

# Chavez Demands Kintz Ouster

In a telegram sent September 19 to Governor Brown, Cesar Chavez, speaking on behalf of the United Farm Workers of America, called for the firing of Walter Kintz as general counsel of the Agricultural Labor Relations Board. The full text of Chavez' message follows:

WE HEREBY DEMAND THE IMMEDIATE DISMISSAL OF WALTER KINTZ. THE FARM LABOR ACT FOR WHICH YOU HAVE RECEIVED SO MUCH PUBLIC CREDIT HAS BEEN SUBVERTED BY HIS ACTIONS AS GENERAL COUNSEL OF THE AGRICULTURAL LABOR RELATIONS BOARD.

HIS ILLEGAL DEAL WITH LETTUCE GROWER ATTORNEYS WHICH PREVENTED THE COUNTING OF BALLOTS IN SALINAS FOR ALMOST TWO WEEKS WAS UNCONSCIONABLE. MANY OF THE PEOPLE HE HAS HIRED TO STAFF HIS REGIONAL OFFICES ARE INCOMPETENT, RACIST AND BIASED.

HE AND HIS STAFF HAVE CONSISTENTLY KNUCKLED UNDER TO GROWER/TEAMSTER PRESSURE. HE HAS ORDERED ELECTIONS TO BE HELD ON COMPANY PROPERTY IN ALMOST ALL CASES. THE ELECTION PROCESS HAS BEEN MANAGED IN MOST CASES BY THE GROWER. THE GROWERS WISHES AS TO TIME AND PLACE AND THE METHOD OF TRANSPORTING WORKERS HAVE ALMOST ALWAYS BEEN HONORED.

HE HAS REFUSED TO REDRESS THE MOST BLATANT UNFAIR LABOR PRACTICES EVEN THOSE INVOLVING PHYSICAL INTIMIDATION AND THREATS. HIS STAFF HAS REFUSED TO INVESTIGATE SUBSTANTIAL CHARGES OF FORGERY AND FRAUD IN THE OBTAINING OF AUTHORIZATION CARDS BY THE TEAMSTERS UNION. IN MANY INSTANCES SPANISH SPEAKING OBSERVERS HAVE NOT BEEN INSTRUCTED IN SPANISH

HE HAS PLACED ALMOST TOTAL RELIANCE ON THE ELIGIBILITY LISTS WHICH GROWERS HAVE SUBMITTED. HE REFUSES TO EVEN EXAMINE THESE DELIBERATELY INACCURATE AND MISLEADING LISTS.

HE HAS IN NO CASE TAKEN STEPS TO CREATE AN ATMOSPHERE IN WHICH FREE ELECTIONS CAN BE HELD. GROWERS ARE TREATING THE LAW WITH NO RESPECT AND MR. KINTZ HAS TAKEN NO STEPS TO INSURE JUSTICE TO FARM WORKERS.

WITH MR KINTZ AS GENERAL COUNSEL YOUR LAW HAS BECOME ONE MORE VEHICLE WITH WHICH GROWERS AND TEAMSTERS CAN OPPRESS FARM WORKERS. YOU ARE FAILING IN YOUR PLEDGE TO BRING JUSTICE TO FARM WORKERS BY ALLOWING KINTZ TO REMAIN IN OFFICE. Please turn to page 4

## EL MALCRIADITO

*The Voice of the Los Angeles Boycott*

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## UFW Wins Significant Victories

In spite of the scare stories you read in the L.A. Times about "major victories" won by the Teamsters union, just the opposite is true. The United Farm Workers Union under the leadership of Cesar Chavez has far outstripped the rival Teamsters union in every significant way.

—At every ranch under UFW contract where elections have been held, the UFW has won, and done so overwhelmingly. (And in no case has there been intimidation of workers choosing not to vote for the UFW.) In over 1,500 votes cast at five ranches under UFW contract, only 28 farm workers voted for the Teamsters union and 23 for no union. This should lay to rest once and for all the dreary propaganda of the growers that workers under the UFW dislike the hiring hall, seniority system and other features of their contract.

