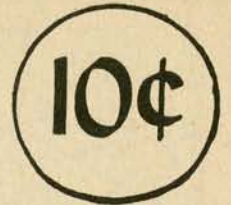




# El Malcriado

THE VOICE OF THE FARM WORKER



**IN ENGLISH**

Volume 11, Number 13

Delano, California

Sunday, September 1, 1968



#### **DELANO COPS...**

*There was no Labor Day Parade in Delano this year because Delano Cops claimed they could not protect Union sympathizers from possible violence.*



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### EDITORS:

You are welcome to reprint material from EL MALCRIADO, provided a copy is sent to us and the item is credited "From EL MALCRIADO--U.F.W.O.C."

# El Malcriado says

By the Editor

When you work for the Union you spend a lot of time on picket lines and in peaceful demonstrations.

And when you work for the Union, you learn that the policeman is not necessarily your friend.

As we sat in groups last week, watching the events in Chicago on borrowed TV sets, we were afraid.

We watched the cops wield clubs. We saw a terrified middle-aged woman attempt to extricate herself from an unbelievably horror-filled situation, with a trigger-happy National Guardsman pointing a grenade launcher at her head.

We heard Sister Dolores Huerta, our vice president, tell us how she was tailed by two plain clothes cops from the time she got to Chicago until she left. We listened in fear as she told us her paper huelga flags were siezed and confiscated by "security people."

And we were afraid.

We know the importance of the right to assemble. And those of us who put out this newspaper know, in practical terms, how "they" go about restricting freedom of the press.

When Mike Wallace was beaten by a cop and hauled off to the station house, we understood, here in Delano, what he felt.

We watched them use "a mo-

ment of silent prayer" as an excuse to end a spontaneous demonstration of mourning and love and respect on the convention floor.

We watched a fat, big-city politician shake his fist as he sat, surrounded by henchmen. And we thought of the 35,000 patronage jobs in Chicago's city government. We thought of petty civil servants, cowed by pressures from on high, and we were afraid.

We thought of the infamous "Mohawk Valley Formula," a recipe for breaking strikes reputedly authored by the president of Remington Rand in the late 30's.

"Step IV"

"Bring about the formation of a large armed police force to intimidate the strikers and to exert a psychological effect upon the citizens. This force is built up by utilizing local police, State Police if the Governor cooperates, vigilantes and special deputies... chosen if possible from other neighborhoods, so that there will be no personal relationships to induce sympathy for the strikers."

We remembered, and we were afraid.

And we wondered if Theodore White's book, on the current campaign oughtn't to be called *The Making of the President---1984*.

EL MALCRIADO  
P.O. BOX 130  
DELANO, CA  
93215

More and more people are finding out that a subscription to EL MALCRIADO is the best way to keep up with the farm worker struggle. Don't be left out--send in this coupon today!

FILL OUT THIS CARD AND SEND IT WITH \$3.50 TO THE ABOVE ADDRESS FOR A ONE-YEAR SUBSCRIPTION TO EL MALCRIADO, SENT TO YOUR HOME EVERY TWO WEEKS FOR ONE YEAR.

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# Don't Buy California Grapes!

*El Hermano Grande is watching you.*





*Delano Cops watch as Union members march on, picketing the Delano Police Station.*

# Council Denies Parade Permit

DELANO, August 22--The United Farm Workers Organizing Committee cancelled its plans for a Labor Day parade last week, after the city council upheld Police Chief James Ailes's denial of a parade permit, on the grounds that the City could not provide protection against possible grower-scab violence.

Ailes, supported by the Council, argued that Delano has an insufficient police force for protecting the Union members and sympathizers from all over the country who were expected to participate in the parade, termed a "Solidarity March."

The cancellation came Thursday night, August 22, after the council met for a second time to continue discussions on the appeal.

An earlier meeting, Monday night, August 19, had been continued to Thursday, despite the fact that Mayor and local dentist Clifford Loader was upset about cancelling a visit to his mother in San Francisco.

In a sadly hilarious incident at the August 19 meeting, Mayor Loader was delivering his usual line about "our magnificent police department" when a small boy said, "There's the man who beat up my daddy."

Peering through the window was Gilbert Rubio, a local scab agitator in the pay of

the growers who had been charged with beating Manuel Rivera, a long-time Union member and active striker.

Although a warrant had been issued earlier in the day for Rubio's arrest on the assault charges, the Delano police had done nothing.

Chief Ailes and a cop named Espinosa hustled out of the Council Chambers, and eventually Rubio was arrested and released on bail.

## PARADE DISCUSSION

Discussion on the parade issue centered around the police chief's claim that police protection was inadequate to protect marchers from hecklers and scabs.

Ailes also told the council that sanitary facilities were inadequate to handle the crowd expected, and that the parade route, scheduled to pass through what the mayor called the "high-value area on Main Street" was unsatisfactory.

At the August 22 meeting, UFWOC General Counsel Jerome Cohen said that the Union was willing to provide rented toilets at the Forty Acres, parking in the same area, and buses to ferry participants and spectators back and forth from there to the parade area.

He also said that the Union was willing to reroute the parade around the down-town area.

Council members still seemed

doubtful about the parade, and reiterated the danger of violence from the outside.

Cohen reminded the Council of recent federal court rulings, which placed the responsibility for protecting marchers squarely on the police. Cohen also said that the Union had 100 experienced martials and picket captains who would be available and subject to the orders of the police for crowd control.

Cohen noted that a crowd of nearly 10,000 was present when the late Senator Robert Kennedy came to Delano to break bread with Cesar Chavez at the conclusion of the latter's fast, and that the day passed without incident, though the Delano police had sent but one officer. This proved, Cohen said, that the City could easily handle a crowd of at least 10,000.

