

Adopted by the National Council
of Churches Executive Committee,
June 13, 1973

REPORT OF THE GOVERNING BOARD TASK FORCE ON THE
FARM LABOR DISPUTE IN CALIFORNIA

The National Council of Churches, its predecessor organizations, and its constituent denominations have long been strong supporters of free trade-unionism, even prior to the passage of the 1935 Wagner Act.

It has, for more than sixty years, been concerned with the deep-seated problems of farm workers through the Migrant Ministry. Thus, in recent years, it has supported their self-determining efforts to solve their own problems through the creation of their own farm worker union. To this end it has consistently moved to support the grape and lettuce boycotts.

However, in response to the controversy generated by moves of the Teamster International into new areas of agricultural labor where the United Farm Workers were organized, the Governing Board of the NCC on March 2, 1973 instructed its officers to appoint a task force to search out the facts of the matter and report back to the June meeting of the Executive Committee.

The NCC task force, which was given the mandate of "seeking out the facts concerning the Teamster involvement in the farm worker struggle for self-determination" has held three meetings. (see appendix 1).

The NCC has stated its concern for seasonal farm workers on a number of occasions.* In consonance with these positions the task force has identified these paramount concerns:

- (a) that farm workers themselves have access to the resources and processes to make self-determination possible;
- (b) that farm workers have the right to create and join unions of their own choosing without threats or compulsion;
- (c) that farm workers be able to represent their own interests and welfare in the organization and control of their union activities;
- (d) that farm workers themselves be able to accumulate sufficient power to enable them to bargain effectively with their employers;
- (e) that farm workers also obtain the rights and privileges in all areas of economic and social life to which they are

* Policy Statement: "Concern of the Churches for Seasonal Farm Workers," December 3, 1966.

entitled but do not now possess;

- (f) that farm workers be able to benefit from the growth experience involved in obtaining power in contrast to being given a share of power by benevolent paternalism.

A. With the above background and objectives in mind certain questions must be raised in relation to this controversy.

1. Which union, the United Farm Workers or the Teamsters, is more representative of the interests and desires of the workers?
 - (a) Historically, it was the United Farm Workers which took sufficient interest in the farm workers in the past ten years to organize them and give them the power they now have in the collective bargaining process.
 - (b) The method of organization used by the United Farm Workers, in contrast to the Teamsters, represents union building from the bottom up and not from the top down. Their present leadership came from the fields and remains very close to the fields. The decision making process of the UFW involves a larger number of actual field workers than does the Teamster Union. The method of organization in and of itself represents to some degree the attitude of the workers involved.
 - (c) In the past when preference of farm workers has been shown through elections, card checks, or strikes, the overwhelming preference has been for the United Farm Workers rather than the Teamsters.
 - (d) The fact that the growers have hurriedly and eagerly signed contracts with the Teamsters raises serious questions concerning the nature of these contracts. There is a strong suggestion of deal bargaining. The farm workers have had no opportunity to vote on these contracts. The Teamster contracts accept the role of the labor contractor and reject the hiring hall in blunt disregard of long-held farm worker grievances. The findings of the Supreme Court of the state of California in the Englund vs. Chavez case is indicative of a broad pattern of disregard for basic industrial democracy by the growers and the Teamsters: "To our knowledge, the present case is the first instance in which the employers have granted exclusive bargaining status to a union which the employers know do not represent a majority or even a substantial number of their employees, and have thereafter sought to utilize the state's injunctive power to curtail concerted activities by a union which claims to be

more representative of the employees."

- (e) It is a fact that a large percentage of the field workers are of a Mexican-American background. There is documented evidence* of discrimination by the Teamsters in their California cannery locals. A large percentage of field workers are Mexican-American. Therefore, it is reasonable to assume that the problem of discrimination is much less likely to exist if the United Farm Workers, which leadership is largely Mexican-American, would represent farm workers in collective bargaining processes.
2. Which union, in our judgment, would continue to represent the field workers in an effective, vigorous, democratic fashion? Which union would assist these workers in the process of self-determination, in the management of union affairs, and in other social, economic, and political areas?
- (a) The Teamsters Union is one strongly dominated from the top with very little grass-roots control available.
- (b) The record of the Teamsters Union in the canneries, where Mexican-Americans are in the majority, is to exclude Mexican-Americans from positions of leadership.
- (c) In the same canneries employers discriminate against Mexican-Americans in job opportunities and advancement.
- (d) The Teamsters Union does not seem as interested in bargaining for, and including in contracts, those procedures which are most important to a union in maintaining its membership and seniority rights. Hiring hall clauses are always included in United Farm Workers contracts but are never included in Teamster contracts with reference to farm labor. In contrast, the Teamsters utilize a hiring hall in the trucking industry. In farm labor contracts Teamsters continue to rely on the labor contractor system as a source of labor supply with all of the attendant dangers of worker exploitation.

