

“The Lettuce Strike & Boycott:  
Farm Workers’ Continuing Struggle For Self-Determination” February 1973

—By the Rev. Wayne (Chris) Hartmire

The agriculture industry is putting together major effort to stop the farm workers’ union. As of this writing the leadership of the Teamsters Union has decided to join the employers in this effort.

The “growers” (meaning the decision-makers of the industry) have developed a four-fold strategy:

- 1) Attack the motives and efforts of Cesar Chavez and the United Farm Workers.
- 2) Resist all grass roots UFW organizing (by firing union members, refusing to negotiate, resisting renewal of contracts, denying access to union organizers).
- 3) Invite the Teamsters in when it is necessary to thwart United Farm Workers.
- 4) Divert attention from the moral issue of justice and dignity for farm workers by talking about “the jurisdictional dispute”, “elections” and “reasonable legislation.”

Cesar Chavez and the United Farm Workers intend to continue and strengthen their nonviolent campaign. They will organize farm workers and ask for support from concerned people all over the world. Every person who reads this paper can help in the following simple ways:

- a) Avoid all head (iceberg) lettuce unless it bears the United Farm Workers’ Aztec eagle label. Please take this pledge seriously wherever you are: restaurants, meetings, airplanes, etc.
- b) In Washington, D.C. and west of the Mississippi join the “NO on SAFEWAY” campaign until Safeway agrees to buy only UFW lettuce.
- c) East of the Mississippi please don’t shop at A & P until A & P cooperates with the farm workers’ cause.
- d) Spread the word to friends, through newsletters by resolutions on lettuce, by example, etc.
- e) Offer help to your local boycott committee (check for UFW in telephone directory or call “Boycott Central” 805/822-5571).

How did the lettuce strike get started? For years lettuce workers quietly organized local UFW committees and waited for the successful completion of the Delano grape strike. In July of 1970 as the grape struggle was ending, the United Farm Workers (UFW) petitioned lettuce growers for secret ballot union representation elections. The growers sought out the Teamsters Union and signed back door contracts. The workers were not consulted. Denied elections, they went on strike August 24, 1970 to demonstrate that they wanted to be represented by Cesar Chavez’ UFW. 7,000 workers walked off the job in what the L.A. TIMES called: “The Largest Farm Labor Strike in the U.S. History.” As a result of the

strike several growers rescinded their contracts with the Teamsters, held elections, and negotiated contracts with UFW. About 10% of the lettuce bears the UFW brand.

Why a lettuce boycott? For 100 years growers have broken strikes by intimidating local workers and importing strikebreakers and by enlisting the cooperation of local law enforcement officials who issue restrictive injunctions, enforce them aggressively and provide a police escort service for strikebreakers.

Workers in agriculture have had many strikes but their employers have been willing to accept limited losses rather than negotiate with their workers. In Salinas on September 17, 1970, a local judge outlawed all strike activity on the ground that the strike was a violation of California's jurisdictional Strike Act. The workers chose to appeal that court decision and to continue their struggle through the lettuce boycott.

What was the outcome of the court appeal? On December 29, 1972, the Calif. Supreme Court, in a 6-1 decision, overturned the 1970 injunction and ruled that the lettuce growers had unfairly interfered in union affairs by recognizing the Teamsters Union as the exclusive bargaining agent for the growers' lettuce workers when in fact neither the growers nor the Teamsters had consulted any farm workers. To quote directly from the Supreme Court opinion (Englund vs Chavez, Ca. Supreme Ct., 12/29/72):

—“According to the un-contradicted affidavit of Cal Watkins, the personnel manager of InterHarvest, Inc. (a grower member of the Association) who attended the July 23 (1970) meetings, the Association members....discussed the question of Teamster representation of their field workers. The members decided to appoint a committee which was to approach the Teamsters to “feel out” that union on the prospects of negotiating an agreement recognizing the Teamsters as the exclusive bargaining agent of the Growers’ field workers. There is no suggestion in the record that the Growers, before taking such a step, attempted to ascertain whether their respective field workers desired to be represented by the Teamsters, or, indeed, that the question of their field workers’ preference was even raised as a relevant consideration.

