UNITED FARM WORKERS, AFL-CIO
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CLEVELAND, OHIO 44113
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January 9, 1974

Mr. William Presser
International Vice President
Teamsters Union
2020 Carnegie
Cleveland, Ohio 44115

Dear Mr. Presser,

I write this letter in response to the advertisement placed in the Cleveland Plain Dealer on January 6 by your organization. Since the advertisement claims that nearly all California farm workers have been won over by the Teamsters union, we challenge you to arrange, through your offices, an immediate secret ballot election. This election would settle once and for all the question of who represents the farm workers, the United Farm Workers of America or the Teamsters.

As you well know, Mr. Presser, it is not necessary to wait for the legislative process to bring farm workers under the NLRA in order for an election to be held. There are numerous impartial third parties - such as the American Arbitration Association, the Federal Mediation and Conciliation Service, and the Bishops' Committee on Farm Labor - all of which can supervise and validate an election. A precedent was established in 1966 when the Teamsters and the UFWA mutually selected the American Arbitration Association to supervise the 1966 DiGiorgio Corporation representational election. The United Farm Workers defeated the Teamsters by more than two to one in that election. Waiting for coverage under NLRA is a stalling tactic used by Frank Fitzsimmons, Teamster President, to avoid participating in immediate secret ballot elections.

An immediate secret ballot election would let the farm workers decide for themselves who they wish to represent them. We are not afraid to test the will of the workers and we urge you, if you are sincere in your beliefs, to help arrange an election immediately. To date, Frank Fitzsimmons has repeatedly refused to agree to secret ballot elections, while UFWA President Cesar Chavez and other concerned groups and individuals, have publicly requested that such elections be held.

Mr. Presser, perhaps you are not fully aware of the gross inaccuracies and actual falsehoods that abound in your advertisement. Let me cite a few examples:

1. The claim that the Teamsters have won over the farm workers is false. The truth is that the workers have never asked the Teamsters to represent them. We have our own union, the United Farm Workers of America. In 1970 over 7,000 workers walked out of the fields to protest the "sweetheart" contracts signed by the lettuce growers and the Teamsters without their knowledge or consent. On December 29, 1972, the California Supreme Court issued a decision that substantiates our charges of collusion between the growers and your union. The court had this to say:

> ...The Teamsters and growers proceeded to negotiate detailed contracts covering such specific subjects as wages, hours, and other working conditions; although the field workers were the individuals who would primarily be affected by such provisions, these workers were never consulted during the negotiations and were never given an opportunity to examine the terms of the contracts or even to indicate whether they desired to be represented by the Teamsters... During the first few weeks of August, 1970, when the field workers finally were advised of the collective bargaining agreements that had been negotiated on their behalf, most of the workers refused either to join the Teamsters union or to sign or ratify the Grower-Teamster agreements."

Further proof of the grower-Teamster collusion can be found in the fact that on September 13, 1973, two growers, James R. Martin, Vice President of Cel-A-Pak Corporation, and Thomas Hitchcock, General Manager of Let-Us-Pak Company, were indicted by a Federal Grand Jury in San Francisco for bribing Theodore J. Gonsalves, Secretary-Treasurer of Teamsters Local 748 in Modesto, to disrupt and impede UFW organizing activities. Gonsalves was indicted for requesting and accepting the bribes.

2. The contract comparison publicized by your union is deceiving and inaccurate. It is not sufficient to say that "yes", a provision exists in either contract without analyzing that provision.

GRIEVANCE PROCEDURE

Teamsters: The Teamster contract has a grievance procedure, but it involves only a Teamster representative and a company supervisor who get together to discuss the grievance.

UFW: The UFW contracts provide for stewards and committeemen, elected by the workers themselves, to be actively involved in all steps of the grievance procedure. This is designed to bring about true union democracy.

HEALTH AND SAFETY

Teamsters: The health and safety clause in the Teamster contract states simply that the company will take all "reasonable steps" to protect the health and safety of the employees. Nowhere in the contract is it suggested what "reasonable steps" are.

UFW: The UFW contracts specifically ban eleven of the most dangerous pesticides, strictly regulate the application of all others, and establish a health and safety committee composed of the workers themselves. Our contracts also provide for two daily rest periods, toilets in the fields, protective clothing, and cool drinking water with individual paper cups.

