

BAR ON MIGRANTS DENIED IN FLORIDA

Farm Union Loses Bid on Jamaica Cane Cutters

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MIAMI, Oct. 16 — A Federal judge here has denied a request by the United Farm Workers Union that the importation of some 10,000 Jamaicans to harvest Florida's 1972-1973 sugar cane crop be stopped.

In denying the request, United States District Court Judge Peter T. Fay assured the union that even with the Jamaicans here American cane cutters would have preference in employment.

In a 10-page opinion, Judge Fay said that the offers of employment to domestic workers made by the sugar industry must remain outstanding during the harvesting season. Further, the ruling said, preference in the awarding of available employment opportunities must be given to resident laborers.

At the same time, Judge Fay urged the industry, the United States Department of Labor and the union to make joint efforts to improve "the present, regrettable social and economic plight of domestic migrant laborers."

The union, which is headed by Cesar Chavez, the California farm leader, on Sept. 19, asked the court to set aside a Labor Department certification allowing the admission to the United States of the Jamaican cane cutters.

Apparently because of Judge Fay's interest in the situation of migrant workers, what was scheduled as a short emergency hearing on the restraining order was allowed to develop into what the judge himself called a "full-scale trial."

In refusing to stop the importation of the Jamaicans, he said that union organizers seeking employment in cane-fields were primarily interested in establishing the union as "the exclusive bargaining agent for those workers."

But in what could have a bearing on other such cases elsewhere, Judge Fay wrote that "evidence elicited at the hearings does indicate some irregularities" in the Department of Labor's worker recruiting procedures.

Earlier this month in Washington, representatives of migrant and other seasonal farm workers sued the Department of Labor, charging violations of the rights of harvest hands in the department's job placement and training programs.

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