

President's Newsletter

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



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PRESIDENT'S OFFICE

Picketing Brings Arrests in Yuma Strike

During two days in Yuma, Arizona we faced a 36 hour ordeal unlike any of our experiences with the union even during the heyday of the Delano grape strikes and our Texas and Florida organizing drives.

On Tuesday, June 13, my wife, *Helen*, and I stood on the shoulder of State Highway 95 adjacent to a melon field near Yuma, Arizona. A half dozen Yuma County sheriff's deputies faced us under the hot desert sun as a deputy formally read Judge *Bill L. Helm's* injunction (see Newsletter, June 19, 1978) and informed us we would be arrested if we continued picketing at the field.

Inside the field three harvesting crews—mainly women and children—braved the heat and dust stooping to cut cantaloupes and place them in heavy sacks strapped around their shoulders.

Forty farm workers had joined us to picket at the G & S Produce Company property in violation of Judge *Helm's* injunction. For many of the Yuma workers it was their sixth strike in eight seasons and each effort had been broken by court injunctions.

Every year we faced the same scene in Arizona. All we could do was sit by and watch as growers hid behind illegal court injunctions. The paradox between California and Arizona is striking. Since 1975, California has allowed farm workers the right to choose a union through state-supervised elections. But just across the state line in Arizona, farm workers are denied their most basic rights.

The decision to go to Yuma was made the previous day as we ended a meeting with farm workers in Santa Maria. We had driven through the night to be in Arizona in time to talk with workers at the struck fields on Tuesday morning.

As we travelled Monday evening through the California desert, we wondered what lay in store for us in Yuma. Our thoughts turned to jail; the idea of losing one's freedom is a sobering thought. *Helen* and I discussed it as we drove and we resigned ourselves to jail if that is what was necessary.

Spring and summer temperatures in southwest Arizona climb to 110 and 115 degrees by late morning; as we stood with the workers on the roadside, the sheriff's officers finished reading the order and told us we would be jailed if we refused to move. The workers responded to our request that they leave the area; *Helen* and I remained and were arrested.

When we arrived at the jail we were searched and booked: our belongings were confiscated and we were fingerprinted and photographed.

If you look at a map, Yuma is at the center of a triangle formed by the juncture of California, Arizona and the state of Sonora, Mexico, all separated by the Colorado River. When I was born in 1927, on land my grandfather homesteaded before the turn of the century, agriculture around Yuma was distinguished by small family farming. Life was not so easy, but my early memories were of a rich and full existence until the Depression hit and we lost our land and were forced into the California migrant stream.

Today, agriculture near Yuma is dominated by large corporate farming. And the men, women and children who work the land are supplied chiefly from across the international border in San Luis Rio Colorado, Sonora where they live in misery and poverty.

Brother *Jim Rutkowski*, UFW attorney, told us Judge *Helm's* injunction was the most restrictive anti-picketing ruling issued by any court in 70 years. It outlawed all picketing by all persons at all parts of the growers' properties.

The growers obtained the order at a hearing where they alleged picketline violence and claimed the workers were satisfied with their conditions and did not want the union.

Judge *Helm's* order flew in the face of 30 years of legal precedents from the U.S. and Arizona Supreme Courts. The plain truth is that the U.S. Constitution does not tolerate such a total ban on the freedom of speech as was attempted by Judge *Helm*.

We could not understand how a judge could issue an order he must know is unconstitutional. We knew it could not be for legal reasons.

For nearly a decade rural judges and growers in Arizona have joined hands to ban farm worker organizing through this very effective legal maneuver. These jurists issue illegal injunctions with the knowledge they will be overturned by higher courts.

But the judges also know it usually takes months before the anti-strike orders are reversed. Meanwhile, the harvest passes while workers are denied their right to organize and the strike is lost. And next season, the same illegal order is issued and perhaps later overturned, but not before the harvest is past and the strike is lost again. But the issue transcends the organizing efforts and even the Union. Judge *Helm* not only threatens the rights of union members. At issue is the ability of all Americans to engage in First Amendment activities without fear of criminal prosecution.



Yuma Daily Sun photo

Cesar Chavez is ringed by Yuma County Sheriff's officers as he leaves court on June 14.

Helen and I knew we could not permit this injustice to go unchallenged. When we were brought before Judge *Helm* on June 13, shortly after our arrests, we asked to present constitutional challenges to the injunction. We also refused release on our own recognizance or bail. As a matter of conscience we felt that to accept release would legitimize an illegal order. We told Judge *Helm* the only way we would leave jail would be if he vacated his injunction. He refused and we were returned to custody.

During our 16 years organizing the Union we have been jailed several times. It has never been a pleasant experience and it was not pleasant in Yuma. Although the jail personnel were very professional and treated us well, the jail facility is old and antiquated. I was placed in the "felon tank" with 14 other prisoners. The air was hot and humid and the cells were dirty and unsafe.

But the courteous treatment in jail belied the resentment astir in the local grower community. Arizona is still dominated largely by the agricultural employer interests.