—“The Association Committee which had been established to approach the Teamsters worked quickly. On the following day, July 24, 1970, at another general membership meeting of the Vegetable Association, the Committee reported that the Teamsters had been contacted and were ‘interested and receptive’; indeed, the Committee informed the membership that any grower who wished could sign an immediate recognition agreement designating the Teamsters as the exclusive bargaining agent for all of his field workers. Each of the Salinas Valley Growers involved in this litigation signed such an agreement that same day, on a form made available by the Teamsters. Once again, there is no indication that any thought was given to the possible wishes of the field workers whose interests were purportedly to be represented by the Teamsters. The next day negotiations for formal contracts began between the Teamsters and the Growers.

—“Over the next week, the Teamsters and Growers proceeded to negotiate detailed contracts covering such specific subjects as wages, hours and other working conditions; although the field workers were the individuals who would primarily be affected by such provisions, these workers were never consulted during the negotiations and were never given an opportunity to examine the terms of the contracts or even to indicate whether they desired to be represented by the Teamsters. Nonetheless, by the end of July each of the Salinas Valley Growers (involved in this case) had executed 5-year exclusive ‘union shop’ agreements with the Teamsters, covering wages, hours and working conditions of the field workers.

—“During the first few weeks of August 1970, when the field workers finally were advised of the collective bargaining agreements that had been negotiated on their behalf, most of the workers refused either to join the Teamsters Union or to sign or ratify the Grower-Teamster agreements. Although there is some dispute as to the precise number or percentage of field workers favoring either the Teamsters or UFW, it appears clear that by mid-August at least a substantial number, and probably a majority, of the applicable field workers desired to be represented by UFW rather than by the Teamsters. Thereafter, UFW repeatedly demanded that the Salinas Valley Growers recognize it as the freely designated representative of the field workers; when these demands were rebuffed, the field workers on August 24, 1970, commenced a recognition strike against the Growers on behalf of UFW.

—“...from a practical point of view an employer’s grant of exclusive bargaining status to a non-representative union must be considered the ultimate form of favoritism, completely substituting the employer’s choice of unions for his employee’s desires.

—“In sum, we conclude that an employer who grants exclusive bargaining status to a union which he knows does not have the support of his employees may not thereafter call upon the state to enjoin concerted activities by a competing union.”

On the basis of this conclusion the court overturned the injunction against strike activity in the lettuce fields. (However, growers can still seek limiting injunctions – as contrasted to a total injunction against all strike activity.)

What is the current status of the Teamster “contracts”? On December 12, 1972, Frank Fitzsimmons, President of the Teamsters, crossed a UFW picket line in Los Angeles to speak to the Annual Convention of the American Farm Bureau Federation. The L.A. TIMES headlined: “Teamster President Proposes Alliance with Growers Group.” On Dec. 13, 1972 Mr. Fitzsimmons announced that the Teamsters were going to “renegotiate” their 1970 lettuce contracts. On January 16, 1973, the Teamsters and growers announced new contracts covering 170 growers and 30,000 lettuce field workers (contracts that expire

in July of 1975). The growers admitted that the workers would not be consulted about the contracts. Teamster representative, Wm. Grami said that lettuce workers would have to join the Teamsters Union to be protected by the contracts "however this provision will not be enforced for the time being." (San Francisco Chronicle, 1/17/73)

*Why is it important which union represents farm workers?* The farm workers' struggle is for justice and self-determination. Farm workers are interested in more than higher wages. They want to participate in building a union of their own. They want leaders they trust. For these reasons they want Cesar Chavez and the UFW. They have demonstrated their clear preference for UFW in the great lettuce strike of 1970 and in the elections supervised by the Catholic Bishops Committee at InterHarvest and at other lettuce ranches that have negotiated contracts with UFW. (There have been no representation elections of any kind at Teamster ranches.)