Cohen reminded the city that he had warned them of a threat against the Senator's life on that occasion, but that nothing was done to ensure his safety.

Despite entreaties, however, the denial was upheld, and the Union had no Labor Day parade.

One Union official said bitterly, "It appears that we only celebrate national holidays that the Delano City Council finds acceptable. Labor Day must be on their black list."





## FEDERAL REPORT:

## GRAPE SHIPMENTS

### PLUMMET

Grape shipments to the five major eastern cities in the US were off as much as 2,035 carlots compared with 1966, according to official figures of the federal and state agricultural marketing bureaus.

While it is impossible to state with complete accuracy how effective the international consumer boycott of California grapes has been, UFWOC researchers said the figures, even if incorrect by 50 percent, still show a considerable drop in sales over last year.

The value of the unsold grapes, set by growers at \$3 to \$4 per box, would mean a loss of about \$7.5 million thus far this season. Each railroad carlot holds about 1,250 boxes.

The figures appear to coincide with the growers' statements that they lost more than \$2 million on the Coachella Valley by the end of June.

John Giumarra Jr., youthful general counsel for the Giumarra companies, told the Los Angeles *Times* recently that the price per pound for table grapes is down about 25 cents because of the boycott.

The following chart of carlot shipments of table grapes to the five major eastern cities was compiled from figures released by the US Department of Agriculture marketing service, and covers all California grape shipments. Figures for the 1966 season are included since the 1966 and 1968 harvests are similar in size and in maturity dates. The 1967 season was smaller. Figures are as of August 15.

Do you want to help California's striking farm workers achieve justice in their struggle?

You can, and in your city no matter where you live.

Call Jerry or Jane Brown at (805)725-1314, and learn how you can help the boycott.

If you live outside California, your collect call will be accepted.

We need your help in every city of the United States and Canada. Your organization, or you and your friends, can help.

Call area code (805)725-1314. Don't just read about the struggle for justice. Participate!



## BOYCOTT GRAPES BOYCOTT

DELANO, August 30--While national attention focused on the political conventions during the later half of August, UFWOC's international consumer boycott of California table grapes continued at a high peak of activity.

### CLEVELAND

In Cleveland, Thursday, August 8, Carl B. Stokes, first black man to be elected mayor of a large metropolitan city, endorsed the boycott, saying,

"In keeping with the national policy to challenge and eradicate poverty wherever it may exist, I commend the efforts to gain recognition of the right of the California grape pickers to seek a decent standard of living."

Julio Hernandez, UFWOC Vice-President and coordinator of the boycott in Ohio reports a major grape boycott drive spreading throughout the state.

### BOSTON

Further east, in Boston, farm workers and sympathizers re-enacted the Boston Tea Party of 1773, only this time the product dumped into the harbor was California table grapes.

Negotiations with local supermarkets had resulted in a large quantity of grapes being withdrawn from the produce counters. Many of the grapes were turned over to the Union's representatives for disposal, and several boxes were dumped into the harbor on Saturday, August 17.

The remainder were shipped to California Governor Ronald Reagan, with a suggestion that he return them to the growers who produce them under unjust labor conditions.

Marcus Muñoz, UFWOC organizer stationed in Boston for the boycott, was in charge of the project.

Boston Mayor Kevin White moved to put the economic purchasing power of the city behind the boycott.

### McGOVERN ASKS SUPPORT

Senator George McGovern, who made an unsuccessful



## GRAPE SHIPMENTS:

continued from page 4

### Carlot Shipments

	1966	1967	1968
New York	1120	437	181
Philadelphia	373	176	151
Detroit	338	138	128
Chicago	640	192	244
Boston	370	162	102

In numerous statements in recent weeks, Union officials have pointed out that the loss of revenue to the growers is not something they are pleased about.

They note that the Union is as anxious for the boycott to

end as are the growers, but the Union is prepared to continue active boycotting until recognition is achieved.

An all-out mobilization of farm workers and volunteer forces all over the country has been ordered and at week's end, the boycott switchboard was loaded with calls.

Approximately 40 additional cities have been added to the boycott list since the last issue of EL MALCRIADO and sales continue to be seriously hampered, later reports show.

Cleveland Mayor Carl Stokes announces support of UFWOC boycott. Cesar Chavez and Julio Hernandez of the Union joined in the press conference.



# BOYCOTT GRAPES BOYCOTT GRAPES BOYCOTT

ful bid for the Democratic nomination last week, endorsed the boycott on Tuesday, August 13. He said, in a campaign speech in New York City,

"I want to make it clear right now that I am not here to ask for support, for in history, (the farm workers') cause may be much greater than mine... I support this boycott of California table grapes by the United Farm Workers. I urge all those concerned with human justice to do the same..."

### INDUSTRY STATEMENTS

*Wines and Vines*, the wine industry's principal trade magazine, had this to say about the boycott in their August issue:

"The boycott against California table grapes, which seems to be spreading with every week, is hurting the growers. How badly, it is impossible to tell. But one grower representative told *Wines and Vines* that the situation is 'bad right now and can become desperate.'"

"Everybody seems to be getting into the act--" the article continued, "churchmen, laymen, mayors, city councils, congressmen, senators, presidential aspirants--and if the newspaper reports from across the nation are correct, most of the voices being raised are against the growers and in favor of the boycott..."

Meanwhile, as the boycott rolled forward, losses to the growers have been estimated at more than \$2 million this season, exclusive of multimillion dollar losses in Coachella in June.

