

TO ENSURE THAT JUSTICE IS DONE . . . THE BOYCOTT MUST CONTINUE

The Calif. Agricultural Labor Relations Act goes into effect August 28, 1975. What about the grape workers who have finished the peak season by that time? The grape harvest in Coachella and in Arvin-Lamont will be completed by August 28. The UFW is asking those grape growers to hold elections immediately (using the precedents of the law and an outside arbitrator) so that the grape strikers in those areas will not have to wait another year for elections. Obviously the growers will not be interested in solving the problem this year unless they are feeling the economic pressure of the boycott.

Is it expected that the growers will cooperate with the new law? No one knows for sure. Don Curlee of the So. Central Farmers Committee (Delano Grape Growers) has written (5/23/75) that "Our attorneys find the bill contains several serious ambiguities and uncertainties...we are not at all convinced that the slam-bang, pressure cooker tactics employed by the Governor have produced commendable or even workable legislation." Keene Larson and other Coachella growers opposed the law. Gallo said publicly that they supported the law, but they worked behind the scenes against it. The Packer, the food industry's most influential publication, supported the bill on May 24, 1975 but reversed its position on May 31 saying:--"We find the bill unacceptable...(it) is a pro-UFW bill nearly all the way. There will be no peace... Some Calif. growers have already begun firing UFW sympathizers.

Farm workers assume that Gallo and the other growers will put their attorneys to work to delay and frustrate the intent of the law. The continuing boycott will help persuade the growers to cooperate with the spirit and the letter of the law.

How can the growers delay the effect of the law? The Calif. Act provides for appeals in case one party concludes that an election was unfair. A grower who is willing to spend the money can appeal the results of an election to the Agricultural Labor Relations Board, can stall bargaining and force the issue into a two-three year court challenge. Such an appeal could frustrate the results of an election and delay collective bargaining for years. The Farah pants company engaged in this delaying process (under the NLRA) and was finally persuaded by a boycott to sign a contract.

Does the Act guarantee that employers will bargain in good faith and sign contracts with the union that is certified as the representative of the workers? NO! The Act states that "failure to bargain in good faith" is an unfair labor practice. But in order to enforce that provision against an intransigent grower the Board would have to exhaust its own administrative procedures and then go into a prolonged court battle. The Act does not require the signing of a contract or the inclusion of any particular protections in a contract. The UFW will continue the boycott of non-UFW grapes and head lettuce and Gallo Wines until they have won elections and signed effective contracts--i.e., contracts that include the hiring hall, effective seniority and job security clauses, pesticide protections, health and safety committee, etc.

What if the UFW loses elections? If the UFW loses a fair election(s) then the boycott of the affected product(s) will be terminated immediately. If the UFW wins the election(s) the boycott will continue until strong contract(s) are signed.

How should I respond to people who say that they were committed to the boycott until elections--and now elections will surely take place under the California Act? Please argue with them: First of all, elections have not yet been held and the boycott may keep growers from fighting the basic intention of the Act. Secondly and most importantly: farm workers need and want union representation elections but elections are only one step toward justice. Farm workers want to win elections and sign strong contracts. Elections by themselves do not guarantee that there will be contracts or that there will be a democratic farm workers' union enforcing contracts. Justice is the goal that farm workers seek. In order to reach that goal farm workers must organize, struggle, win elections, sign effective contracts and build the structure and programs of their own union.