The task force is not unaware of problems in the implementation of the hiring hall such as separation of families and, at times, unavailability of workers in sufficient numbers and experience, but these problems must be seen in the light of the relative newness of contractual relationships with the United Farm Workers.

*Minutes of the California Human Relations Commission, 5/18/71, Commissioner's Charge -- Equal Employment Opportunity Commission, Washington, D.C., 1/27/73.

The Task Force therefore recommends that the NCC continue to support the efforts of the United Farm Workers in their struggle to build a strong, self-determining union because:

- (a) We are convinced by our study that their methods of organization and record of activity most nearly represent the will of the workers.
- (b) We are convinced by our study that the United Farm Workers affords the greater opportunity for membership control and self-determination.
- (c) We are convinced by our study that the organizational pattern of the United Farm Workers provides less opportunity for racial and cultural discrimination.

The Task Force believes that the NCC can further assist in the resolution of the dispute:

1. By working for an orderly process which allows farm workers to designate their bargaining agent in labor disputes. This process should be provided by national legislation rather than conflicting legislation by various states. Therefore the appropriate units of the NCC should work for passage of effective and fair legislation which will:
 - (a) Allow for self-determination on the part of the workers as they organize and designate their bargaining representatives by fairly conducted elections;
 - (b) Allow the farm workers the tools to build a strong union; (One necessary tool at the moment is the boycott, given the combination of the Teamster - grower power against them. But any such tool is only for the period necessary to enable the farm workers to come to a bargaining table with the necessary equality of power to achieve a just and equitable contract.);
 - (c) Explore whether present labor laws should simply be extended to include agricultural workers or whether special legislation should be provided for agricultural workers.
2. Since regularized election processes are not presently available, the NCC should lend its prestige and support for the organization of third party supervised elections in such disputes. They are urgently needed now in the Coachella and Salinas Valleys of California.
3. The NCC should urge church members to be present with the parties of the dispute as often as feasible to minimize the possibilities of violence or threats of violence on picket lines and during the boycott. Full

publicity should be given to violence or threats of violence on either side.

4. It was the conclusion of this task force that there is systematic discrimination against racial minorities in the food industry in California. Groups subject to this kind of discrimination have experienced repeated frustration in trying to find just relief through federal and state administrative agencies. The apparent massive inadequacy of these agencies to provide some measure of relief to those discriminated against is a problem that deserves to be on the agenda of the NCC and its related organizations for immediate action.

Those appointed to the Task Force are as follows:

Mr. Roy Romer, Chairman
Mr. Irvin C. Chapman
Ms. Theresa Hoover
Mr. Tom Spitz
Rev. Howard E. Spragg
Dr. Luther E. Tyson
Dr. Jorge Lara-Braud, Staff Consultant
Rev. William E. Scholes, Staff Secretary to Task Force

APPENDIX 1

The Task Force met on April 19 in New York City to determine organization and process.

The second meeting was in San Francisco on May 14-15. At that time they met with the following:

Mr. Leslie Hubbard, Western Growers' Association
Mr. Richard V. Thornton, California Fruit & Vegetable Growers Association
Mr. Louis Riga, Western Conference of Teamsters
Mr. Jerry Cohen, Legal Counsel for the United Farm Workers, plus other representatives
Mr. William S. Mitchell, President, Safeway Stores, Inc.
Mr. Felicio Del Campo, Public Affairs Office, Safeway
Mr. Malcom Grover, Executive Vice President, Safeway
Mr. Ruben Reyes, Committee of Cannery Workers

The third meeting was held in New York, June 6. At that time the task force met with Mr. Tom Noonan, Public Relations Officer for A&P Stores. They also read material submitted by Rev. Msgr. George Higgins, Secretary for Research of the United States Catholic Conference, who had planned to be present but was called to California with reference to this same issue.

The Task Force would have benefited greatly from more time and the possibility of interviewing workers in the field, but this just was not feasible given the NCC Executive Committee meeting schedule and the immediacy of the situation.