As boycott pressure continued to mount, and the Delano harvest moves into full swing, the universal question is "How much is enough?" We know we can win, Union officials say. The only question now is how many more weeks it is going to take.

### DETROIT

Following a lead by labor leaders and the mayor of Detroit weeks ago, the Inter-Faith Action Council of that city became the 19th important civic group to endorse the boycott.

Representing the Catholic archdiocese, major

Protestant and Jewish groups, the Council announced that "patronage of those stores which recognize and support the grape boycott is encouraged. The Council deplores the practice of growers who import strike breakers to harvest grapes in violation of U.S. Department of Labor regulations."

### BALTIMORE

In Baltimore, where UFWOC Vice-President Andy Imutan heads the boycott crew, Acting Mayor William D. Schaefer directed the city purchasing department to join in a national boycott of California grapes by refusing to purchase them for city institutions, and called on consumers to do the same.

### MINNEAPOLIS

Mayor Arthur Naftalin of Minneapolis issued a public appeal Friday, August 16, asking support of farm workers who are on strike in California vineyards.

Pedro Cardenas and Macario Bustos, both Union organizers from Delano, were with the mayor as he made his appeal.

In issuing the statement, the mayor asked Minneapolis residents not to purchase California table grapes produced by the vineyards that are on the strike.

### ITLIONG IN ST. LOUIS

The three-state area of Kansas, Nebraska, and Missouri was the recipient of a frontal attack by UFWOC Assistant Director Larry Itliong, who reported to the membership Friday that labor, religious, and civic organizations support for the boycott were approaching a high point.

He said cooperation for the boycott in St. Louis was far beyond expectations. The mayor of the city endorsed the boycott, and sales were expected to drop sharply in coming weeks, Itliong said.

### NEW YORK

The mayor of Rochester, New York, endorsed the boycott last week. Juan and Maree Flores head the boycott activity in upper New York state.



## Growers Hide Facts on Poisons

BAKERSFIELD, August 22-- Judge J. Kelley Steele issued a temporary restraining order today prohibiting state agriculture officials from showing public records to Union investigators. The order specifically prohibited Kern County Agriculture Commissioner Sheldon Morley from showing Union officials pest control reports, permits, and applicators' reports dealing with chemical sprays, poisons, and other injurious materials used on crops.

Union attorney Jerome Cohen branded the order "the baldest and boldest of political decisions, an outrageous use of the court system to suppress information."

Cohen had sought information on the use of poisons and other injurious materials in connection with safety clauses in Union contracts (one major contract was signed last week and another is at present being negotiated with wine grape growers). He wanted information on the types of chemical

fertilizers and pesticides used, methods of application, and possible short and long range effects these chemicals might have on workers who must be in contact with them.

(Similar studies are being carried out by Dr. Irma West, industrial toxicologist in the occupational health bureau of the State Department of Public Health; and Eldridge G. Hunt, head of a research team of the State Department of Fish and Game on the short and long range effects of such chemicals on the consumer and on wildlife.)

Cohen and UFWOC attorney David Averbuck have filed a writ of mandate to overturn the restraining order and force the Agriculture Commissioner to show these records to the public.

Union officials are anxious to know what the growers are trying to hide, what information they fear, and why they are making such a big deal out of these records on poisons, according to reports at last

Friday's strike meeting.

Cohen first approached Morley on Tuesday, August 20 and asked to see permits granted to use poisons and injurious materials. These are public records, by law open to anyone for inspection, Cohen said.

Morley refused permission to view the records. Cohen returned on Thursday and was again denied permission to see the records. However, Morley invited him to return the next day. Cohen left the Agriculture Commissioner's office at approximately 11:30 A.M. Less than two hours later, Judge Steele, the same Judge who granted Giumarra Vineyards their strike-breaking injunction last August, signed the new injunction closing these public records to inspection.

The request for the injunction was presented by Atwood Aviation Company and several other firms, and appears to have been rather hurriedly prepared. Atwood Aviation does chemical spraying for many local growers. The petition for the injunction admits that Morley conferred with Atwood's and growers' lawyers before the petition was filed. Within two hours, a petition for an injunction was drawn up and presented to Judge Steele, who quickly signed it.

The petition itself admits, "Frankly, in the very limited time available due to the urgency of the situation here, we have not been able to accomplish much research on the point and we have not found direct authority on the point, but we doubt that the court will ultimately rule that these people have the right to these records..."





# Wisconsin court victory

WAUTOMA, WISCONSIN, August 16--A family of Mexican American farm workers went to court today and established the right to wear their Union buttons without fear of being fired. In addition, they won \$104 in back pay from grower Jon Wilcox, who had fired them and evicted them from his camp for the "crime" of wearing buttons that said "Viva la Causa" ("Long live the Cause").

The case began on July 21, when Jorge Guerra, his sister Eva Valenzuela, and her four small children joined with members of the farm workers union in Wisconsin, in a picket line in Wautoma, Wisconsin, protesting the sale of California grapes. Guerra and Sra. Valenzuela were employed on the Jon Wilcox farm as cucumber pickers and lived in a camp owned by Wilcox. All migrants from Texas, they were not union members, but supported the struggles of the California grape pickers. They had heard about the grape strike from relatives in California, they said.

"After picketing," Guerra said, "we went back to our place at the Wilcox ranch. We were wearing the red buttons that say 'Viva la Causa' on the top and 'Obreros Unidos' on the bottom. It was then that Jon Wilcox told one of his supervisors to kick us out."

"We were told to get out because we were wearing the button," Sra. Valenzuela said.