A Lutheran clergyman whose father found dignity through the struggles of the UFW has written to the President of the Teamsters: "You are a busy man so let me come to the matter of central importance. Contract terms (benefits) have never been the primary reason to organize workers. Organizing has first to do with your consciousness of being a self-determining person, acting, rather than being acted upon, free, rather than oppressed. Cesar Chavez and the United Farm Workers aim at this primary goal. I don't get the impression that you do."

The issue is simple at its core: should farm workers have a union of their choice or should growers be able to pick a union and impose it on their workers?

*The growers keep saying that they are for elections and Chavez is not.* Recent events should end that discussion? UFW and the lettuce workers wanted elections in 1970 and were refused. The growers signed contracts with the Teamsters without any consultation with workers and have now renegotiated those contracts without any consultation with workers (no strike no secret ballot, no card check, no ratification). If the growers are in favor of elections why did they sign Teamster contracts behind their workers' backs?

In California the entire agricultural industry united behind Proposition 22, an initiative on the November 1972 ballot. Prop. 22 offered elections in theory but disenfranchised almost all seasonal and migrant farm workers. Section 1150.4b proposed that "*The date of such (secret ballot) election shall be set at a time when the number of temporary agricultural employees entitled to vote does not exceed the number of permanent agricultural employees entitled to vote.*" This section would have automatically disenfranchised almost all seasonal and migrant farm workers. Fortunately California voters rejected Prop. 22 by a wide margin (58%-42%). The

growers have passed repressive laws like Prop. 22 in Arizona, Kansas and Idaho. They would like to do the same in every agricultural state.

There have been over 60 farm worker elections in California, Washington, Arizona and Florida. In very case but one the workers have voted to be represented by UFW. The growers want consumers to believe that Cesar Chavez is the source of all the difficulty. But in 1970 the lettuce growers were the ones who refused to hold elections. By that refusal they forced farm workers into a long strike and boycott. The growers can end the conflict whenever they are ready to recognize the union of the workers' choice.

What about legislation? The Farm Bureau and other agribusiness interests have kept farm workers from the protection of state and federal laws for decades. Now that the boycott is bringing about changes in agriculture the major grower interests (with the cooperation of the Teamsters' leadership) are promoting legislation as the "true solution" to the problems of the farm workers. The growers and the Teamster leaders do not represent farm workers and so they should not be taken seriously when they talk about what is "good for farm workers."

Why are the growers promoting legislation? For only two reasons: to cripple the consumer boycott and to make strikes at harvest impossible. These are difficult objectives to talk about in public so the growers talk about "elections" as a cover for their true legislative objectives. As we have seen in the Prop. 22 fight the agricultural industry does not really want elections that will allow migrant and seasonal workers to vote.

What does UFW want in the way of legislation? The United Farm Workers want to build a strong, democratic union. Legislation does not automatically solve problems for poor people – it can be used to hinder their objectives. The United Farm Workers are on record in favor of the 1935 Wagner Act (National Labor Relations Act) which provides for union representation elections without crippling amendments (e.g., against boycotts) added by the 1947 Taft-Hartley Amendment to the NLRA. Farm Workers believe that they are in the same position industrial workers were in during the 1930's: poor and weak in an industry that wants to destroy their union. Therefore farm workers feel they should have the same protective legislation that industrial workers had in the 1930's.

The Farm Bureau and their right wing allies claim that the UFW union is a dictatorship with no rights for individual workers: UFW strength is based on the participation of workers. Farm workers elected ranch committees at every farm before the Salinas strike in August of 1970. Those committees were responsible for strike activity at their ranch. Those same elected committees joined in negotiating the lettuce contracts at InterHarvest, Mel Finnerman, etc. The ranch committees learn the contract and take responsibility for enforcing the contract at their ranch. They vote on every major policy decision of the union.