—At over 30 ranches under Teamster contract, workers have voted in a majority for the UFW. These were ranches that had been with the Teamsters for two to five years, so the workers have had ample opportunity to learn all about the union that never really represented them but was only too glad to take dues.

—In cases where Teamsters have managed to hold on to a majority of their workers, they have usually done so only by gross intimidation, threats, overt collusion with their grower sweethearts, and various and sundry tricks that violate the regulations of the new law.

—At certain ranches where Teamsters were initially announced as winners by the press (e.g. Gallo and Egg City), the votes of economic strikers they had previously fired could change the outcome to victories for the UFW. Run-off elections are scheduled at certain key ranches now under Teamster contract, such as Tenneco and Giumarra.

—Thousands of farm workers have voted for the UFW despite the very real physical danger faced as a result of threats by armed Teamster goons, growers and vigilante groups, or economic loss through firings by disgruntled growers. Undocumented workers in particular have shown amazing courage by returning immediately from Mexico—where they were deliberately deported by the Border Patrol in an effort to reduce the number of UFW sympathizers—and voting for the union of their choice. Seven such workers in Salinas actually signed their names to a leaflet urging fellow "illegals" to vote the ticket.

—At many ranches where no union has previously had a contract, the UFW is getting over half of the workers to file for elections, and then going on to win these by large majorities.

As of this writing, these election results from the California Agricultural Labor Relations Board are reported by the L. A. Times (9/21/75): UFW has won elections representing 9,278 workers; Teamsters have won elections representing 5,950 workers; votes for no union-2,902.



# Goons Attack Office



On Sunday night before Labor Day a group of thugs celebrated the occasion by smashing the two front plate glass windows of the boycott office at 1434 West Olympic Boulevard. In addition, they threw paint on the beautiful murals created by Rick Tejada-Flores and installed some months ago over the door. Estimated damage of \$500 was done to the UFW office.

Coincidentally (?) when several farm worker supporters on the boycott staff just happened to drive past the nearby headquarters of the Teamsters union the following day, they observed a number of familiar faces they had seen all too clearly as the goon squad of Coachella and Arvin-Lamont two summers ago. Even more interesting is the fact that some of these same characters were subsequently seen in the Delano area just as the elections began.

Could this have been just a little staging exercise—sort of a warm-up session to get the boys in practice for the violence that has occurred in the Delano fields over the past three weeks? Draw your own conclusions.

