

President's Newsletter



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



COLLECTIVE BARGAINING

Rose Contract Ends Two and One-Half Year Wait

Workers in the Delano area won their fourth rose contract when the UFW signed with McFarland Rose Production on August 18, 1978.

McFarland Rose employs 150 workers at peak season. Workers at McFarland had been negotiating and fighting for this contract ever since they had voted for the UFW in an election held in November, 1975. The signing of this contract ended their 2 1/2 year wait.

The present contract has a base rate of \$3.30 an hour which will go up to \$3.45 an hour on October 1, 1978. All pay is retroactive to April 1 of this year. The company also pays into the Robert F. Kennedy Medical Plan.

The contract came about after 2 1/2 frustrating years of negotiating in which company officials repeatedly stalled in negotiations and insulted our main negotiator, UFW first vice president *Dolores Huerta*. Negotiators for the company called our contract proposal a "75 page laundry list" and accused us of "not caring at all about the workers." During the time we were trying to negotiate with the company, some workers on the ranch were fired for Union activity while others were told by company field supervisors that "if you quit this Union thing, we'll pay you the highest wage in the area."

Because of the company's flagrant disregard of the law and obvious disrespect for its workers' rights, UFW Boycott staff and supporters in cities across the country took part in a campaign to put pressure on George J. Ball, Inc., the company that owns McFarland Rose. During the spring and summer of 1977, phone calls, letters, mailgrams, and delegations to local offices demanding that George J. Ball Inc. use their influence over McFarland Rose to get a contract were enthusiastically participated in by UFW supporters, particularly in Chicago, Toronto, and Northern California where George J. Ball Inc. has its headquarters.

In addition to getting the contract, the Union tentatively won a bad faith decision against McFarland Rose when an ALRB hearing officer ordered the company to reimburse its workers for the wages they lost from April 1976 to

June 1977. This decision still has to be approved by the board.

Special congratulations for this contract go to Brother *Julian Perez* and Sister *Juana Garcia* from the McFarland negotiating committee who were assisted by Brothers *Ken Schroeder* and *Ben Maddock* from the UFW Delano field office.

Other rose contracts in the Delano area are with Mr. Arbor Nursery, Montebello, and Conklin Nursery.

Election Win in Chula Vista

Workers at San Diego Nursery in Chula Vista organized for and won an election on August 25, when they voted UFW - 31 no union - 9 and challenged - 8. The company employs about 50 workers.

Special recognition for this victory should go to the organizing committee at San Diego Nursery who put a lot of their energy and time into organizing and running the election campaign. Members of the committee are Brothers and Sisters *Marta Carranza*, *Marta Escorto*, *Lupe Lopez*, *Rebecca Lopez*, *Carlos Navarro* and *Susana Varragan*.

Settlements

Lamont

Four grievances were settled in the Lamont area recently with the Central Farms, Stenderup, Tenneco and Eugene Nalbandian companies.

At Central Farms, Sisters *Connie Guajardo*, *Maria Salinas*, *Lasara Aguilar*, *Pamela McKenzie*, *Imelda Alaniz*, *Thelma Alaniz* and Brother *Jose Almador* were reinstated at their jobs after three days of missed work. On July 18, 1978, their foreman had fired all seven of them when they protested the firing of another worker. In addition to reinstating the workers, the company has also agreed to pay them a total of \$891.00.

The Stenderup Company agreed to reinstate Sisters *Beatrice Morales*, *Estella Muniz* and *Hermenejilda Franco* and pay \$1800.00 to them. This charge against the company was filed last summer when these three women, who are members of the negotiating committee, were laid off last June and were not called back to work when other members of the crew were rehired.

The third settlement involved three workers at Tenneco, Sister and Brother

Estella and *Juan Rangel* and Brother *Porfirio Lopez*. Brother and Sister *Rangel* were fired after leading a strike in the citrus last November and Brother *Lopez* mysteriously lost his job after getting many UFW authorization cards signed last summer. Tenneco has agreed to pay \$1871.00 to these three workers and has offered them their jobs back.

The final settlement deals with seven workers who were refused jobs last summer at the Eugene Nalbandian ranch in Lamont. The foreman had told Brother *Armando Sanchez*, one of the seven workers, that "you're more Chavista than Cesar Chavez" and refused on that ground to hire the workers. The company has now guaranteed the workers jobs at that ranch for the next season and all 7 workers are also guaranteed living space in the camp.

The workers involved in these settlements were all assisted by Sister *Carol Schoenbrunn*, of the UFW field office in Lamont.

LEGAL

Major Lawsuit Settled

Settlement of a major Union lawsuit, *Chavez vs. Fitzsimmons*, was recently presented to U.S. District Judge *Stanley A. Weigel* for his approval. This lawsuit, filed in January, 1973, arose out of the 1970 sweetheart contracts signed between the Teamsters and over 100 California and Arizona lettuce growers.

Chavez vs. Fitzsimmons, was based upon UFW charges that growers and Teamsters had violated U.S. Anti-Trust laws by signing contracts to impose low wages and lesser benefits upon farm workers in the vegetable industry. The suit also contended the growers and Teamsters had violated the civil rights laws by depriving workers of a Union led by Mexican, Filipino and Black leaders.