The UFW also expects workers to take their union seriously. Workers are expected to pay dues (\$3.50 per mo.); they are expected to come to meetings and participate in decisions; when the union is under fire they are expected to go to Sacramento or L.A. or Miami or Tallahassee to make their voices heard. The union does have a disciplinary procedure for members; but the workers themselves decide whether discipline is necessary; they elect a hearing committee from their ranch; they vote on the final outcome – serious penalties (fines, suspension) requires a 2/3 vote of the workers at the ranch.

Until 1972, the UFW was an organizing committee of the AFL-CIO. The UFW now has a charter and is an independent union affiliated with the AFL-CIO. The UFW has a constitution and a Board of Directors elected by the workers. The UFW is covered by the 1959 Landrum-Griffin Act which protects workers' rights in the union. The UFW will hold a convention in 1973 to elect officers, amend the constitution and adopt policy and goals for the year ahead.

*The growers say that the farm workers' boycott is vicious and immoral?* The British must have had similar feelings about the potent boycotts used by Sam Adams and other American patriots in the 1770's. The farm workers' boycott is an effective non-violent way for millions of concerned Americans to be with poor people in their struggle for justice. The boycott is a beautiful thing for the poor. It is hated because it is economically effective. If the growers and the chain stores would stop fighting the farm workers union and use their influence to bring about more justice for farm workers then there would be no strikes and boycotts. It is the intransigence of the powerful that makes the boycott necessary. Dr. Martin Luther King, Jr. used to say: "We are not boycotting to put anyone out of business; we are boycotting to put justice in business."

*The Farm Bureau is making extensive use of the Arizona Ecumenical Council's Truth Squad Report to try to prove that farm workers are content and don't want to be represented by Cesar Chavez' UFW:* 20% of the nation's lettuce comes from Arizona. In May of 1972, the Farm Bureau and the lettuce growers pushed through an Arizona farm labor law (HB 2134) which effectively eliminates the boycott and strikes at harvest and establishes an election system which disenfranchises most seasonal and migrant farm workers. The UFW and many other groups in Arizona are battling against that law and the anti-worker, anti-poor people climate which made it possible.

In the middle of this struggle the Truth Squad Report was released. It is a confusing, poorly documented and internally contradictory report. In preparing the report the Truth Squad bypassed the AEC's own Farm labor Dept. and those church people who have worked for years with farm workers and who know their suffering firsthand (e.g., Church Women United; priests, sisters and ministers whose parishes are in farm labor communities

– most of these persons have joined in publicly attacking the Report's Inadequacies). The anti-UFW findings are mostly the result of the Rev. Paul Gaston's personal investigations. Mr. Gaston, a United Church of Christ clergyman was chairman of the Truth Squad; he is an Anglo who does not speak Spanish and who is unknown to farm workers. His trip to Delano was arranged by two pro-grower Arizona legislators. He was an affluent stranger to Arizona's farm workers when he asked them how they felt about Cesar Chavez and the UFW. Needless to say they were cautious in their responses. Since the publication of the Truth Squad Report, Mr. Gaston has been widely quoted in agribusiness publications. He has even lent himself to the growers' cause by criticizing the UFW and their supporters at major industry meetings (e.g., the Jan. 23-25, 1973 meeting of the Great Lakes Vegetable Growers in Lansing, MI.). A complete analysis of the Truth Squad Report is available from the Rev. Richard Cook, Post Office Box 20687, Phoenix, Arizona 85036.

Many church leaders have received large quantities of anti-Chavez literature from George Gannon, part owner of Yakima Chief Ranch, a hope farm in Mabton, Wash: Mr. Gannon is apparently a sincere, super-paternalist who believes that he knows better than anyone else what is good for "his" workers. In September of 1970, Yakima Chief Ranch accepted a secret ballot election for farm workers. The rules and procedures were agreed to by both parties and a committee of local clergy was asked to supervise the election. The result: "UFW"-105, "No Union"-5. Negotiations with UFW proceeded slowly. Mr. Gannon finally decided that UFW was not good enough for his workers. He set up a company union with his own foreman (Alberto DeLeon) as its leader. There is still no contract at Yakima Chief. Mr. Gannon contributed to the Prop. 22 campaign in California and is now promoting Farm Bureau-type legislation in Washington State. For more information on George Gannon write the NFWM. (address below)

