

CHAVEZ, IN CIVIL TRIAL, MAINTAINS RIGHT TO NAME UNION AIDES

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Cesar Chavez, president of the United Farm Workers, told a Federal district judge today that his union's members had been given the mistaken impression by some staff members in the fall of 1979 that they were electing their union representatives while in fact the representatives were to be appointed by Mr. Chavez.

The union leader said he did not learn until the spring of 1981 that the members had thought it was their vote rather than Mr. Chavez's appointment that selected the representatives. In a courtroom packed with U.F.W. members, he said he had never relinquished authority to appoint, direct and remove the union representatives, whom he considered part of his staff.

Mr. Chavez was testifying in a civil suit brought by nine farm women who maintain that Mr. Chavez, in violation of Federal law, dismissed them from their jobs as elected representatives in retaliation for actions opposing the union leadership.

Both sides agreed that the nine were summarily removed from positions as union representatives in the Salinas Valley in late 1981. The nine argue that they were elected by their fellow workers and can be removed only by grievance or recall procedures provided in the union constitution. Union representatives handle grievances and medical claims at the local farm level. Agreed to Name Those Elected

Mr. Chavez testified today that the workers had been given the wrong impression by some staff members and that he had agreed to appoint the people elected because he "didn't want to make the staff look bad."

On Tuesday two longtime union staff members, who left the U.F.W. in 1980, testified about meetings held with the Salinas workers in 1979 that they say eventually led to a decision to have members elect their union representatives.

Sister Ruth Shy, a Roman Catholic nun of the Sisters of Loretta order, who worked for the union for nine years, said she had taken notes at the Salinas meetings and reported back to Mr. Chavez at union headquarters at Keene, Calif. Sister Ruth said Mr. Chavez eventually told her that the election plan had been approved and that she had prepared election packets and ballots and had sent them to the ranches so election of the representatives could proceed.

Marshall Ganz, a former member of the U.F.W.'s national board of directors, also participated in the Salinas meetings, which he described as "brainstorming sessions." He testified that he had helped conduct one of the elections and that there were "very specific guidelines, forms, tally sheets, the whole bit."

Mr. Ganz said he wrote a 1980 report concluding that electing the representatives "opened the door to tremendous opportunity" to strengthen the union and develop representatives' skills.

Both Mr. Ganz and Sister Ruth testified in response to a subpoena. Mr. Ganz was also represented by an attorney who was present in court.

Were Involved in Disputes

Two of the workers bringing suit testified that after being elected representatives they became involved in disputes with the union leadership and were removed from their jobs after meetings run by the leadership.

Hermillo Mojica testified that a meeting had been held at the ranch where he worked "to talk badly about me, that I wasn't doing my job, that I was politicking against the union." He said 40 to 50 workers went to the union's Salinas office in November 1981 to protest his dismissal but were given no explanation.

Bertha Batres testified that she similarly lost her position following a meeting called after the union's 1981 convention in Fresno, Calif. Feuding in the union became public at that convention, resulting in a walkout by about 40 members.

Judge William A. Ingram, who is hearing the case without a jury, will listen to final arguments on Thursday. If he rules in favor of the nine workers, a second trial will be held to determine if the dismissals were for a just cause or were part of a "history of suppression of dissent," as the workers charge.