

President's Newsletter

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



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ORGANIZING

Arizona Judge Bans Picketing

A Yuma County superior court judge banned all picketing by striking members of the UFW at two Yuma melon ranches on June 7.

In late May, farm workers at Pasquinelli Ranch and G & S Produce Company walked off their jobs demanding representation by the UFW and improved wages and working conditions. The growers obtained temporary restraining orders and sought a more permanent injunction from Superior Court Judge *Bill L. Helm*.

In a hearing, Judge *Helm* told UFW attorney *Jim Rutkowski* that the farm workers' strike violates Arizona's secondary boycott law and the state's right-to-work statute. "These people (referring to the strikers)," the judge said, "come from out of state, bring attorneys from Los Angeles and won't give us (meaning the growers and the sheriff's office) the identities of the strikers. So I'm going to enjoin all picketing altogether."

Brother *Rutkowski* noted that neither the Arizona boycott law nor the right-to-work law are concerned with the strikes.

Our press secretary, *Marc Grossman*, told *The Yuma Daily Sun* that Judge *Helm* "has suspended the First Amendment (to the U.S. Constitution) in Yuma County." He also said the judge was acting as an agent of the growers.

"If he hasn't done so already," Brother *Grossman* told the *Daily Sun*, "I would strongly suggest the judge read the First Amendment and catch up on his labor law."

Judge *Helm* told the paper that his ruling did not violate the pickets' rights "because they were gathering for an unlawful purpose: violation of the Arizona right-to-work law." It would be a different story, Judge *Helm* said, if the strikers were "actual melon workers themselves."

"If it was the workers of these growers, then they could picket. But these were strangers who were trying to induce the workers to leave the fields." *The Daily Sun* said Judge *Helm* had described his viewpoint "as much more impartial than that of the UFW."

On April 20, a three judge federal court in Phoenix, Arizona struck down the 1972 Arizona farm labor law as unconstitutional. One of the features of the Arizona Agricultural Employment Relations Act that the federal judges found objectionable was the law's prohibition of the right of farm workers to strike.

Seventh Election Victory in Oxnard

On June 7, workers in the Oxnard area claimed their seventh election victory this season at Ventura County Fruit Growers, Inc. (also known as "M.O.D."). The results were: UFW-80, no union-5, and challenged-13.

The company employs 125 citrus workers during the six-month peak season.

The organizing for the election was done in nine days, almost entirely by the workers on the steering committee, Brothers *Manuel Lemus*, *Melicio Magaña*, *Hipolito Romo*, *Simon Cisneros*, and *Alvero Meza*, all of whom did a tremendous job organizing the campaign. The workers were assisted by UFW organizers *Scott Washburn*, *Francisco Solorza*, *Rob Everts*, and *Gretchen Laue*.

COLLECTIVE BARGAINING

Negotiations

3 Imperial Growers Sign

Three Imperial Valley companies have signed contracts with us, representing nearly 1300 workers: Abatti Farms and Produce, Inc. of El Centro, one of the state's largest melon growers; Gourmet Harvesting and Packing of El Centro, the largest asparagus harvesting company in the Imperial Valley; and California Cantaloupe, a Brawley melon company.

All of the contracts last seven months, expiring January 1, 1979, when the UFW vegetable industry contracts run out.

The Abatti contract ends an eight year struggle by farm workers to win UFW representation. The Union first struck Abatti melon fields in 1970. In 1973, the company signed with the Teamsters Union. On January 28, 1976, the UFW won an ALRB-conducted election at Abatti: UFW—242, Teamsters—124, no union—18.

Abatti and Gourmet contracts provide for \$3.55 general labor wages, increasing to \$3.70 on July 16. At Abatti irrigator wages begin at \$3.60 an hour and increase 15% next month.

Benefits at Abatti include vacation pay amounting to the equivalent of 2% of workers wages and 4% after workers reach four years seniority at the ranch. Also provided, for the first time, are rest periods and five paid holidays per year.

The Abatti contract—like the recent UFW agreements with Delano grape growers—does not contain a union hiring hall. It forbids discrimination by the company in hiring for race, age, color, sex, language spoken or national origin.

The Abatti contract covers 500 workers at peak. The company grows cantaloupe, watermelon, lettuce, onions, rapini, alfalfa and cotton.

Gourmet Harvesting employs 700 workers at peak season in asparagus and cantaloupe harvesting. California Cantaloupe hires 80 workers during the four week peak harvest. The piece rate for harvesting is set at \$5.25 per lineal foot of cantaloupe on the truck. Time-and-a-half piece rate is required for work on Sundays. At Gourmet wages in cantaloupe are set at \$4.00 an hour for "breaking in the field"—getting it ready for harvesting. At California Cantaloupe workers who commute from San Luis, Arizona get \$7.00 a day for travel retroactive to May 31, the first day of the season.

All of the new contracts provide for employer contributions of 16 1/2¢ per hour to the Robert F. Kennedy Medical Plan, 10¢ per hour to the Juan de la Cruz Pension Fund and 5¢ per hour to the Martin Luther King, Jr. Education Fund. Other benefits include the Union's Citizenship Participation Program.

The election at California Cantaloupe was held after workers walked off the job demanding union representation. An election was held within 48 hours: UFW—60, no union—6. The company requested an immediate certification from the ALRB. The contract was signed June 5, the same day certification was approved.

