

TEAMSTERS SUED BY CHAVEZ'S UNION

Actions Charge Damages and Employer Conspiracy

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SAN FRANCISCO, Jan. 4 — In two actions in Federal District Court, claiming massive damages and charging a conspiracy with employers, the United Farm Workers, led by Cesar Chavez, has thrown down the gauntlet to the International Brotherhood of Teamsters.

While this battle will be fought in the courts, the two unions also may be headed for bitter conflict on the picket line.

For two and a half years, Mr. Chavez's union has been frustrated in its attempts to organize lettuce workers in the California fields because the growers entered into an exclusive bargaining agreement with the teamsters' union just as the United Farm Workers began its organizing drive.

When the United Farm Workers attempted in August, 1970, to institute strikes and boycotts, the growers obtained injunctions based on a California law that was meant to prevent competing unions from victimizing an employer in a jurisdictional dispute.

Injunctions Dissolved

Last month, the California Supreme Court dissolved these injunctions on the grounds that evidence showed the growers had selected the teamsters as the union they wanted to do business with, and that there was no evidence to show the field workers wanted to be represented by the teamsters.

"From a practical point of view, an employer's grant of exclusive bargaining status to a nonrepresentative union must be considered the ultimate form of favoritism, completely substituting the employer's choice of unions for his employes' desires," the court said.

While the United Farm Workers were being restrained by the lower court orders, the growers originated and supported with heavy financial contributions an unsuccessful attempt in the November election to adopt a law that would have limited the ability of labor unions to organize agricultural field workers.

Alliance Is Favored

Then, last month, the teamsters' union president, Frank E. Fitzsimmons, at a convention of the American Farm Bureau Federation in Los Angeles, said that he favored an alliance between his union and the growers.

Officials of the United Farm Workers called this speech "a signal by the Farm Bureau to growers everywhere that the way to break the Farm Workers is with the help of the teamsters."

A peace agreement between the two unions, negotiated two years ago, was pretty much in tatters even before Mr. Chavez and his associates filed their damage action against the teamsters' union yesterday.

The first of those suits alleged that the United Farm Workers had been attempting to negotiate bargaining agreements for its members who worked in the lettuce fields but had been frustrated when the growers and shippers entered into a conspiracy, allegedly joined by the teamsters, to halt the organizing efforts.

On July 23, 1970, the suit states, the growers signed an agreement giving the teamsters' union exclusive bargaining rights for the field employes. On July 27, the teamsters' union and growers signed labor agreements.

Racial Bias Alleged

This suit charged that racial bias was involved in the actions of the growers and teamsters. It pointedly identified some of the plaintiffs as chicanos, one as black, and one as a Filipino. It was alleged that all were deprived of civil rights through a conspiracy.

A tentative damage claim of \$28,440,000 was made for all people of that class. Punitive damages of \$100-million also were asked. Mr. Chavez and other union leaders were listed as plaintiffs. Defendants are the teamsters' union, some of its officers, including Mr. Fitzsimmons, and about 160 agricultural corporations, partnerships and individual farmers.

The other suit alleged a violation of the Sherman Antitrust Act through a conspiracy "to insure the defendant growers and shippers continued unilateral control over the wages, hours and working conditions of workers."

The teamsters' union officers agreed to help the agricultural interests in an attempt to avoid unionization by the United Farm Workers, the complaint alleged. The plan, it was charged, was "to insulate growers and shippers from strikes and boycotts from other labor organizations."

The complaint again tentatively set class damages at \$28,440,000, and asked that they be trebled to \$85,320,000. Plaintiffs in this suit were three men identified as Chicano field workers.

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