

A RESPONSE TO GALLO

Ernest Gallo is sending form letters to thousands of people in churches and synagogues. What follows is a partial response to Mr. Gallo.

Ernest Gallo believes that he can take care of his workers. He wants to maintain his "warm, family-like relationships" with his workers. He believes that he knows better than Cesar Chavez and the UFW what is good for farm workers. In negotiations with UFW he wants to represent the Gallo company and at the same time "protect" his workers from the union. This stifling paternalism underlies much of what Mr. Gallo says about the UFW struggle. Mr. Gallo needs to accept the fact that he is a wealthy and powerful employer. He cannot represent the interests of workers. He should not take unto himself the responsibility of selecting the union that he (Gallo) thinks is best for his workers. Choosing a union and negotiating with the boss is the business of workers! Workers want justice and self-determination, not paternalism.

Ernest Gallo claims that he signed a contract with the Teamsters in 1973 because his workers demanded it. There are several problems with this Gallo mis-statement: UFW represented Gallo's workers for 6 years after a State-verified card check election on August 1, 1967. During the 1973 negotiations, when it became apparent that Gallo was also dealing with the Teamsters, UFW publicly asked for a secret ballot election to prove the will of the workers. (Fresno Bee, 5/21/73) Gallo said it was unnecessary. Gallo's farm workers went on strike June 27, 1973, after the company announced its intention to negotiate with the Teamsters on the basis of Teamster claims of representation. Approximately, 135 of Gallo's 185 workers went out on strike. Bob Gallo admitted that "a bus went to pick up workers at the company's main farm labor camp on Griffith Road and left empty." (Fresno Bee, 6/28/74) UFW kept insisting on elections. The Teamsters said they "were not going to go for any mickey mouse elections of any nature." (Fresno Bee, 6/28/74) Gallo says that they verified Teamster cards on July 6, 1973. Why didn't they call in an acceptable third party to verify those cards? (The State Conciliation Service verified the UFW cards in 1967.) Robert Gallo told Sr. Joyce Higgins and other religious on July 3 that he would agree to a UFW card check. Yet on July 5 and 6, Sr. Joyce tried to present 173 signed UFW authorization cards to Robert Gallo but he did not return her phone calls nor did he respond to her telegram. On July 18, 1973, Gallo initiated eviction proceedings against 70 workers (and their 400 children) who were on strike. How can Gallo now claim that these workers and the other strikers wanted the Teamsters.

Gallo claims to be a simple family farm. Gallo owns 5,500 acres of wine grapes, 1500 acres of apples and employs 460 workers at peak season (August). The company made a profit of approximately \$40 million in 1972 on sales of 109 million gallons of wine. They represent 45% of California wine production and 37% of U.S. wine production. Ernest Gallo is like many other growers (large and small) who claim to have "warm feelings" for their workers but want to maintain unilateral power over them.

Gallo states that UFW would have a contract at Gallo today if UFW had not stubbornly insisted on union discipline and hiring hall practices outlawed by the NLRA. This is a strange statement: on the one hand Gallo says he signed with the Teamsters because his workers demanded it and on the other hand he says that UFW would have the contract today if UFW had given in on two key issues!? Farm workers are not covered by the NLRA and its restrictions are therefore not relevant to the Gallo situation. Most of the restrictions that Gallo and other growers like in the NLRA were not put there by workers to protect workers; they were put there by employers who had enough political power in 1947 and 1959 to get their anti-union amendments through the Congress.

Gallo advocates the existing NLRA for farm workers. Farm workers do not claim to know what legislation is good for Gallo and other growers; why does Ernest Gallo think he knows what is good for farm workers? Farm workers have been struggling a long time for a union of their own. They favor secret ballot elections and collective bargaining protections but they do not believe that HR 4408 (Sisk) and SB 3409 (Tunney) will

protect the rights of farm workers (for more details on the UFW position on legislation write to NFWM). For obvious reasons Gallo would like us to shift our efforts to legislation and away from the Gallo boycott. But without a strong UFW strike and boycott there would be no interest in legislation for farm workers. It is necessary to keep boycotting and at the same time work for legislation that farm workers favor.

Gallo opposed the California Secret Ballot election bill (AB 3370). Farm workers in California under the leadership of UFW did support a secret ballot election bill in California in 1974. The law was designed so that elections would be held when most farm workers are on the ranch. This was a law farm workers wanted and worked for. Gallo opposed it (Washington Star News, 9/19/74). The Teamsters and other growers also opposed it and had it killed in the Senate Rules Committee after it passed the full California Assembly.

Gallo states that people should not dwell on the past but should recognize the reality of the present, i.e., that they have a binding Teamster contract. The Gallo Company chose not to cooperate with an investigation of the facts of 1973 proposed by Msgr. James Flynn and other church leaders in California in February of 1974. Yet Gallo is now spending hundreds—perhaps thousands—of dollars distributing Gallo's version of the events of 1973. They consciously avoided independent verification of the Teamster authorization cards in July of 1973 and have consciously avoided independent verification of the facts surrounding the Teamster take-over in 1973. Other large growers in California (DiGiorgio, Perelli-Minetti, Interharvest, etc.) have gotten out of Teamster contracts in order to sign with the union of the workers, UFW.

Ernest Gallo is morally indignant about the quality of UFW literature and expresses personal pain over factual statements made about the Gallo Company. Mr. Gallo's moral sensitivity is quite limited. Farm workers have been working and sacrificing since 1962 to build their own union. They believe in UFW; they love Cesar Chavez. Given a chance, they would vote for UFW at Gallo's ranch. The Gallo's have denied their workers an election. They have joined the other growers and the Teamsters in an all-out effort to destroy UFW and all it stands for. But they want us to ignore those moral realities, ignored the \$13 million the Gallo's spend on public relations and focus our outrage on UFW leaflets. (The rich have TV political influence and mass mailings; the poor have leaflets, house meetings and picket lines.)

Gallo representatives claim that Ernest Gallo is an honorable gentlemen and some "careless mistakes" may have been made in 1973? But the Gallo Company did not grow to its present size through careless management. If the Gallo's had known there would be a powerful UFW boycott in 1974 surely they would have been more careful in 1973. There is only one reasonable explanation: Gallo assumed, along with the other growers, that the alliance with the Teamsters in 1973 would destroy UFW. Gallo did not prepare for a UFW boycott because they did not expect UFW to be strong enough to produce an effective boycott.

Gallo claims that the U.S. Border Patrol made a thorough search of the Gallo ranch on 9/20/74 and found no illegal aliens at work. Independent investigation by Sr. Anne Russell, IHM, Sr. Betty O'Donnell, SNJM, Sr. Anne Korthals, BVM and Fr. Joe Tobin, CSSR has demonstrated that Gallo's workers were warned by Gallo supervisors on Sept. 19, 1974, to stay away from work on Sept. 20, unless they had valid immigration papers. The religious found that the Border Patrol "raid" was not only carried out with the advance knowledge of the company but was also careless and incomplete. Many workers who did have papers and who did go to work on Sept. 20 did not see any Border Patrol investigators. Others, who saw the investigators, were not checked by them.

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