

FARM WORKERS VS. GOLIATH – AGAIN (2/04)

Gallo is the world's second largest winery, producing one out of every four bottles of wine sold in this country. Its sales are well over \$1.5 billion a year. Yet Gallo refuses to grant some of its most important employees health insurance and other basic benefits commonly granted workers by far less affluent employers.

Which certainly explains why the United Farm Workers union is once again engaged in the David vs. Goliath battle that's been raging off and on between the UFW and the giant California winemaker for four decades. This round involves the majority of the 350 to 450 workers who harvest the grapes that go into the "Gallo of Sonoma" wines that sell for as much as \$60 a bottle – or more.

Gallo does provide benefits to the 20 percent or so of the Sonoma vineyard workers it hires directly. But Gallo claims it is not obligated to provide benefits to the other workers because it hires them through farm labor contractors. Why that may be is far from clear, and in any case you might think Gallo nevertheless would spend a tiny fraction more of its huge income to help the workers it needs to produce those pricey wines.

It's not that Gallo is spending great amounts on their pay. It ranges from a mere \$8 to \$9.40 an hour, some of which the workers must turn over to the labor contractors who are notorious for cheating workers, overcharging them for providing jobs, meals, transportation, and housing, sometimes making even more money off them by offering liquor and wine and prostitutes.

The UFW has been seeking benefits for the workers in negotiations with Gallo on a new labor contract to replace a three-year contract that expired last November. Its provisions included benefits only for workers hired directly by the winemaker. Gallo, however, is not interested in extending the protection of a union contract to more workers. Its interest is in denying such protection to all its workers.

Gallo's failure to agree to a new contract is not surprising. It took a strike and nationwide boycott for Gallo to agree to its initial contract with the UFW in 1967, and another strike and massive boycott six years later to force Gallo to sign its second contract with the union. It dragged out negotiations for nearly six years before signing the latest, now-expired contract. That's right: six years!

Even after finally reaching its most recent agreement with the UFW, Gallo moved to deny its workers the right to continue being represented by the union.

An administrative law judge found that Gallo violated California's Agricultural Labor Relations Act last March by pressing workers to call for a state-supervised vote on representation and to vote no. Judge Nancy C. Smith found that two labor contractors' foremen acting as agents for Gallo "assisted, supported, approved and encouraged" workers to sign petitions calling for the election to end UFW representation. The foremen did not explain the purpose of the petitions, only that they had to be signed because it was "for work."

The election was held, but because of the irregularities charged by Judge Smith, the ballots have been impounded pending Gallo's appeal of her ruling. That may take several months.

In the meantime, the UFW has been preparing for a return to the extremely effective tactic of the boycott that has brought the union so many victories over the past 40 years, in hopes of pressuring Gallo to grant full benefits to all of its vineyard workers. Foregoing Gallo wines is the least we can do to help some of our neediest and most exploited working people.

As UFW President Arturo Rodriguez says, "Gallo has spent more than \$100 million reinventing itself – from cheap jug wines to wines for up-scale, high-end consumers produced by Gallo of Sonoma. But Gallo has failed to change how it treats the farm workers who make Gallo's success possible. The new up-scale Gallo still treats its workers with deceit and disrespect . . . workers who are the flesh and blood of its success."