With the help of *Obreros Unidos*, Guerra and Sra. Valenzuela filed an unfair labor complaint with the Wisconsin Employment Relations Commission (WERC) asking that they be returned to work with full back pay, and that they and the four children be given quarters at the camp. The complaint charged Wilcox and Green Bay Foods, his processor, with discrimination against farm workers to discourage union membership. A prompt hearing was requested so that the case would be decided before the harvesting season ended and the workers returned to Texas. The hearing was held August 16 at the Waushara County Courthouse.

After the hearing Wilcox a-



*Eva Valenzuela and Jorge Guerra receive check for back wages in a ceremony at the Union headquarters in Wautoma. CPA photo: La Voz Mexicana*

greed to pay Mrs. Valenzuela and Guerra a week's back wages. The figure was set at \$52 each (based on \$1.30 an hour, the state minimum wage, which itself was only established for farm workers last month, again the result of a campaign launched by *Obreros Unidos*).

*Obreros Unidos* issued a statement saying:

"There are union members in every major cucumber camp in

this area, and *Obreros Unidos* will continue to work with them and support them in exercising their rights. The union believes that farm workers will not be intimidated by the foolish acts of growers like Wilcox into being timid and voiceless. They know that their rights can only be protected if they are bold enough to exercise them."

## FORGOTTEN WORKERS

MADISON, WISC., August 17--As many as 1500 farm workers may be out of work for part of the season this year, as a result of cancellations by pickle processors of orders for cucumbers.

According to information supplied by *OBREROS UNIDOS*, the Wisconsin farm workers' union, the processing companies offered \$50 per acre to growers for the plowed-under crop, but no arrangements have been made for the workers who were forced out of their jobs by the cancellations.

It is expected that half the crop will be destroyed, observers said.

The majority of the Wisconsin pickle workers are migrants from Texas, who travel north on the basis of verbal promises of work, union officials report.

Some observers indicated the Chicago Pickle Co. and other processors contracted with cucumber growers from South Carolina and other states without warning the Wisconsin growers.

While the growers pondered the value of organizing workers and small growers against the big processors, there appeared to be little help for the displaced workers this season.

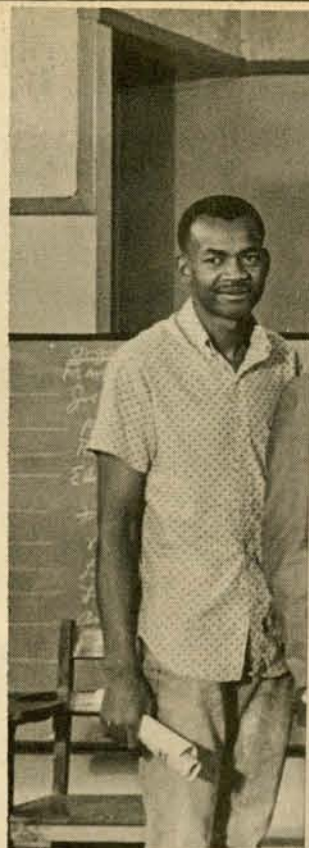


# New Contract With Franzia

FRESNO, August 30--The United Farm Workers signed a new contract today covering farm workers at Franzia Vineyards, another major California wine producer. While complete details of the contract are not available at press time, UFWOC negotiator Mack Lyons reports that terms of the contract are similar to those of the newly signed contract with Paul Masson Vineyards. The minimum wage is \$1.90 an hour, plus 10 cents an hour in contributions to the Health and Welfare Fund.

A complete report on the negotiations and terms of the new contract will be included in the next edition of EL MALCRIADO. The contract was signed after several months of negotiations. There was no strike.

Irwin de Shettler, of the national AFL-CIO staff, who helped negotiate both new contracts, commented that table grape growers have stubbornly refused to sign contracts with the Union, or even sit down with Union leaders to discuss wages and working conditions, and ways to end the strike. Meanwhile, major wine grape growers such as Gallo, Almaden, Christian Brothers, Paul Masson, and Franzia have all entered into negotiations with the Union and signed contracts without any trouble, without strikes or boycotts or lockouts or reprisals. De Shettler commented that though these are pioneer contracts, they are all working surprisingly smoothly, to the benefit of workers and growers alike.