The Farm Bureau says that migrants are disappearing and that they represent only 10% of the farm labor force: There are 3 million farm workers in the USA according to a 1972 USDA paper entitled "The Hired Farm Working Force of 1971." The Senate Subcommittee on Migratory labor in its 1969 report placed the migrant population in the country at one million. The USDAS study found that the average migrant earns \$1407 per year. 800,000 farm workers are children under 16 years of age; 300,000 of these children are migrant farm workers ("Child Labor in Agriculture" American Friends Service Committee, 1971).

There are still hundreds of thousands of poverty stricken migrant farm workers. According to the U.S. Public Health Service the average life expectancy of migrants is 49 years. The nationwide average expenditure for migrant health in 1967 was \$7.20 per person. For the U.S. population as a whole the figure was \$256.00 (Research & Statistics, Note #7, 6/18/70, Social Security Admin. Of the U.S. Dept. of H.E.W.).

The growers' 10% migrant figure comes from California's State Director of Agriculture, C.B. Christensen, who, during the prop. 22 campaign, quoted official government statistics to prove that 90.4% of Calif. farmworkers were "permanent" workers. But the L.A. Times discovered that the 90.4% figure was invented by the growers' public relations firm: "Christensen announced earlier this week that the figures had been compiled by Calif. Rural Manpower Division in its official 1971 report.' The figures did not come from that report... The 90.5% figure in (Christensen's) report was contained in an opinion written by W. M. Queale & Associates, a Sacramento public relations firm promoting Prop. 22 (the growers' initiative). The actual figures in the government report showed that there were 182,700 temporary (seasonal) farm workers in California in September 1971 and 99,300 permanent (year-round) workers in the state." (L.A. TIMES, 11/4/72)

In regard to lettuce, the growers talk about good wages if workers move with the harvest but forget that they are thus proving that migrancy is necessary in the lettuce industry. The lettuce harvest moves geographically from Arizona to So. Calif. to Northern Calif. to Central California to Arizona. To even get close to 8-10 mos., of work a worker must migrate 4-6 times per year.

For those who may not know firsthand what it is like to be a migrant farm worker or who have forgotten why Cesar Chavez is so determined to build a farm workers' union, please read, Robt. Coles' book, Uprooted Children (Harper & Row, Paperback 95¢).

The Farm bureau and the lettuce growers claim that lettuce workers earn \$6.44 per hr. and \$213.80 per week: The Farm Bureau says these are official government statistics. They are not. They come directly from the lettuce growers' public relations arm, the Free Marketing Council. Dateline, Salinas, Ca.: "A concise 6 piece fact file concerning the ongoing controversy over western iceberg lettuce and the farmworkers involved with lettuce harvesting is now being circulated to the nation's news media by members of the Free Marketing Council here. The key points made by the "Fact File" are (1) lettuce harvesters during a 14 wk. period in 1972 made actual earnings of \$6.44 per hr. for 33.2 hrs. per week..." (The Packer, August 26, 1972). The wage survey was compiled by the lettuce growers for the purpose of their "Fact File."

Hourly wages in lettuce range from \$1.65-\$1.85 per hour at non-union ranches. They are moving toward \$2.30 per hour thanks to UFW contracts which are setting a high standard for the industry. During the harvest, lettuce cutters can earn more than the minimum hourly rate; their wages are also improving. But lettuce cutters are the elite workers of the industry. They are usually young (in their early 20's); they work in wet fields, moving quickly down the rows in a bent-over position. The average worker can cut lettuce for only 6-10 years. He is then burnt-out with back pain. Because of the nature of the work, lettuce cutters should only work 6 hours per day. At non-UFW ranches it is common



practice for foremen to distribute beer and pills to dull the pain so that they can push the cutters to work 10-12 hours per day.