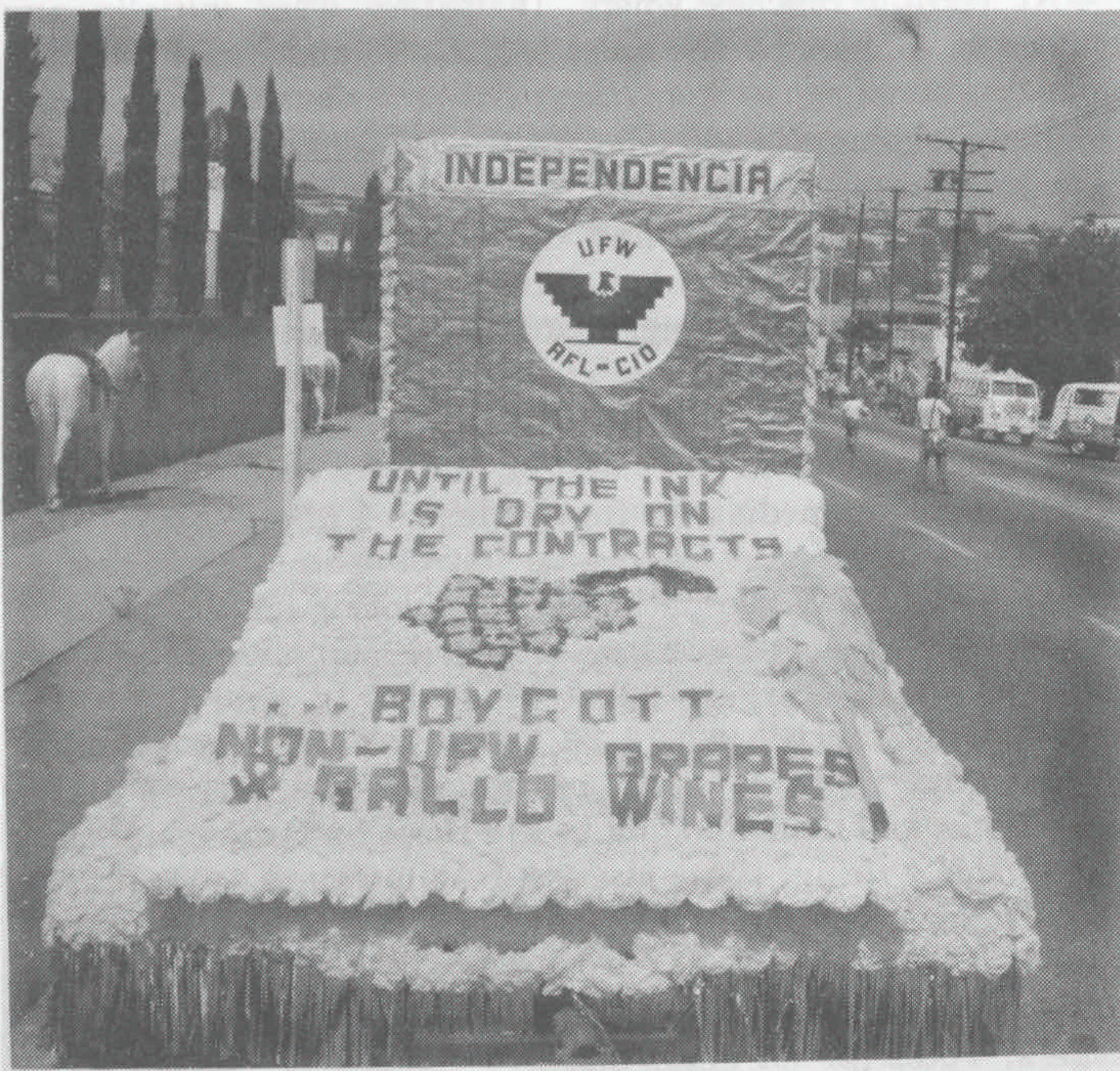
## Prize Winner

Boycott supporters from East L.A. and vicinity outdid themselves recently by building and entering a float in two parades in the community.

At the Pico Rivera El Grito parade, the float won the “judges’ special award for excellence” on Saturday, September 13. The following Tuesday, the float was again seen by thousands of spectators in the East L.A. Mexican Independence Day Parade.

Designed by Susie Lozano, a farm worker supporter who believes in putting her artistic talents to good use, the float was built by scores of helpers over a two week period.

Needless to say, the theme of “Independencia” has taken on new meaning this year for a multitude of supporters who can celebrate the new election law for farm workers. (All we have to do now is see that the new law works!)