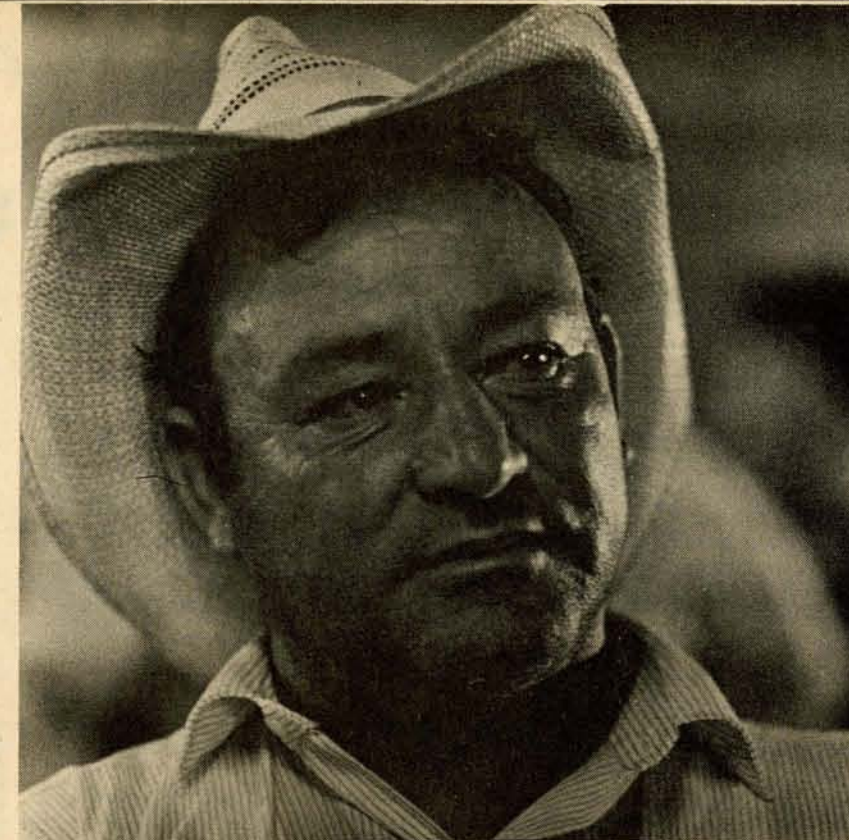
## KUDOS TO LUNA AND LYONS

Two of the men who deserve special credit for the new Paul Masson Contract are Mack Lyons (left), chief negotiator of the contract, and Jose Luna (right), Union organizer for San Benito and Monterey Counties.

Luna is in charge of the Hollister office of UFWOC and administers the contract that the Almaden Vineyards has with the Union, a full time job for most people. But Luna manages to squeeze in travels from San Jose to Soledad, from Pacheco Pass to Castroville, signing up new members for the Union and telling about the Union Cause.

With the Almaden contract as a living example of the benefits of the Union, Luna began approaching workers at the Paul Masson Vineyards last winter. Some were already members. Many more soon joined. UFWOC Vice President Andy Imutan helped in the organizing drive. By February, all but one or two workers had joined the Union. So César Chávez, national director of UFWOC, approached the owners of Paul Masson and invited them to enter into negotiations. The contract was finally finished in early August and the company and union representatives met in Fresno to sign the document.

Other key Union members participating in the negotiating of the contract were Dolores Huerta, UFWOC Vice-President in charge of contract negotiations, and Jose Banuelos Herrera and Feribio Salvado, workers at Masson. Irwin de Shettler, of the national AFL-CIO Organizing Department deserves special praise for his tireless help and good advice. But Mrs. Huerta singled out Lyons, UFWOC representative in Lamont, as the one who was most responsible for the contract's high wages. Lyons negotiated the piece rates for the various varieties of grapes which are the highest in the industry.



## PAUL MASSON SIGNS



FRESNO, August 16--A three-year contract setting a \$1.90 per hour minimum wage was signed with Paul Masson Vineyards here today, covering the company's agricultural workers at Soledad and Gilroy.

The company, which employs about 350 workers at the peak of the harvest season, also agreed to annual increases of 10 cents per hour effective August 1 of 1969 and 1970.

The Masson contract marks the ninth grape-producing company which has agreed to collective bargaining with the United Farm Workers Organizing Committee since the first contract was signed in April, 1967.

Hourly rates in the new contract are as follows: general labor, \$1.90; hand pruning, \$2; mechanical pruning, \$2.15; budding, \$2.30; irrigators, pipe repairmen, \$2.10; truck drivers, \$2.10; crew leaders, \$2.15; working foremen, \$2.40; tractor and fork-lift drivers, \$2.30; shop mechanics, \$2.55. All classifications will be subject to the 10-cent per hour annual increases.

### PIECE RATES

Piece rates for the harvest will be based on a sliding scale under the new contract, using varieties and yields per acre as guides in the establishment of the piece rates.

Based on studies of previous harvests, the following maximum rates have been set (tonnage rates are equally divided among members of the crew):

Pinot Noir and Pinot Chardonnay, \$58; Franken Riesling and Johannesburg Riesling, \$48 per ton. Rates for Semillon, Sauvignon Blanc, Pinot Blanc, Gamay and Emerald Riesling will bring from \$8 to \$20.50 per ton, depending on yields. The contract provides for adjustments of piece rates

after each variety is harvested to provide for a guaranteed average wage of \$3.25 per hour.

### OVERTIME

An overtime premium of 25 cents per hour will be paid after nine hours' work. Ten cents per hour will be paid by the company into the Union Special Benefits Fund, which will provide health, retirement, and similar benefits.

The contract also provides for three paid holidays (Labor Day, Independence Day, and Christmas), and a week's vacation for all workers with more than 1,800 hours of work in the previous year. Vacation pay will be two percent of the previous year's salary. Workers with three or more years of employment at Paul Masson will get a three percent bonus plus two weeks vacation, and after five years, they will get two weeks plus a four percent bonus.

The contract also calls for 15 minute rest periods after each four hours' work, and prohibits discrimination by both the Union and the company.

Hiring, promotion, and lay-offs will be based on seniority with the company, and a detailed procedure is set forth for handling grievances. Arbitrary dismissal is prohibited.

Strikes and lockouts will not take place during the duration of the contract, it was agreed.

Representing the Union at the negotiations were Mack Lyons, UFWOC's Lamont area representative; Dolores Huerta, vice-president in charge of negotiations; Jose Luna, San Benito County area representative; Jose Banuelos Herrera and Feribio Salvado of the Masson ranch committee.

Negotiators expressed gratitude to Irwin de Shettler, farm labor coordinator of the AFL-CIO for his "tireless help and excellent advice during the course of the negotiations."



# WHAT'S IN A NAME...?

by Antonio Orendain

We receive many letters from readers wishing to know why we gave the *Voice of the Farm Worker* the name of EL MALCRIADO. Maybe my understanding is not very scholarly, or maybe my answer is not the best, but I am going to try to explain what "EL MALCRIADO" means to us.