The lawsuit was filed after the California Supreme Court found that the 1970 Teamster lettuce contracts had been signed despite the fact that most all of the lettuce workers desired to be represented by the United Farm Workers. More than 10,000 farm workers struck Salinas and Santa Maria valley growers in summer, 1970, after growers turned to the Teamsters when faced with UFW demands to bargain for contracts.

Plaintiffs in the action included UFW Executive Board Members *Cesar Chavez*, *Mack Lyons* and *Dolores Huerta*, and Brothers *Jose Guzman Ramirez*, *Hermenegildo Regalado Perez*, *Jesus Ortiz*, *Hermes Orozco Rosas*, *Manuel Toledo* and *Fernando Novelo*, who brought the action on behalf of themselves and their fellow lettuce workers.

For the last five years the case has been bitterly contested by both sides. About a year ago, settlement discus-

sions began and resulted in the settlement which has been presented to Judge *Weigel* for his approval. The settlement provides that growers will not violate the Anti-Trust or civil rights laws for a period of two years; violation of this provision is subject to arbitration procedures. In addition, the settlement provides that growers without a UFW contract must give expanded access rights and organizational lists to the UFW; this provision recognizes the harmful effects to the Union which resulted from the growers signing contracts with the Teamsters. Instead of giving access and lists, grower defendants without a contract may pay to the UFW a certain sum of money to aid in organizing efforts. Finally, the costs and attorneys' fees will be paid by the growers.

Because this lawsuit was brought on behalf of a class of people, the judge has ordered a notice distributed to persons affected by the settlement. Approximately 34,000 notices will be distributed between August 24 and September 24 in addition to radio and newspaper accounts. A copy of the notice has been included in this copy of the Newsletter.

The final hearing on approval of the settlement will be held on October 26, 1978.

PRESIDENT'S OFFICE

UFW Sanctions Strike of Nine Retail Clerks Locals

Acting on requests from the presidents of nine striking locals of Retail Clerks International Union, the UFW National Executive Board voted to sanction and support the clerks' strike against large Southern California food market stores.

Between 5,000 to 6,000 clerks went on strike on August 20 after contract negotiations broke down. The stores are represented by the Food Employers Council.

In the telegram we sent to the executive officers of the nine local unions, we stated that "the farm workers appreciate the courage and resolve you have shown in your struggle for dignity and security. We know our own Union cause would have

perished long ago without the selfless support the farm workers received from your great union and from the entire labor movement. Know that the farm workers stand with you in solidarity and support for your just cause."

All UFW members should honor the picket lines of Retail Clerks Union members until the strike is ended.

We were happy to learn that a tentative agreement was reached by the Retail Clerks International Union on August 25.

CAMPESINO CENTERS

Blythe Bus Accident Hearings Continue

The third of four hearings into farm workers' charges of faulty construction of a bus in which 19 lettuce workers died in 1974 was held in Los Angeles on August 14, 15 and 16.

The accident occurred on January 15, 1974 when a farm labor contractor's bus carrying workers on their way to jobs at the High and Mighty lettuce fields near Blythe missed a turn and careened off the road into a drainage ditch. On impact, seats and farm workers were thrown to the front of the bus, crushing the driver to death and trapping many other workers who soon drowned in the ditch. Nineteen workers were killed and many others injured in the accident. Among the dead were men, women and children - in one family, a father and his three teen-age children died.

Later investigation by Federal and State officials revealed that the seats that flew forward at the impact of the crash and contributed heavily to the high death toll, were fastened to the bus floor in many cases by only one thread of each screw.

Amid the workers' grief there was a great bitterness because the workers had been through this kind of tragedy before. On January 19, 1974, at the funeral mass for the workers who were killed, we expressed both our sorrow and our anger at this tragedy. The accident was a direct result of a farm labor system that treats workers like agricultural implements and not as human beings.

A suit was filed by workers involved in the accident against General Motors, the manufacturer of the bus. The first hearing was held in June of 1978 in El Centro and the second hearing was held in July in San Diego. General Motors lawyers were pushing the courts to drop the case since they claimed it was impossible to locate workers who survived the accident and assumed that the workers wanted to forget the incident. Brother *Juan Guicho*, from the Campesino Center in Calexico, contacted all the workers who survived the accident and relatives of those who were killed to inform them of the times and places of the hearings and encourage them to testify.



UFW photo

Mourners march to Mexicali in funeral procession for workers who were killed in bus accident near Blythe, Jan. 15, 1974.

Of the 17 workers who testified at the August hearings, six were survivors of the bus accident. General Motors lawyers have also been trying to get to the workers who are testifying to recount or change their stories, but they have not been successful in this effort. Final hearings will take place in October.

OFFICIAL NOTICES

Latest Election

San Diego Nursery/ Chula Vista/ nursery/ UFW- 31, no union- 9, challenged-8/ August 25.

New Contract

McFarland Rose Production/ McFarland/ roses/ August 18.

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