERNATIONAL LONGSHORE AND WAREHOUSE UNION, LOCAL 142

MARK AN "X" IN THE SQUARE OF YOUR CHOICE	MARKAHAN NG "X" ANG KWADRONG NAIS NINYO	MARKAAM TI "X" TI KUWADRA NGA NAPILIM
	YES OO WEN	NO HINDI SAAN
	<input type="checkbox"/>	<input type="checkbox"/>

DO NOT SIGN THIS BALLOT. Fold and drop in ballot box. If you spoil this ballot, return it to the Board Agent for a new one.	HUAG LAGDAAN ITONG BALOTA. Tiklupin at ihulog sa kahon ng balota. Kung ang balotang ito ay masira, ibalik sa Agente upang mapalitan ng bagong balota.	SAAN MO NGA PIRMA-AN DAYTOY NGA BALOTA. Kupinem ken itennagmo iti uneg ti kahon ti balota. No maperdim daytoy nga balota isublim daytoy iti Ajente tapno sukatanna iti kabbaro.
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HLRB(11/98)