For those of us who were born in Mexico, *El Malcriado* reminds us of history. From our parents and grandparents, we learned about the many newspapers that existed during difficult times of the revolution.

In general, those small newspapers were like lightning --announcer of the storm. When governments didn't live up to their promises or became intolerable, the poor people, educated or not, were the first ones to feel the effects. Then these people would start publishing *malcriados*. This means that such a child was badly brought up--that is to say, he is a *malcriado*.

A person who works in the home of rich people is a *criado*. If this *criado* doesn't do his work right, or doesn't have any respect for his bosses and tells them the truth, he is fired for being a *mal-criado*.

During the revolution there were many orphans who were accepted by the *patroncitos* to be educated to serve them and to clean their boots. When those orphans didn't do their work right or asked what was just, the bosses would tell them that they had *criado* them (brought them up) and that they had turned out to be *mal-criados* (badly brought up).

If a person is so poor that he doesn't have all the necessary food for his nourishment, this person is *malcriada*.

Our *Voice of the Farm Worker* tells the bosses the truth; it has bad manners; it is not well *criado*--so it's EL MALCRIADO.

## Letters



Editor:

While serving in Viet Nam as a company commander with the 1st. Cavalry Division, one of my Chicano troopers, aware of my Southern California background, the fact that I had grown up in a Mexican-American environment, and spoke the slangular "lengua de la frontera", gave me a copy of EL MALCRIADO, which had been sent to him along with his hometown newspaper, the *Bakersfield Californian*.

We had a long and lengthy discussion about the contents of that issue, which I still have, although now it is somewhat the worse-for-wear, dirtied and folded. Eighteen months have elapsed since that humid day when we sat and talked of the problems "at home"; the trooper fell in combat, the copy of EL MALCRIADO became a part of my personal papers, and just yesterday, while sorting through them, I came across it.

And once again, as that day seemingly years ago, I recalled the pride that shone in his eyes that "his people" were doing something: that man needs not have individual wealth to have the fortune of dignity.

I trust that your movement is still growing, that contributions are necessary and appreciated, and that there might be a need for all types of assistance. If I might be of assistance, please let me know.

The issue I have (#46) is an old one, and I am not certain of your subscription rates; please enroll me as a subscriber, and bill me, if that is within your policy.

My resources are yours; the spark that ignited the light that shone so fervently in his eyes must not be extinguished.

Arlen Williams

Trinidad, California  
August 10, 1968

UFWOC:

Do not quit, even for one moment. Do not be afraid of your enemies. Love them, but continue to fight for justice. Support your leader, César, but support him with all your heart. You will win, or we will die together!

Father Tom Totole

All Saints Church  
Denver, Colorado

## NICK JONESES HAVE NEW DAUGHTER

Nick and Virginia Jones, staff workers for the United Farm Workers, are the proud parents of a baby girl, Rachel 8½ pounds at birth. Mrs. Jones, the former Virginia Rodriguez, was secretary to UFWOC director César Chávez, and Nick is an organizer for the Union. The new huelguista was born in Tulare County Hospital on August 22. Congratulations to Nick and Virginia!

## FR. MAGUIRE MOVES

Father James Maguire, formerly of Sacred Heart Parish in Hollister, California, has been named pastor of St. Patrick's Church in Watsonville, EL MALCRIADO has learned.

Long a friend of the farm workers, Fr. Maguire can be reached at 2401 East Lake Avenue, Watsonville.





# DELANO MAYOR REJECTED BY DEMOCRATS

BAKERSFIELD, August 26--The name of Delano Mayor Clifford Loader was withdrawn from nomination to the Kern County Democratic Central Committee tonight, after representatives of the United Farm Workers Organizing Committee, AFL-CIO told the Committee of Delano's anti-strike policies.

Loader's name had been presented in nomination earlier by a member of the Committee. Loader was not present at the meeting in the Board of Supervisors chamber at the County Courthouse.

Union representatives outlined the increased violence in Delano in recent weeks, the numerous threats which have been received, and the inaction of the police department in protecting striking farm workers.

The Central Committee also was told of pro-grower actions



*Loader, second from left, presides over Delano City Council.*

taken by the Delano Chamber of Commerce, which is partially supported with municipal tax funds.

After the Union representative spoke, the member of the Committee who had placed Load-

er's name in nomination said he had the authority to withdraw it, and did so.

The Union had been invited to submit a nominee for election, and the Committee which included Loader as a member.

## FARM WORKERS CLAIM EQUAL PROTECTION

NEW ORLEANS—Local 300 of the Amalgamated Meat Cutters and Butcher Workmen has filed suit in the U.S. District Court to challenge the constitutionality of the exclusion of farm workers from National Labor Relations Act.

Local 300, successor to the Southern Tenant Farmers Union, well known for its organizing efforts in the 1930's, filed the suit on behalf of 325 tractor drivers, mostly Negroes, who work on South Coast Corporation sugar plantations in Louisiana.

The workers currently receive \$1.15 to \$1.30 for their work, with no holidays, no paid vacations, and no pensions or health benefits. Factory workers employed by the same company earn up to \$2.74 per hour, according to reports, as the result of union contracts.

Local 300 demanded recognition from the company in April, and later applied to the National Labor Relations Act for assistance when no re-

ply was forthcoming. The NLRB refused to consider the petition on the grounds that farm workers were not under its jurisdiction.

The new suit, which asks for

a three-judge panel to hear arguments, claims that it is unconstitutional to deny such employees equal protection of the right to organize and bargain collectively.

