

President's Newsletter



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Office of the President
United Farm Workers of America, AFL-CIO
La Paz, Keene, California 93531



PRESIDENT'S OFFICE

UFW Names Members To State Wage Board

Five Farm Worker Movement staff and supporters will sit on the state government board that will help establish the minimum wage, maximum hours and working conditions for farm workers in California.

The state Industrial Welfare Commission (IWC) notified the five men and women nominated by the union that they will sit as worker representatives of Wage Board No. 14, the board considering wages, overtime and working condition standards for agricultural occupations in the fields. One of the five UFW nominees will also sit as an employee representative on Wage Board No. 13, the board dealing with wages and conditions for workers in agricultural packing sheds.

The wage board members have a great responsibility. They make recommendations to the Industrial Welfare Commission on a minimum wage, maximum hours, and working condition for all workers in the state. By regulating maximum hours they determine hours beyond which overtime pay will be required. If the IWC accepts the wage boards' recommendations, they become the law of the State of California.

The IWC is part of the state Department of Industrial Relations, which has as one of its aims the promotion and welfare of California wage earners, including farm workers. The Department is committed to improve working conditions and advance employment opportunities for workers.

The wage boards are composed of equal numbers of representatives from labor and management. The chairman represents the public at large and is not selected from either labor or management. He or she acts as a moderator during the discussions. The chairman has a vote and may express his or her point of view.

While serving on the wage board, members are considered employees of the state and take an Oath of Allegiance.

After the IWC receives reports from the wage boards, it prepares proposed regulations for industries and occupations and then holds public hearings on the proposed orders. Following the

public hearings, the commission fixes minimum wages for all workers, maximum hours and working conditions.

Appointed to IWC Wage Board No. 14 for field occupations were my assistant, Brother *Marc Grossman*; Brother *David Martinez*, an instructor at the Martin Luther King Jr. Collective Bargaining School; Sister *Esther Urunday* from the UFW's Delano Field Office; Father *William J. O'Donnell*, pastor of St. Joseph the Workman Church in Berkeley and a longtime close friend of the Union; and Sister *Esther Padilla*, wife of UFW Secretary-Treasurer *Gilbert Padilla* and a longtime veteran organizer and union staff member. Also on this board is Brother *J.J. Rodriguez*, President of the Los Angeles County Federation of Labor, AFL-CIO and longtime UFW ally.

In addition, Brother *Grossman* was named to Wage Board No. 13, for workers who are employed in agricultural packing sheds. Sister *Padilla* was appointed as an alternate to this board.

Representing the growers on the wage board for field jobs are *Irma S. Castaneda* of Corona Growers, Inc. Labor Association in Upland; *William V. Lloyd* of Coastal Growers in Oxnard; *David Ninomiya* of Ninomiya Nursery Company in Richmond; *Don Rosendal* of the Fresno County Farm Bureau; *Michael E. Rue* from the California Cattleman's Association in Marysville; and *Gerald D. Smith* of Pacific Agricope in Blythe.

The chairman of Wage Board No. 14 is *Gary S. Caviglia*, assistant professor in the Agricultural Management Department at California Polytechnic University in San Luis Obispo.

Wage Board No. 14 will meet on February 6 and 7 in Los Angeles.

Other employee representatives on Wage Board No. 13, for agricultural packing sheds come from the AFL-CIO Fresh Fruit and Vegetable Workers in El Centro and Salinas, Packinghouse Workers Union Local 161 from Fresno and Ang Pilipino, the Filipino community group in Stockton headed by Brother *Andy Imutan*, a former UFW officer, who will sit on the wage board.

Wage Board No. 13 will meet from January 31 to February 1 in Fresno.

COLLECTIVE BARGAINING

Perry's Plants - Fremont

A grievance was settled last month when Perry's Plants agreed to reinstate Brother *Raul Jimenez* with full seniority rights.

On June 14, Brother *Jimenez* became ill at work and advised his supervisor that he had to leave. Five days later he was discharged without prior notification to either the Union or the grievant. No one was aware of the discharge until June 20, when a friend of Brother *Jimenez*, Brother *Juan Samaniego*, went to the company production manager to let him know that Brother *Jimenez* was still sick. The production manager told him that Brother *Jimenez* didn't have to come in to work because he'd been fired.

The company fired Brother *Jimenez* because they claimed that he violated a company rule by not notifying the company of his whereabouts for more than three days. We charged the company with not following the correct procedure prior to the discharge, as no steward or union representative was told that Brother *Jimenez* was being discharged. The company had clearly violated Article 6 of our contract by firing Brother *Jimenez* without due process or just cause. The Union did not receive a written notice from the company within 48 hours of the discharge and Brother *Jimenez* did not receive notice of his discharge until four days after the company had fired him.

When the grievance was referred to arbitration, the company decided to reinstate Brother *Jimenez* without further proceedings.

Members of the ranch committee at Perry's Plants are Brothers *Tony Lopez*, president, *Raul Ramirez*, vice president, Sister *Maria Soria*, secretary, and Brothers *Darrell Kooy* and *Ernie Alejandro*, committee members.

Admiral Packing - Salinas

A grievance was recently settled at an arbitration hearing when Admiral Packing Company in Salinas agreed to reimburse four workers at the ranch for two days of lost wages.

The grievance involved four lettuce closers. These workers, Brothers *Samuel Sanchez*, *Trino Sanchez*, *Javier Sanchez*, and *Armando Sanchez*, were suspended from their jobs for four days for alleged improper stapling of lettuce boxes. The workers charged that the company had changed the requirements for stapling boxes and did not negotiate with the Union concerning the change.