HEALTH AND WELFARE

Teamsters: The Teamster plan requires 80 hours of work each month before a worker is eligible for medical benefits.

UFW: The UFW medical plan is designed to meet the needs of the seasonal worker, so that only 50 hours are required in the three months preceding medical service to be eligible.

SENIORITY

Teamsters: The Teamster contract reads that a worker must work ten consecutive months before he can be placed on the seniority list. This eliminates 95% of the workers from any job protection.

UFW: The statement in the advertisement that we have no seniority provision in our contracts is completely false. All UFW contracts have seniority clauses based on length of time worked with the company, and strictly spelling out how a workers' job shall be protected. (Section IV, Paragraph G, Inter Harvest Contract)

UNION HIRING HALL

Teamsters: The absence of a hiring hall provision in the Teamster contracts is critical because it turns the workers' fate over to the corrupt labor contractors who systematically discriminate against workers and cheat them out of the money they have worked hard to earn. The labor movement has worked long and hard to end the labor contractor system in other industries. Not only are you bringing them back into agriculture, you are assuring the continuance of the last vestige of slave labor in America.

UFW: The UFW contract provides for a hiring hall where workers get a job based on their seniority. It specifically spells out that there shall be no discrimination on the basis of sex, age, creed, color, national origin, political beliefs, or language spoken.

WAGES

Teamsters: The five year contracts signed in 1970 between the Teamsters and the lettuce growers called for the following wage scale:

$1.85	per	hour	effective	7/27/70
1.96	"	"	"	7/16/71
2.08	"	"	"	7/16/72
2.20	"	"	"	7/16/73
2.33	"	"	"	7/16/74

After the December 29, 1972 California Supreme Court decision, upholding the UFWA charge of collusion, the growers and Teamsters rushed to modify their agreement to give it the appearance of legitimacy. To do this they raised the wages to match the UFW scale. But the fact remains that the agreement continues to be a "sweetheart" contract negotiated without worker consent or participation.

UFW: The two-year Inter Harvest contract signed in 1970 established a minimum hourly rate of $2.00 effective 8/30/70, and $2.07 effective 8/30/71. Since then, the contract has been renegotiated to its present wage scale of $2.33 per hour minimum.

Mr. Presser, we are proud of our contracts because they are a product of hard work and sacrifice by the farm workers and not the product of backroom deals. We regret that you and your organization would so blatantly misrepresent the facts with regard to the situation in California.

However, Mr. Presser, the real issue involved here is not who has the best contracts but rather whether the farm workers have the right to decide for themselves what union they wish to represent them. Like union brothers and sisters before them, they have demonstrated through striking, by going to jail, by leaving friends and relatives to travel to strange cities to work on the boycott, and even by sacrificing their lives, that they want the United Farm Workers to represent them.

Mr. Einar Mohn, Director of the Western Conference of Teamsters, has made it plain what the future of farm workers will be in the Teamsters union. On April 27, 1973, he said, "It will be a couple of years before they can start having membership meetings, before we can use the farm workers' ideas in the union...I'm not sure how effective a union can be when it is composed of Mexican Americans." Mr. Presser, you can no longer treat people as second class citizens and expect that they will not fight back.

For several months we have been urging people not to shop at Fisher-Fazio stores because of their refusal to handle only UFWA grapes and lettuce. In your January 6 advertisement, you encourage people to patronize this store which you claim to be 100% union. Not only is Fisher-Fazio helping the growers break our strike, they are also actively recruiting scabs from Cleveland and other parts of the country and sending them to California to break a meatcutters strike going on there at this moment. Is this what you call 100% union?

Mr. Presser, we are poor. Indeed, more money was spent on your full page advertisement than is earned by a farm worker family during a year. So if the growers and the Teamsters rob us of all our contracts, what will you have accomplished? We have always been poor; life has always been a struggle; there is no easy way to gain justice and to make life better for our families.

I urge you not to underestimate our patience and determination. We are not going to be defeated because you and some powerful growers want us defeated. We will keep organizing and striking; we will continue to build our worldwide boycott of grapes and lettuce. We will tell Americans of the crimes being committed against farm workers and they will respond as they have in the past, with the love, compassion and sacrifice that has helped us progress towards ending the harvest of shame in America.

Sincerely,

Eliseo Medina
Vice President

EM/dj