### Progress on Benefits Fund

DELANO--The trustees of the Farm Workers Health and Welfare Fund will meet in Fresno Wednesday, September 4, to continue discussions on the benefits program, according to Administrator LeRoy Chatfield.

Chatfield said he is conducting a survey of UFWOC members currently working under Union contract, the results of which will be presented to the trustees for use in planning the benefits program.

The survey, which includes questions about family size,

ages of children, and similar questions, will provide the information necessary to determine the benefits which will be available, he said.

The Health and Welfare Fund is financed by the 10-cent per hour payment made by the majority of the companies under UFWOC contract for health, retirement, and similar benefits.

Chatfield said he expected César Chávez, Larry Itliong, Antonio Orendain, Phillip Vera Cruz, and Dolores Huerta would probably represent the Union at Wednesday's meeting.





The family of Manuel Rivera awaits the outcome of charges and trials.

## Trials Set For Rubio, Rivera

BAKERSFIELD, August 30--The District Attorney's office has announced that Manuel Rivera will be tried on November 15 on charges of assault and battery, charges filed by anti-Union agitator Ignacio Rubio. No date has been set for trial of Ignacio and Gilbert Rubio on similar charges filed by Union member Rivera.

All charges arose after an incident on August 13 in which the Rubios and three carloads of their family and friends forced Rivera off the road, dragged him from his car, and beat him unconscious.

Gilbert Rubio also faces trial on October 18 on charges that he appeared at a UFWOC picket line brandishing a gun in a threatening and provocative manner.

Viva la Causa  
Y  
El Progreso

*Courtesy of  
a  
Mexican-  
American  
Attorney*

Fresno California

## Judge Denies Jury Challenge

DELANO--Delano-McFarland Judicial District Court Judge John McNally ruled last week that the jury selection system used in the area was not discriminatory.

The ruling was issued in response to a challenge by UFWOC attorneys Jerome Cohen and David Averbuck, maintaining that the naming of jurors from voter registration lists is discriminatory because it does not provide for equal representation of the whole population.

The attorneys pointed out that the percentage of citizens with Spanish surnames on the voter lists is much lower than that shown by the census.

McNally's decision, which has already been appealed in Superior Court by the Union's attorneys, said, "In the opinion of the court, the selec-

tion of veniremen from voter registrations lists is as comprehensive, fair and equitable a method as can be determined.

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# EX-VOLUNTEERS SAY "BOYCOTT!"

SAN FRANCISCO, August 22--The following is the text of a resolution passed by the Bay Area Committee of Returned Volunteers in support of the UFWOC boycott against California table grapes.

"The Bay Area Committee of Returned Volunteers, composed of volunteers who have served in developing countries with the Peace Corps, private agencies, and religious organizations, supports the demands of the United Farm Workers Organizing Committee for union recognition in the table grape industry.

"The committee is particularly concerned with the failure of the justice and labor departments of the US government in preventing the illegal importation of strikebreakers from Mexico.

"It is distressing to see US foreign policy pitting the poor of Mexico against the poor American farmworkers for

the benefit of federally subsidized agribusiness. Such policy prevents both the illegal Mexican strikebreaker and the American farmworker from obtaining adequate working conditions, decent wages and unionizing benefits long enjoyed by workers in other industries.

"It is just such policies that make people of developing countries justifiably cynical about America's attitude toward poor people everywhere.

"The Bay Area Committee of Returned Volunteers is affiliated nationally with the Committee of Returned Volunteers which has a membership of 3100 former international volunteers. The concern of these volunteers stems from having worked and lived with the poor of developing nations.

"It is inconsistent with this service to the poor of other nations to stand by while the US government aids the

grape industry in suppressing the poor of two countries. The committee pledges to actively support and participate in the boycott of all California table grapes until the union is recognized by the table grape industry."

## DiGiorgio Profits

SAN FRANCISCO, August 2--Profits of the Di Giorgia Corporation, which signed a three-year contract with the United Farm Workers Organizing Committee in 1967, are up 47 percent over last year, according to recently published reports.

Stockholders received 51 cents per share on their investments, totalling \$996,000 for the first half of the year, plus an additional dividend of 10 cents per share, which amounted to \$179,000 for the same period.

Sales for the first half of 1968 were up to \$157 million, five percent over last year's \$148.6 million.

Di Giorgia pays its agricultural employees a minimum wage of \$1.70 per hour, plus other benefits called for in the Union contract.



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## Burns Objects

FRESNO, August 20---Right-wing State Senator Hugh Burns withdrew his support for the candidacy of Hubert Humphrey August 20, claiming the withdrawal resulted from Humphrey's endorsement of the UFWOC-sponsored consumer boycott of California grapes.

Burns, chairman of the State Senate Committee on Un-American Activities, attempted a red-smear against the Union in 1967, but failed to turn up any evidence of Communist subversion in the Union.

The Senator, a nominal Democrat, introduced one anti-boycott bill into the legislature this year, but the bill went down in defeat. He has stated his intention to try again in the next session, according to reports in the press.



# UNION FILES \$37,000 IN DEMANDS AGAINST COPS

DELANO, August 19--After months of trying to get the City of Delano and the Delano Police to treat the Union fairly, the United Farm Workers Organizing Committee has filed charges against the City demanding over \$37,000 in damages for illegal actions against Union members by Delano police, according to a statement by UFWOC General Counsel Jerome Cohen.

The first complaint for \$10,020 in damages, was filed in behalf of UFWOC treasurer Antonio Orendain, who was seized by police on June 15, and charged with disturbing the peace. Orendain asked repeatedly to be allowed to see his attorney, or to phone him, but he was not permitted to do so.