In addition to reimbursing the workers for two days of lost work, the company also agreed to recognize the right of the Union to file on the merits under the contract article, New or Changed Operations, due to the nature of the stapling change instituted by the company.

Assisting the workers on this grievance were Brother *Oscar Mon-dragon* and the Arbitration Division of the UFW.

Admiral is a large lettuce ranch in Salinas, employing close to 150 workers at peak season.

Yuma Convictions Appealed

UFW Attorney *Jim Rutkowski* reports that the June 23 convictions of my wife, *Helen* and myself for violating Judge *Helm's* anti-picketing injunction have been appealed to the Arizona state Court of Appeals.

Brother *Rutkowski* filed a brief on October 18 to appeal the convictions from the Yuma County Superior Court. *Helen* and I were arrested on June 13 for deliberately violating an injunction which banned all picketing by all persons at all locations on or near G and S Produce Company fields. Because we violated an illegal injunction, we were jailed overnight in Yuma (see Newsletter, June 26, 1978 and Newsletter, July 3, 1978).

RFK MEDICAL PLAN

Tijuana Project Opens

On October 23 we started a medical Project in Tijuana to serve UFW members across the border. Under the direction of Sister *Gloria Soto*, the Tijuana Project is now ready to begin to provide medical services to our members who live in Tijuana.

Patterned after the RFK Mexicali Project, a pilot program which opened in May, 1977 to provide services to our members in Mexicali, the main leadership of the Tijuana Project comes from workers serving on the Medical Services Committee (*Comité de Servicios Médicos*). Among other responsibilities, the workers on the Committee interviewed and evaluated doctors who will service union members and set up hospital, pharmacy and other services for the people who would be cared for by the project. The four members of the Committee are Brothers *Manuel Tec* (Chula Vista Farms), president of the Medical Services Committee, *Luis Gomez* (William Mendoza), secretary, and Committee members *Salvador Estrada* (Skyline), and *Martin Cobar-rubias* (TMY).

As Committee members interviewed and evaluated doctors, they kept in mind the Project's goal of finding doctors who would give the best possible care to our members. Out of the initial 54 doctors who were interviewed and evaluated by the Committee members and Sister *Soto*, three were chosen as full time doctors to serve with the Project—Dr. *Jose Jesus Mapula*, Dr. *Rogelio Angulo Valenzuela*, and Chief Medical Consultant, Dr. *Francisco Rueda Fernández*, who will also supervise the other doctors. These doctors are assigned to the families covered by the Project.

The Project has also contracted the services of a pharmacy, radiologist and a hospital to serve the needs of our members with top quality medical aid. The hospital, La Clinica Hospital Moderno, is run by Dr. *Armando Fernandez de Leon*, and is open to serve our members should they require hospital care.

Like the Project in Mexicali, the Tijuana Project has set up a Concilio which consists of a member from each Ranch Committee in the area—Sister *Dolores Barragan* (Egger and Ghio), and Brothers *Nicholas Cruz*, (Chula Vista Farms), *Angel S. Mendez* (Cozza Farms), *Carlos M. Oropeza* (Encinitas Floral), *Luis Gomez* (William Mendoza), *Jorge Garcia* (Robert Hall, Inc.), *Eucebio Carretero* (Piper), *Ramon Diaz* (SKF), *Salvador Estrada* (Skyline), *Gustavo Espinoza* (TMY), *Francisco Rubio* (Sam Vener) and *Jesus Gonzales* (Koichi Yamamoto). The main job of the Concilio is to educate the workers about the Project and deal with any questions or problems that may arise.

The staff of the Tijuana Project, who will deal with the paper work and make sure the Project runs efficiently are Sisters *Gloria Soto*, director, *Ernestina Loustauanu*, and *Maria Zavala*.

LABOR

Coors Company Pays Workers \$250,000 in Settlement Case

On October 5, Brewery Workers Local 366 and the Adolph Coors Brewery reached a long delayed settlement on an arbitration award which

the Coors Company had previously refused to comply with.

The arbitration concerned the demotion of 111 workers in the bargaining unit from the top three job classifications negotiated in the contract. An arbitrator ordered the company to reinstate these 111 employees back into their former classification and reimburse them for wages that they lost. The settlement that was reached covered lost wages which totaled \$250,000.

The case began on February 23, 1976. It was at this time that Coors, without consulting the union, began its plan to weaken and undermine Local 366. The company's plan was to eliminate all previously bargained for supervisory duties for 111 workers, a direct violation of an existing contract between the company and the union. A grievance was filed by the union on February 25, 1976, protesting the removal of work from the bargaining unit. On March 10, 1977, an arbitrator upheld the union position. Coors was then ordered to reinstate the 111 employees to their former jobs without loss of seniority and with complete back pay for all lost wages. Coors stubbornly refused to comply with the arbitrator's decision.

Local 366 was forced to take that decision into Federal Court to enforce it. Court proceedings were again delayed by Coors' refusal to voluntarily turn over to the Court the records needed for a decision to be made. It was at this time that Coors made another attempt to destroy Local 366 by petitioning the National Labor Relations Board for a decertification election.

The National Labor Relations Board, however, ruled that no election would be permitted until such a time as the arbitration and enforcement proceedings were brought to a conclusion. Faced with a possible court order to comply, the company was left with little choice except working out a settlement with the union. Several more weeks of heated meetings between both parties finally brought the case to a satisfactory conclusion.

This settlement does not, however, end the strike or boycott of Coors beer which was called 18 months ago by the Brewery Workers Local 366.

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