Just last April, a three judge federal panel in Phoenix declared the Farm Bureau-backed 1972 Arizona farm labor law unconstitutional "in its entirety" and enjoined the state from enforcing it (see Newsletter, May 1, 1978).

By Wednesday, June 14, some threats had been received at the jail and the sheriff's officers were concerned as we prepared for another hearing before Judge *Helm*. Deputies staked out the courthouse roof with rifles as 75 members of a local growers' "citizens committee" assembled on the courthouse lawn across from the jail. Farm workers also began arriving. The atmosphere was tense as a dozen hefty sheriff's deputies ringed *Helen* and I as we walked past growers,

workers and reporters into the courtroom. Employees of the courthouse came out of their offices to stare at us as we passed. I wondered how many of them really know what was going on.

The growers packed the courtroom earlier so farm workers could not get seats. First Vice President *Dolores Huerta* tried to bring in farm workers for the hearing after the judge said the seats should be divided equally between the growers and the workers. But growers blocked her exit from the room and deputies had to help her through the employer supporters.

Judge *Helm* denied our motion to quash or modify his injunction after listening to 20 minutes of oral arguments from Brother *Rutkowski*. "The growers showed their employees are satisfied with their working conditions," the judge said. "The picketing was for the purpose of intimidating field workers...What can the UFW offer these workers that the growers haven't given them?" Not a single worker testified that he was satisfied with anything.

Then the judge said, "Picketing now would raise the fear of intimidation even if picketing were legal." Judge *Helm* suspended the First Amendment because there **might** be intimidation.

At the urging of the county attorney, we were ordered released from jail over our protests. "If he wants to be a martyr," the county attorney argued, "let him do it in someone else's jail."

When we stepped from the jail we were greeted by some 600 cheering farm workers waving UFW banners. We drove to San Luis, Arizona, 25 miles away, and held a rally with the people before heading back to California.

Comité Represents UFW in New York

On May 3, 1978, Executive Board Member *Jessica Govea* and Brothers *Ramon Medina*, *Armando Ruiz*, *Jesus Reyna* and *Antonio Osuna* traveled to New York City to represent the UFW at a conference on Undocumented and Overstayed Persons sponsored by the National Council of Churches (NCC).



UFW Photo

L. to R. Brothers *Ramon Medina*, *Jesus Reyna*, *Antonio Osuna* and *Armando Ruiz* in New York City.

The conference was an effort on the part of different churches across the country to deal with the issue of undocumented persons in the United States. Representatives of national organizations presented their positions on undocumented workers. Brothers *Medina*, *Ruiz*, *Reyna* and *Osuna* were chosen to represent the Union on the merit of

their contribution to the Union through their work on El Comité de Servicios Medicos for the Proyecto Mexicali.

On the first day of the two day conference, Brother *Armando Ruiz* presented the Union's position on visitantes. Brother *Ruiz* spoke to the group in spanish and Sister *Govea* translated his talk into english.

After all the presentations, the church people attending the conference broke up into groups and made resolutions. When they re-grouped to make their reports, many of their resolutions reflected the tone and content of our own resolutions and positions on visitantes.

While in New York, Sister *Govea* and the Brothers took a couple of days to sightsee and visit some of the movements friends in New York. They visited IBEW Local No. 3 in Queens where they were greeted by the president of the local and Brother *Joe Lopez*, a close Union friend. Brother *Lopez* gave the group a grand tour of the local's medical services and co-op housing.

They also saw boxes of InterHarvest lettuce ready for marketing at Hunts Point Terminal. We have a contract with InterHarvest and Brother *Ruiz* is the president of the lettuce ranch committee there.

They also attended a farewell party for the boycott staff in New York. *Jessica* announced to the supporters there that we had signed 10 contracts that week, including the infamous Delano 6, which supporters on the East Coast had been actively boycotting during the winter months of 1977.

The group left New York City with the feeling that the trip was a fantastic experience that none of them will ever forget. They also felt it was a great honor to represent the Union at the conference.

Brother *Medina* is the president of the thinning ranch committee at California Costal; Brother *Osuna* is the president of the ranch committee at Vessey ranch—steadies; and Brother *Reyna* is the president of the negotiating committee at Mario Saikhon—lettuce.

RFK MEDICAL PLAN

What is covered by the Emergency Dental Treatment benefit?

Under this benefit the Plan will cover the following:

1. temporary fillings to ease pain; permanent fillings are not covered.
2. incision and drainage of abscesses.
3. extraction of an infected and/or painful tooth.
4. stitching soft tissue wounds.
5. single X-rays needed for diagnosis and treatment of symptomatic regions.
6. use of topical or injectable machines to relieve pain.

No other type of service or treatment is covered by this benefit.

OFFICIAL NOTICES

Latest Elections

Fisher/Blythe/melons/June 20/UFW—75, no union—15, challenged—42.

New Certifications

L&O Growers Association/Oxnard/lemons/June 16.

George Yamamoto/Chula Vista/tomatoes & squash/June 15.

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