How important are wages to farm workers? Are other issues also important? Wages are very important because farm workers who work under union contracts can now buy and rent their own homes and feed their own children instead of being dependent on charity. But wages are not as important as other issues that confront USA farm workers:

- 1) Speed-ups, arbitrary firings, and personal abuse by foremen, supervisors and labor contractors. It is not uncommon for women to be degraded and their husbands humiliated by the personal attentions of the "bosses." To resist is to be fired.
- 2) Lack of toilets and cool, clean drinking water in the fields.
- 3) Exploitation by labor contractors and crew leaders who overcharge for transportation, food, water, housing, linens, loans, etc.; who fail to pay Social Security to the government even after they have withheld it from the workers; who control the lives of their workers during the traveling season. The Teamsters' leadership and the lettuce growers are committed to continuing the labor contractor system. The UFW is just as determined to replace labor contractors with a union hiring hall.
- 4) A sense of futility and helplessness: without an enforced union contract farmworkers have no grievance procedure, no way to protest mistreatment without risking their jobs — so farmworkers silently swallow humiliation in order to feed their children.

The growers claim that Chavez is just out for money and power: Cesar Chavez has been organizing poor people for 20 years. He still owns nothing. He and his family live on subsistence like all the strikers and boycotters: room, board & \$5.00 per week. The Chavez' family live in a small, 2-bedroom house at La Paz, Ca. Cesar Chavez & his family do want organized strength for the workers. They have pledged their lives to building a strong farmworkers' union that can bring a measure of justice to rural America. "Our goal is a national union of the rural poor dedicated to world peace and to serving the needs of all men and women who suffer." (Cesar Chavez)

What are some of the benefits of the United Farm Workers' efforts?

- 1) Growing conviction that the poor can make changes through determined non-violent struggle.
- 2) Demonstration that Filipinos, Blacks, Whites, Chicanos, Arabs, Puerto Ricans and others can work together in one union.
- 3) Witness to the power of sacrifice and service on behalf of the oppressed: a challenge to all of us.
- 4) New hope among farm workers everywhere.

- 5) A new spirit of self-respect and independence that takes the place of fear and helplessness as farm workers organize, picket, build the boycott, form ranch committees, negotiate contracts and work in their own committees to enforce those contracts.
- 6) The Robert F. Kennedy pre-paid Medical Plan that has paid out two million dollars in benefits to farm workers and their families for: doctor visits, X-rays, lab work, medicine, maternity, surgery, hospital bills, death benefits, emergency dental care and ambulance service.
- 7) Farm worker clinics (not government clinics or charity clinics) in Delano, Calexico and Fresno with a new one planned for Salinas.
- 8) A Farm Workers' Credit Union – controlled and administered by farm workers.
- 9) Agbayani Retirement Village for Filipino workers: now under construction in Delano.
- 10) Through the hiring hall an end to the labor contractor and crew leader system; an end to 4:00 A.M. “shape-ups” where farm workers sell their bodies and their work to the highest bidder and climb onto cattle cars to be taken to work; an end to arbitrary firings, black-listing and discrimination in employment.
- 11) Job security for those farm workers who, after age 40, must still feed their children but who can no longer run through the fields with the youngest workers.
- 12) For farm workers, protection from poisonous pesticides in the fields; for consumers, less poison on our food.
- 13) Other contract benefits, e.g., grievance procedure; seniority system; vacations and holidays with pay; toilets, washing facilities and clean, cool drinking water in the fields.

The time has come for justice for farm workers! United Farm Workers are doing the work and making the sacrifices that will bring that result. They need our support!

*“Why are our opponents so afraid of a union for migrant farm workers? Is it so much to ask that the poorest people of the land have a measure of justice?...Somehow these powerful men and women must be helped to realize that there is nothing to fear from treating their workers as fellow human beings. WE do not seek to destroy the growers. WE only wish an opportunity to organize our union and to work non-violently to bring a new day of hope and justice to the farm workers of our country.”*

*—CESAR CHAVEZ*

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