

# 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 Protests Growers' Campaign to Import Foreign Workers

The United Farm Workers has uncovered a series of blatant discriminatory practices by Phoenix-area offices of the Arizona state Department of Economic Security against local Arizona farm workers who seek jobs in the citrus industry.

On Saturday, September 23, we told a news conference and farm worker rally in Phoenix that the DES (Arizona's state employment service) has helped prevent local workers from obtaining jobs with area growers who seek permission from the U.S. Department of Labor to import foreign workers to replace resident laborers under the Dept. of Labor's foreign worker certification program (H-2 Program). We stated that the H-2 program is a new Bracero Program in disguise and noted that the Department of Labor has received requests from more than half a dozen local citrus companies for foreign workers under the federal program.

Under the plan, growers may import foreign laborers only if resident workers are unavailable for the jobs. Local workers must be given first preference for the work.

We also announced at the press conference that on Friday, September 22, we sent telegrams to six area citrus growers, informing them that the UFW represents the majority of their agricultural employees and demanding that they recognize and negotiate with the union immediately. We told the growers we "will not permit you to force our people onto the welfare rolls because you insist on importing foreign

workers to replace them. We will defend their rights to their jobs this harvest season through strikes, demonstrations and legal action."

"The days of the Bracero will never return while we are here. Farm workers will not permit the Bracero Program to be reinstated," we told some 300 farm workers at a rally at Laborers Local 383 Hall in Phoenix on Saturday night.

The wires were sent to Sunny Valley Citrus Company, Goldmar, Inc., Mesa Citrus Growers, Bodine Produce, Central Citrus Company and Fletcher Farms, all located in the Phoenix area. (All six firms have asked the Department of Labor for H-2 workers.)

We also told reporters that we have asked the Department of Labor to investigate the DES and those Arizona citrus growers who seek to put local farm workers out of work by importing workers from Costa Rica and other nations outside the U.S. On September 22, we verbally registered our complaints with the Labor Department and followed up with a wire to Labor Department officials.

The Arizona Economic Security Department is helping growers use every deceptive device to deprive Arizona workers of their jobs rights by:

—permitting Sunny Valley Citrus (One of the six companies) to demand three previous job references from each resident farm worker who applies under the federal H-2 program for harvest time work with the company. (No other growers ask for job references.)

—enabling Sunny Valley Citrus representatives to demand that local workers submit to unprecedented personal interviews before they are hired.

—forcing resident farm workers to submit to a unique company-sponsored two day training period where they will earn half the money they would normally make.

—allowing Sunny Valley Citrus to require that resident farm workers live in company labor camps even though they reside in their own homes locally.

All these abuses are designed to discourage resident farm workers from applying for work so the companies asking for foreign workers can claim that local farm workers cannot perform the work or do not want the jobs.

One grower agent boasted that he "knows for a fact" that local workers "can't perform" and that they will not stay on the job very long. The agent said he wants to import foreign workers because they will work and "can't go nowhere."

The six Phoenix growers are receiving expert legal advice on how to cheat the local workers out of their jobs from a Phoenix area law firm.

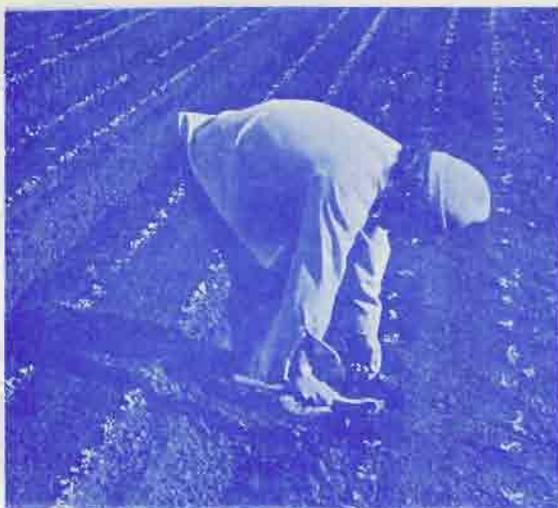
The timing of the growers' drive to obtain foreign workers is significant. Last April, a three-judge federal court panel in Phoenix vindicated a six year legal battle by the union by overturning the Arizona Agricultural Employment Relations Act (see Newsletter, May 1, 1978). That law, pushed through the legislature by the Farm Bureau and reactionary anti-union forces in the state, outlawed strikes and boycotts, deprived most migrant farm workers their rights to vote in union elections and made it a crime for the union to negotiate on most issues of concern to the workers.

By May, one month after the landmark decision was handed down by the federal court, the six area citrus growers requested permission to import foreign workers from the U.S. Labor Department.

In June, my wife *Helen* and I were arrested in Yuma, Arizona for deliberately violating an unconstitutional injunction totally outlawing picketing at two Yuma melon fields (see Newsletter, June 26, 1978). Growers and the press began much speculation on the likelihood of a strike during the citrus harvest and the six Phoenix citrus companies intensified their push for H-2 workers in August and September.

We told reporters that the union will strike any grower that hires imported foreign workers under the H-2 program.

Meanwhile, UFW supporters from across the country, particularly in the churches, are busy writing Secretary of Labor, *Ray Marshall* expressing concern over growth of the H-2 program during the past few years and opposing use of the program by the growers who seek to avoid their responsibility to deal with resident farm workers' legitimate demands for decent wages and working conditions. The National Farm Worker Ministry reports that



H-2 Program: A return to slavery in the fields.