When Union attorney Jerome Cohen arrived at the police station and asked to be allowed to see Orendain or talk to him, he was denied the right to see him. Cohen later called the incident a flagrant violation of the Constitution.

The second case stems from another incident the same day. David Fishlow, editor of EL MALCRIADO and accredited by the California Highway Patrol with an official press card, went to the police station to report on the arrest of Orendain. While in the public waiting room of the police station, Fishlow was suddenly attacked by an unidentified and ununiformed assailant, who later turned out to be Captain Harry Gilbert of the Delano Police. Gilbert threw Fishlow against a door and seized the editor's camera, breaking the strap as he ripped it away. Delano Police kept the camera for over a week. Cohen said the Delano Police captain had violated constitutional guarantees of freedom of press and assembly, and was guilty of assault. Cohen is asking for \$2,070 in actual and general damages, and for \$25,000 in punitive damages.

Both claims were rejected by the City, clearing the way for the cases to be taken to court. Cohen said both suits would be filed shortly.



--Delano City Attorney John Hourigan looks glum as UFWOC presents \$37,000 in claims against the city; Hourigan advised rejecting the claims.



## iOrganizense Raza!

There are two million Mexican-Americans in California, more than 12 percent of the total population of the State.

Of the 120 state legislators in Sacramento, none are Mexican-Americans. There is one Chicano county supervisor in California.

Only one school board member in the entire state is a Mexican-American.

City councils in the nine counties of the San Joaquin Valley include three Mexican-Americans, among them the notorious Frank Herrera, Delano labor contractor.

iOrganizense, Raza!

--From *La Luz del Sol*

## JURY DEMANDED

### Injunction Trial to Supreme Court

FRESNO, August 27--The Fifth District Court of Appeal in Fresno denied today the right of the United Farm Workers Organizing Committee and picket captain Epifanio Camacho Baez to a jury in their trial on contempt charges.

The charges result from a Giumarra Vineyards complaint against the Union and Camacho, which was filed in February. The complaint, which originally included César Chávez as a defendant, alleges 12 violations of an anti-strike injunction issued in August of 1967 by Bakersfield Superior Court Judge J. Kelley Steele.

Although the charges could bring a maximum penalty of 55 days in jail and a fine of \$5,500 for Camacho, plus an additional fine of \$5,500 for the Union, the law provides for trial without a jury.

Despite the possible prison sentence, the appeal court ruled the charges were for civil, rather than criminal contempt, and that therefore a jury was not required.

Union attorneys have argued that the original injunction itself is unfair and probably

unconstitutional. Issued soon after the beginning of the strike against Giumarra last summer, it limited pickets to one every 50 feet, and for a while denied the use of bullhorns to picketers. The latter provision was later lifted as a denial of free speech.

Two thousand Union members held a silent vigil at the courthouse last March when Chávez, in the midst of his 25-day fast for non-violence, appeared to answer the charges. The trial was postponed in March pending the end of the fast, and has since been pushed back by appeals and postponements.

Union attorneys have appealed the case to the State Supreme Court, on the basis that a jury trial is merited in cases with possible heavy penalties either in fines or prison.

Attorneys said the appeal court seemed to feel resolution of the question was outside their jurisdiction, and intimated the case should be taken to the higher court.



## SCAB AGITATOR JAILED AGAIN

DELANO, August 19-Scab leaders Gilbert and Ignacio Rubio were finally arrested by Delano Police today, after a week of public protests focused national attention on the biased and one-sided administration of "justice" in Delano and Kern County.

After Kern County officials issued a warrant on August 19 for the Rubios' arrest, Delano Police Chief Ailes refused to take Rubio into custody until at a public city council meeting, Union attorney Jerome Cohen accused Ailes of anti-Union bias and pointed out to the City Council members that Gilbert Rubio was to be seen watching the city council session through the window.

The charges grew out of an incident on August 13, when Gilbert and Ignacio Rubio and others followed Union member Manuel Rivera home from a Union meeting. First ramming his car and later forcing him off the road, the Rubios then proceeded to drag Rivera from his car and beat and kick him, the victim reported. Rivera's life may have been saved by the arrival of other Union members, who scared away the scabs, and Rivera was rushed to the hospital.

When Rivera and Union officials demanded the Rubios' arrest, Delano and Kern County cops refused. Instead, they arrested Rivera and charged him with attacking the three carloads of scabs. The Union then set up a picket line at the Delano police station, marching from 6 A.M. to as late as 2 A.M., and sometimes with over 500 people walking the line. The Union also brought the incident to the attention of the FBI, the State and Federal Attorneys General, and a House of Representatives subcommittee investigating the strike. Members of the Rubio group, still unapprehended, frequently appeared at the picket line to harass the pickets.

On Monday, August 19, Delano Judge John McAllely finally issued a warrant for the arrests. Though Chief Ailes knew of the warrant by early afternoon, the Rubios were al-

lowed to roam around the police station and city hall without fear of being arrested. It was not until the City Council meeting that night that the bizarre incident came to a head. Mayor Clifford Loader of Delano had just given an eloquent speech about how fair and impartial he and the city council and the police were. Union attorney Cohen then stood up and pointed out that a warrant had been

issued for Rubio's arrest several hours earlier, but that, in fact, Rubio, who is well known to the police, had been walking around the police station and city hall for several hours and was at that very moment observing the city council proceedings through the window. A very red-faced Chief Ailes immediately ordered one of his cops to go out and pick up Rubio.

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