## Fiesta Draws Crowd

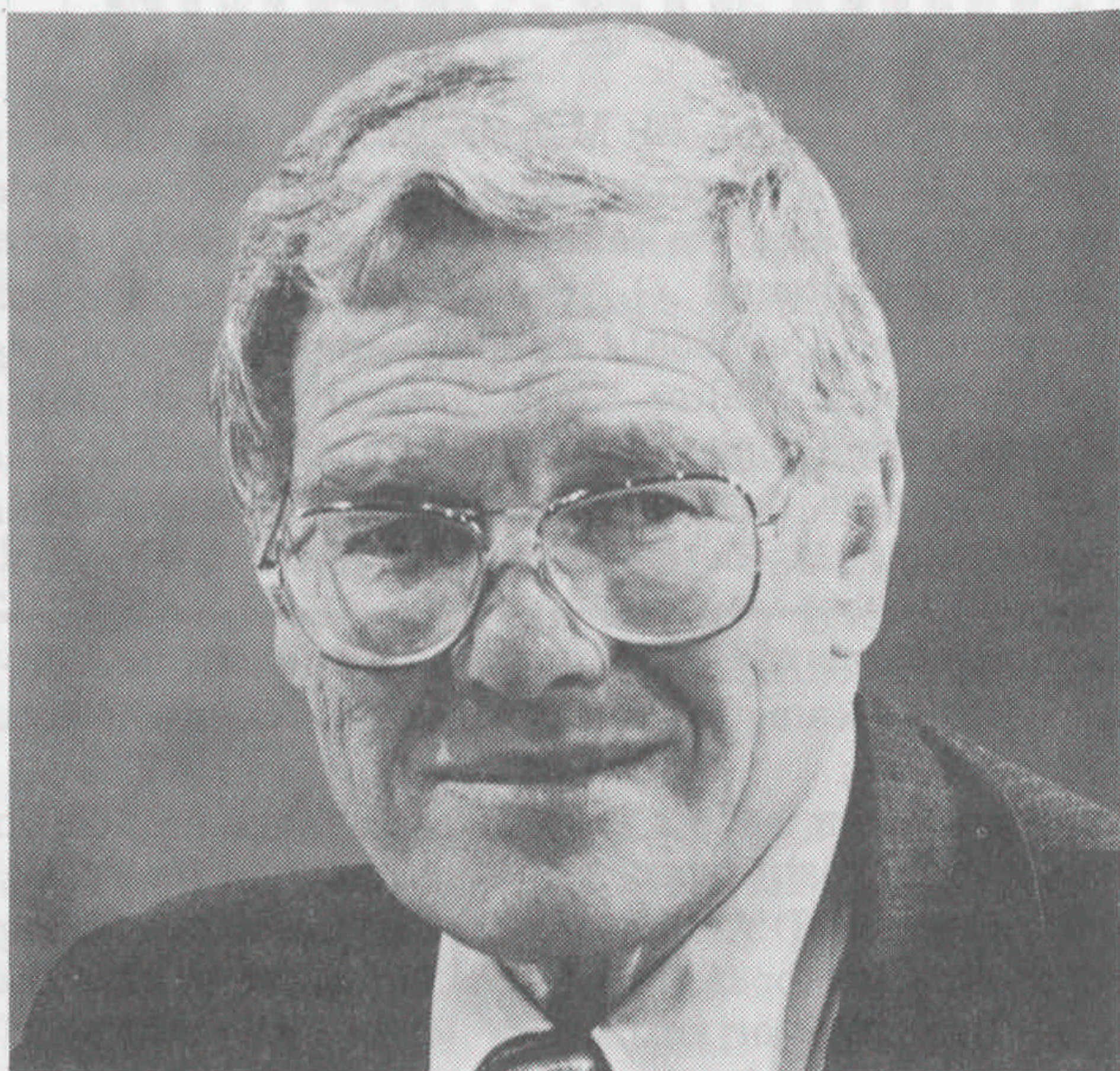
The L.A. Boycott launched its new fall campaign by staging a Rally and Fiesta at MacArthur Park on Sunday, August 24. Exceeding all expectations, the occasion drew an estimated 5,000 persons and netted a profit of over \$3,500 for the Union’s organizing campaign in the fields.

Spearheading the preparations for the day were Pete Moya and Kathie Arscott, both of whom rush to say that the success of the fiesta was a team effort—with about 300 hard-working supporters on the team.

In addition to an outstanding program in the band shell, where notables from the labor movement, politics, television, music and entertainment world appeared before an enthusiastic crowd, the fiesta featured a fascinating array of booths placed in a large quadrangle nearby. Each booth was under the sponsorship of a community-based support group mobilized by our UFW staff.

Rallying cry for the day was “Until the Ink is Dry on the Contracts,” and if the degree of enthusiastic response to the fiesta is any measure of citizen support for the boycott, all we can say is, “Watch out, Mr. Grower. Bargain in good faith—and sign a decent contract—with farm workers who win an election, or you’ll see a boycott like you’ve never known before!”





## Sigmund Arywitz

The death of Sigmund Arywitz, executive secretary of the L.A. County Federation of Labor, AFL-CIO, was noted with great sorrow by friends and supporters of the United Farm Workers Union. Arywitz died of a heart attack September 9.

L.A. Boycott director Ken Fujimoto observed that, "Whenever the boycott or the union has needed help, Sig was always there."