An election was held at Gourmet on March 22, 1977: UFW—435, no union—12. The company had refused to bargain and appealed the certification in court. Workers conducted a one day work stoppage on June 5. Negotiations began that day and an agreement was reached June 8.

Credit for organizing goes to Brother *Gilbert Rodriguez* and his team, and to San Luis Field Office Director, *Jose Luna*, for his role in organizing at California Cantaloupe. The negotiating team consisted of UFW First Vice President, *Dolores Huerta*, UFW attorney *Tom Dalzell*, and negotiators *Ann Smith* and *Karen Flock*.

Grievances

Oxnard

Workers recently settled a grievance at the Watanabe Ranch in Oxnard. The case involved a transportation dispute which arose when the company took away the van that had been used to take the cutting crew to and from the fields.

In a recent meeting with crew representative Brother *Benito Maciel* and the crew, the company agreed to re-instate the van on June 1.

Salinas

UFW contract administrator *Arturo Mendoza* reported that the Growers Exchange ranch committee in Salinas recently came to agreement with the company on a grievance.

The company had refused to reinstate two union members, Brothers *Candelario Castro* and *Jose Villegas*. Due to the ef-

forts of the ranch committee both workers were reinstated with full seniority, all benefits and \$496.00 back pay.

CITIZENSHIP PARTICIPATION DEPARTMENT

Two ALRB Bills Voted Out of Committee

Out of a dozen bills introduced into the state legislature this session which would have changed the Agricultural Labor Relations Act, only two made it out of their legislative committees.

Ten bills which would have made drastic changes in the election process for farm workers did not have the substantial number of votes to move on to the Senate or Assembly floor.

One of the legislative proposals which now goes to the state Senate for approval is SB 1785 (Vuich). That bill would make it mandatory for an ALRB regional office to remain open for 48 hours when expedited elections are held within a 48 hour period. It would also require the Sacramento ALRB offices to maintain a 24-hour answering service.

The second bill to make it out of committee, AB 3747 (Suitt), would amend the act to require that all employees of the ALRB must be impartial and unbiased.

Both bills must be approved by the Senate and the Assembly before becoming law.

AGRICULTURAL LABOR RELATIONS BOARD

Decisions

Frudden Produce (King City)

The ALRB found Frudden Produce, Inc. guilty of unfair labor practice charges for discriminating against UFW supporters and harrasing members of the *Garibay* family during September, 1975, pre-election organizing activities. We never filed for an election because the company made it impossible to get to the workers in the labor camp.

The *Garibays* were forced to quit due to company harrassment. *Noe Garibay* testified that the labor contractor had on one occasion tried to run him off the road.

The board ordered the company to offer full reinstatement and back pay to the *Garibays*. The board also ruled that the company is liable for the actions of the labor contractor. The usual notice to the employees will be posted, mailed and read to the workers.

Tenneco West (Coachella)

The Board has found Tenneco West, Inc. guilty of submitting an incomplete pre-petition list to the Board last spring.

In making this decision, the Board upheld the part of the ALRA stating that the company must provide the Board with a current and complete list of their employees' names and addresses at least five days after the union has filed a notice of intent to organize.

Tenneco West, Inc. is appealing this decision in a district court in hopes that they can set aside the Board's decision.

RFK MEDICAL PLAN

Does the Kennedy Plan pay only in the United States?

The Maternity and Death Benefits are payable anywhere in the world, and payments have been made for these benefits in Mexico, Yemen and the Philippines. But for other benefits, payment is made only for services received in the United States unless you are covered by one of the projects now or soon available in Mexicali, Tijuana and San Luis, Mexico. The projects provide covered benefits outside the United States.

Staff or workers who have a question regarding the RFK Medical Plan or its projects, should send them to the President's Newsletter, La Paz, Keene, CA 93531.

OFFICIAL NOTICES

Latest Elections

Ventura County Fruit Growers, (MOD)/Fillmore/oranges grapefruits/June 7/UFW—80, no union—5, challenged—13.

Veg-a-Mix/Salinas/broccoli/June 2/UFW—19, no union—10, challenged ballots—1.

New Certifications

California Cantaloupe/Brawley/cantaloupe/June 5.

New Contracts

Abatti farms and Produce/El Centro/melons, vegetables, alfalfa, cotton/June 7.

Gourmet Harvesting and Packing/El Centro/asparagus cantaloupe/June 10.

California Cantaloupe/Brawley/cantaloupe/June 5.

PERSONNEL

New Staff

New Staff	Office	Department
Amalio Madueño	La Paz	MLK-Education
John Lambiase	La Paz	NFW Service Cntr.
Dick Miller	La Paz	NFW Service Cntr.
Stephen Matchett	Watsonville	Campesino Centers

Transfers

From	To
Dan Bacher	Contract Admin. Organizing
John Brown	Contract Admin. Organizing
Marianne Cafiero	Pres. Newsletter
Guy Costello	Contract Admin.
Ned Dunphy	Contract Admin. Organizing
Rob Everts	Contract Admin.
Michael Guare	Contract Admin.
Gary Guthman	Contract Admin.
Irv Hershenbaum	Contract Admin.
Kate Johantgen	Legal-La Paz
Marc Johnson	Contract Admin.
Michael Lacinak	Purchasing
Gretchen Laue	Organizing
Mary Mecartney	Campesino Centers
Lois Pryor	CPD-Bay Area
Susan Schumacher	Word Processing
Alice Thompson	Contract Admin.

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