UFW photo

hundreds and hundreds of letters are being sent from nearly all the major religious organizations in the U.S.

In addition to addressing the news conference and rally with the farm workers at Brother *Bill Soltero's* Laborers Union Hall, we attended a fundraiser sponsored by the Valley Friends of the Farm Workers, a longtime support group in the Phoenix area. The event was at the home of Sister *Harriet Cunningham*, leader of the support committee and a staunch farm worker supporter.

## COLLECTIVE BARGAINING

### Settlements

#### Oxnard

A grievance was settled on September 1 at the Hiji Brothers Ranch in Oxnard when the company agreed to pay \$200 to Brothers *Luis Ayala* and *Crispin Gonzalez*.

The grievance occurred when the company violated the seniority rights of Brothers *Ayala* and *Gonzalez* by not calling either of them back to work when the season started. In addition to the \$200 that each of them received, Brothers *Ayala* and *Gonzalez* were both reinstated at their old jobs with their full seniority rights.

Credit for the settlement goes to the Ranch Committee at Hiji who worked hard on the case. Members of the committee are Brothers *Cristobal Perez*, president, *Ubaldo Ortega*, *Florencio Garcia*, and *Ricardo Garcia*. Credit should also go to the steward, Brother *Martin Renteria* and Brother *Curt Ullman*, UFW Field Rep.

Brother *Luis Ayala*, one of the workers in the case, is also the vice-president of the Hiji Committee.

#### Coachella

The Ranch Committee at DRM Grove Labor, Inc. (Debonne) have recently settled a grievance with the company. The grievance concerned the company's refusal to re-hire one of their workers.

Brother *Pedro Ramos* was a worker at Debonne who was arrested and in jail for seven days. When he and another worker from the ranch, who

was also in jail, returned to see if they could get their old jobs back, the supervisor reinstated one of the workers but refused to give Brother *Ramos* his job back.

The ranch committee then met with the grower and the supervisor. In this meeting, the supervisor claimed that only one of the workers who had been jailed has asked for his job back, but the committee members found out that that wasn't true. A long, and at times heated, discussion arose between the grower, the supervisor and the committee members, and after about two hours of discussion, the grower agreed to give Brother *Ramos* his old job with all his seniority. The supervisor didn't agree with this decision, although he didn't say anything at the time.

After a couple of days, the ranch committee president, Brother *Alberto Puga*, was approached by the supervisor at which time the supervisor, among other things, challenged Brother *Puga* to a fight, which he declined to take part in. The supervisor also began harassing other members of the ranch community until finally, in another meeting with the company, the ranch committee informed the grower of the actions of the supervisor. The grower told the ranch committee members that he would look into the problem and after that meeting, the supervisor stopped harassing everyone. The ranch committee members imagine that the grower finally showed the supervisor the UFW contract!

Members of the committee who worked on this case are Brothers *Alberto Puga*, president, *Angel Saball*, *Francisco Cecena*, *Luis Piño* and *Guadalupe Morin*.

### Arbitration

#### Freedman Ranch - Coachella

Brother *Alfonso Sanchez*, a worker at the David Freedman Ranch in Coachella, was recently re-instated at his job after an arbitrator ruled that the company had no just cause to fire him.

The grievance arose over the issue of retroactive pay. After signing a contract with the Union in June, 1977, the company had stubbornly denied their obligation to pay retroactive wages to

the workers. Brother *Sanchez* was fired from his job for repeatedly asking the grower's son when the workers were going to receive their retroactive pay.

The firing was protested since Brother *Sanchez* never received any warning before he was fired, and because, while many of the other workers on the ranch also asked for their retroactive pay, only brother *Sanchez* was disciplined.

For these reasons, the arbitrator ruled that Brother *Sanchez* be reinstated at his job and that he receive \$302.34 back pay for the work he missed.

Ranch committee members who worked on this case are Brothers *Carlos Ortiz*, president, *Tiburcio Carillo*, vice president, *Humberto Luna*, secretary, *Jesus Muñoz* and *Efrain Oviedo*. Credit should also go to Brother *Celestino Chavez*, the crew steward. The workers were assisted by Sister *Ruth Shy*, from the UFW Field Office in Coachella.

#### West Foods - Soquel

An arbitrator recently ruled on a case concerning the firing of one of our members, Brother *Jesus Delgadillo*, whom the company had fired for parking his car in a prohibited area on the ranch.

At the hearing, the arbitrator ordered that Brother *Delgadillo* be reinstated at his old job as soon as possible and that he receive pay for six weeks of missed work.

The workers who helped out on this case are Brothers *Salvador Solis*, *Joel Estrada*, and *Horacio Esparza*. Brother *Esparza* is also the new president of the West Food Ranch Committee at Soquel. These workers were assisted by Sister *Sandy Martinez*, from La Paz.

## OFFICIAL NOTICES

### New Certifications

North County Grower Association/ San Diego/ Sept. 14.

Select Nursery/ Brea/ nursery/ Sept. 18.

Harry Singh and Sons/ San Diego/ tomatoes/ Sept. 19.

Donley Farms/ Winter Haven/ row crops/ Sept. 22.

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*Lydia*