In a message of condolences to Mrs. Arywitz, Fujimoto expressed the sentiments of the entire UFW staff when he said, "Sig was the 'brother' of the labor movement; he was the 'brother' of the exploited, and he was 'hermano' to the farm workers. *Hasta la victoria siempre!*"

**CHAVEZ AND THE FARM WORKERS** by Ronald B. Taylor. Beacon Press. 342 pp. \$10.

Ron Taylor's *Chavez and the Farm Workers* is incredibly informative and at the same time a fast moving, highly readable story. As a reporter for the *Fresno Bee*, Taylor has had the advantage of long and close association with the leadership of the farm worker's movement. Tapping this reservoir of experience and updating it with an enormous amount of interviews over the past year, Taylor has succeeded in presenting this saga of the farm workers in an exciting and warmly human way.

Like *Sweatshops in the Sun*, the author's recent book on child labor in the fields, this new work interweaves a surprising amount of factual material with a fascinating array of illustrations, vignettes and quotations. Without realizing it, the reader is getting a first rate education on the labor contractor system, the hiring hall, worker seniority, ranch committees, agri-business, the Bracero program, the Teamsters union, farm worker strikes and boycotts.

*Chavez and the Farm Workers* is a sympathetic, yet candid treatment of La Causa and its leaders. I can well understand why Msgr. George Higgins has vowed never again to discuss the farm labor controversy with anyone, on either side of the fence, who hasn't read it from cover to cover.

Mack Warner

## Farm Worker Feature

Picking cotton from dawn to dark and earning \$1 for the day's work would get a little old for anyone—even in the mid-thirties during the depth of the depression.

One person who felt this way was young Alfredo Vazquez who lived near Presidio, Texas with his parents and 10 brothers and sisters. In his late teens, Alfredo was already a veteran of the fields, having dropped out of school in the fourth grade to work as another breadwinner for the family.

So in 1936 Alfredo decided to make a break and venture westward in search of a better life. He wound up in Los Angeles and a year later the rest of the family followed him there.

The next decade was tough but eventful: nine years hard work in a foundry, periodic stints as a migrant worker in fruit orchards and a brief hitch in the army. On the happier side was marriage and the beginnings of a family that eventually included nine children.

But big city life can also get gruesome, especially for kids. In the late 40's Alfredo and his young family left L.A. and moved to Tulare county, eventually settling near Goshen. For the next twenty years Vasquez worked as a cowhand, an irrigator, cotton picker and general field worker. Meanwhile, a new movement of the farm workers was born under the leadership of Cesar Chavez in Delano.

Alfredo's introduction to the union came not through a house meeting or the picket line, but rather through experiencing the supportive work of the California Migrant Ministry and by reading the union's newspaper, *El Malcriado*. Bit by bit he became hooked on La Causa, quit his ranch work, took a job as a spot welder to pay off debts, and then plunged in—on August 21, 1967—as a full-time co-laborer for the liberation of farm workers.

Vasquez has run the gamut of jobs for the union: strike organizer, "submarine" on a ranch hostile to the union, security guard for Cesar, boycott organizer, "recall" campaigner in Arizona, *El Malcriado* salesman and, most recently, member of the Juan DeLa Cruz Brigade. During a stint at La Paz several years back, four of the Vasquez children—Carmen, Marta, Gary and Lucy—were working at various tasks.

Among all his experiences with the union, two stand out above the rest, serving as security guard for Cesar during both of the long fasts, in Delano and Arizona. "It was a beautiful feeling to have the opportunity to work so close to him during those times," said Vazquez.

Going from \$1 a day picking cotton to \$5 a week building a farm workers' union may not seem like progress to most people. To Alfredo Vazquez, the rewards are ample.





# Kintz Ouster...

Continued from page 1

Further details on failure of the general counsel and his staff to enforce the new election law were laid out by Jerry Cohen at a meeting with the Los Angeles boycott staff Tuesday, Sept. 23. Cohen, UFW general counsel, noted that "It's not easy to fight the company (growers), the Board and the Teamsters at the same time. The growers and Teamsters have a game going; the Board won't do anything to correct the game, and so we are losing some of the elections we should win."

