

NEW HOPE FOR FARM WORKERS (10/02)

It finally seems possible – though not certain – that California's farm workers will at last be guaranteed the union rights promised them by the 1975 law that resulted from a decade of nationally-supported strikes and boycotts.

If all goes as the United Farm Workers union hopes, a measure signed into law by California Gov. Gray Davis on Sept. 30 will force growers to abandon the tactics that have kept most workers from winning union contracts.

Without contracts, the largely Latino workforce has continued to work and live under truly wretched conditions, with pay averaging less than \$10,000 a year, few benefits such as medical care, few rights and little protection from the arbitrary acts of employers.

Until now, growers whose workers have voted for UFW representation under the 27-year-old Agricultural Labor Relations Act (ALRA) have been able to stall or delay contract negotiations for months, years, even decades.

As a result, contracts have been signed on only 185 of the 428 farms where workers have voted for unionization. Less than 50 of the contracts are still in effect, covering only about 27,000 of California's 700,000 farm workers.

Under the amendment to the ALRA signed by Davis, a mediator would be called in if negotiators didn't reach a contract agreement within six months. If agreement still couldn't be reached within another month, the mediator would act as an arbitrator and draft a contract for approval by the board that administers the law. Union or grower representatives objecting to the terms could appeal to the courts.

The measure is far less than the UFW sought, in part because it allows possible delays of more than seven months in reaching contract agreements, is to be in effect for just five years, can be used only in 75 cases a year and exempts growers with fewer than 25 workers.

As passed by the State Legislature, the measure didn't have those restrictions. But Democratic Gov. Davis, walking a tightrope between the labor and Latino allies he needs to actively campaign for his re-election this fall, and the grower interests who have contributed more than \$500,000 to the campaign, made it clear he would have vetoed the measure without the restrictions.

As the UFW's Marc Grossman says, the hope is that the new law nevertheless "will spur growers to bargain in good faith during normal negotiations and avoid mediation and review all together."

If that indeed occurs, the UFW surely will have scored a major victory. Some growers are threatening to seek court action on grounds that the law is unconstitutional government interference with private business. But it's certain, in any case, that California's powerful agribusiness industry – the state's largest – has suffered a rare major defeat.

It wasn't easy. The UFW and other unions, the Latino community, Democratic politicians and others, including religious leaders, Hollywood stars and ordinary working people waged a massive drive in support of the new law that was much like those led in the past by UFW founder Cesar Chavez.

A 10-day, 150-mile march through the farm communities of the fertile Central Valley to the State Capitol, a demonstration at the march's conclusion by some 5,000 people, a continuous seven-week prayer vigil on the capitol steps by others – all that and more went into the drive.

The Legislature's support was firm, thanks in part to its increasingly influential and growing Latino caucus and Senate leader John Burton of San Francisco. But Gov. Davis had to be convinced that there was more to gain politically by backing farm workers and their allies rather than his big-buck contributors in agribusiness.

The farm workers' success in gaining Davis' support, tepid and calculating though it was, has given them greater hope for winning decent treatment than they've had in far too many years.