

DECLARATION OF JIM DRAKE

1
2 I, JIM DRAKE, declare as follows:

3 I am an organizer working with the United Farm Workers of
4 America, AFL-CIO and am in charge of the Stockton office of the
5 United Farm Workers of America, AFL-CIO.

6 At present, organizers in the Stockton office are attempting
7 to contact farm workers in the green and machine tomato crops.
8 Without the opportunity to talk to workers in the field, the
9 Union's organization efforts will be severely hampered. This
10 conclusion comes from experience in attempting to contact
11 workers in the tomato crops.

12 Workers in the tomatoes do not live in any concentrated or
13 readily-accessable areas. Some of the workers do live in labor
14 camps, but the majority live in isolated, individual residences.
15 For example, many of the tomato workers live in hotel rooms in
16 downtown Stockton; without going door-to-door in all of the
17 downtown hotels, it is impossible to contact workers in the
18 tomatoes living in the downtown area. Although some workers are
19 concentrated in the downtown area, the residences of other tomato
20 workers are separated by great distances. For example, some of
21 the workers we were able to contact at the fields told us they
22 live in the Modesto area; Modesto is over thirty miles from
23 Stockton.

24 Further difficulties in contacting workers in the tomatoes
25 come from the nature of the work. A person picking tomatoes
26 does not work for one grower or labor contractor for the whole

1 season. Rather, workers move daily to different ranches and
2 work for different contractors, depending upon the fields where
3 the tomatoes are ready for harvesting. The work crews are
4 constantly changing in composition and person/^sworking in the
5 crew are unlikely to know the names or addresses of their
6 co-workers.

7 Contact with workers simply as they leave the field is not
8 a viable alternative to the right to enter the field during
9 working hours. The location of the work site is not always
10 known with sufficient time to arrive at the field to be picked
11 before work is started. The field to be worked on any given
12 day varies with the ripeness of the tomatoes. Some of the
13 organizers' time has been spent just locating the places where
14 people are working.

15 At tomato fields, the workers park their cars all around
16 the field, away from the public roads and exit the work site
17 at a number of points. Almost unlimited personnel would be
18 necessary to insure contact with a majority of the workers.
19 When they leave, as many as five hundred workers may exit in
20 less than fifteen minutes. In addition, the hours worked by a
21 tomato worker are highly irregular and depend upon the number
22 of harvestable tomatoes. On one day, the work may finish at
23 10:00 a.m. and on another day it may continue long into the
24 afternoon. No set starting or finishing times are established.

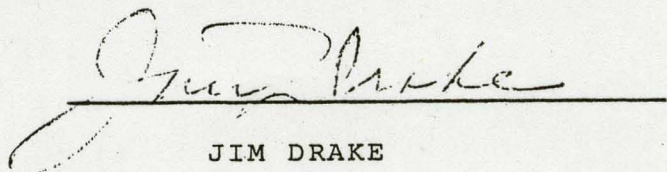
25 In some cases, full bus loads of tomato workers leave from
26 downtown Stockton on a day haul basis. These workers on any one

1 bus may come from as many as ten hotels. Often a worker lives in
2 a hotel for only three to four days before moving to another
3 hotel.

4 Based upon my experience and the experience of the organizers
5 in the Stockton office, the only way to insure contact with
6 most all of the workers in the tomatoes is by access to the field
7 where the workers are working. This is the only place where the
8 workers are concentrated and available for contact. Neither
9 attempts to communicate with the workers at their residences
10 or upon arrival or departure from the jobsite are means which
11 will insure that information regarding the Union and secret
12 ballot elections will be conveyed to the workers.

13 Executed on August 25, 1975 at Stockton, California.

14 I declare under penalty of perjury that the foregoing
15 two and one-half typewritten pages are true and correct.

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17 
18 JIM DRAKE