Cohen cited the Board agents' good faith acceptance of grower lists of employees, used as the basis for determining eligibility of voters.

Grower payroll lists are often padded with names of relatives, labor contractors, security guards, former employees, deceased workers, foremen and supervisors—all ineligible to vote according to the regulations. Bud Antle, holding a Teamster contract, reported that every eligible worker at his ranch had voted (since he bused them in crew by crew). 1,291 workers voted, yet Bud Antle had submitted a payroll list of 1,700 names.

When UFW organizers asked to examine the Bud Antle list before the election, they were denied by the Board agent who said they did not have a "showing of interest" (meaning over 50 per cent of the names on the list). In other words, UFW organizers must get petition cards from over half of any list of workers submitted by the grower before they can challenge the list! (Catch-22).

At D'Arrigo, the Board agent rejected 111 names of workers submitted by UFW organizers, but would not allow them to check these names against the employer's list because they allegedly did not have showing of interest. After the organizers finally got enough names and could see the list, within just the first hour and a half they were able to match up 64 of the 111 rejected names.

Another major problem, according to Cohen, is the practice of holding elections on company property which, in most instances, is in itself a deterrent to free elections. The Board agents' attitude is one of gratitude to the grower for doing this, when in fact it is to the grower's advantage.

## Help! Help!

Our garage desperately needs an auto mechanic **and** a good set of tools. Jose Trujillo, Gallo striker and skilled auto mechanic, had to return home the first of September. Since then, the 60 cars we maintain have been without the care they need.

If you can help, or know of someone who can, call Tessa Knowles at 386-8130. The mechanic can be part-time or full time. The tools can be loaned or donated. Perhaps a church organization or labor union can raise money for a set of tools. Si, se puede!

## Call for Action!

Every reader of **El Malcriadito** can do one very specific thing for farm workers at this time. Cesar and the farm workers are calling on their friends to write Governor Edmund G. Brown, Jr., State Capitol, Sacramento, Ca. 95814, and express their strong feelings about Walter Kintz, general counsel for the CALRB. Send copies of your letter or telegram to this office, or give them to your boycott organizer. **It is urgent that this be done immediately!**

Other derelictions of Board staff cited by Cohen include:

- permitting Teamsters to use dues deduction cards to file election petitions;

- refusal to print ballots in a third language (in addition to English and Spanish) when the situation calls for it. e.g., at Inter-Harvest and D'Arrigo use of the Tagalog language to indicate preference for the UFW was omitted, but included for choice of Teamsters or no union;

- refusal to investigate charges of unfair labor practices promptly, thus possibly forcing workers to wait for a whole year if another election is required. (Over 100 cases of unfair labor practices have been filed by the UFW, but only four have been acted on to date.);

- closing the polls before all workers have voted (as at the Hanson ranch, where a whole crew sympathetic to the UFW was conveniently "forgotten" by the grower, but not the UFW organizers who pleaded in vain with the Board agent to wait until the crew was brought in);

- failure to prohibit obvious cases of grower or Teamster intimidation of workers (as at the Louis Caratan ranch where the owner threatened the UFW observer with a gun until she locked herself in her room);

- allowing workers sympathetic to the UFW to be fired before and after elections;

- allowing growers to reduce pay rates as "punishment" for losing an election to the UFW (as at the Jack Radovich Ranch).

Although all such failures to enforce the new election law and its regulations stem ultimately from the general counsel's office, since he is responsible for staff employment and supervision, the major case against Walter Kintz, said Cohen, was his **ex parte** agreement with attorney Gladwell of the Western Growers Association. The WGA had sued the Board and obtained a court order to halt ballot counting at 10 of its member ranches where UFW workers had petitioned for elections. Board attorneys had prepared a writ to be filed before the California Supreme Court which obviously would have been successful in setting aside the order issued by the lower court judge.

The Kintz-Gladwell deal was that if the Board would not file its writ, the WGA would drop its lawsuit, and the Board would impound the ballots of the elections for almost two weeks. The WGA got exactly what it wanted!

As a result of this delay in counting the ballots, the momentum of the UFW drive in Salinas was possibly reduced.

**El Malcriadito**

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