LABOR PULSE (1976)

Politicians wheel and deal;

Farm Board fights for life

California's floundering new farm labor law, it now seems certain, will be saved from extinction. But the process will be costly.

It will involve another grueling struggle by the United Farm Workers Union and its supporters, and possibly amendments that would further dim the law's bold promise to bring agriculture into the 20th century.

The odds are heavily against bringing the law quickly back from the near-death it suffered when opponents blocked the emergency appropriation of $3.8 million needed to keep the state's Agricultural Labor Relations Board operating beyond January.

But the odds are in favor of re-funding the ALRB for a resumption of operations in July, at the start of the next fiscal year.

At this point, Governor Brown simply cannot get the votes to re-fund the Board without agreeing to amendments that would make the farm labor law virtually meaningless.

But in June, when the Legislature will be voting on new budgets for the ALRB and other State agencies, Brown will have the weapons to pry concessions of his own from the law's opponents.

Publicly, the Governor is not going much beyond expressing a vague assurance that "after a certain period of discussions and anxious waiting . . . the Board will be back in action."

There are signs, however, that Brown and the UFW's legislative allies are prepared to make their approval of budgets for state sponsored crop research, marketing, promotion and other farm programs contingent on support for the ARLB by grower supporters.

The law may be weakened nevertheless by current attempts to avoid a budget battle through modifying ARLB operations to satisfy at least some of the board's opponents. One possibility is the appointment of a "neutral" not indentified with union interests to fill a current vacancy. Another change suggest by ARLB Chairman Bishop Roger Mahony, would further limit the access of union organizers to farms.

Grower allies have suggested much more in the bills they have offered in exchange for approving an approriation that would revive the board. They would limit the voting rights of seasonal workers, limit sanctions on growers charged with unfair labor practices and otherwise make it easier for them to escape unionization.

The Teamsters Union has submitted a bill that would force the resignation of two Board members for allegedly being pro-UFW: Mahony and LeRoy Chatfield, formerly one of Cesar Chavez' top aides in the UFW.

The UFW, the apparent winner of at least 200 elections so far — as opposed to about 100 victories for the Teamster is fighting to keep the ALRB alive without any modifications in the farm labor law.

In all, the ALRB has a staggering backlog of more than 200 election results to certify, more than 1000 unfair labor practice charges to decide and an undetermined number of election petitions to process.

The trouble might have been avoided had Brown realized that despite the growers' initial approval of the law, they were bound to fight the UFW fiercely in the election campaigns and the UFW was bound to respond in kind. Refereeing that battle obiously was going to cost a lot more than was budgeted. Nor did Brown help by appointing Chatfield to the Board; it was a provocative act that assured the ALRB of heavy grower opposition.

The UFW has launched its fight with a boycott against the raisins, nuts and processed fruits marketed through the Sun-Maid and Sunsweet cooperatives by growers in Fresno who have led the effort to cripple the farm labor law. The union also is threatening to campaign for a State proposition that would enact a UFW version of the law.

It is also putting heavy pressure on the legislature's Democratic leadership, particularly on Assembly Speaker Leo McCarthy, to in turn get Democratic opponents of the law to change their stand.

Retail food chains, whose unhappiness over previous boycotts generated much of the pressure for enactment of the law, are mounting new pressure, partly under Governor Brown's prodding. Even a major farm group, the 8000-member Sunkist Growers cooperative, is calling for immediate resumption of ALRB operations.

In the meantime, however, farm workers are being denied their rights. Recognition elections had just started in the Imperial Valley when the ALRB ran out of funds, and workers in the Coachella Valley probably will not vote this year as well, since the harvest season there will be over before the new State budget can be approved.

Even where elections have been completed, growers are stalling in contract negotiations with the winners, since there are no ALRB agents to certify the results or act against those who refuse to bargain. In some cases, Growers are refusing to recognize votes by their employees to switch from Teamster to UFW representation.

The basic problem is grower refusal to understand that the very purpose of the farm labor law, like the original National Labor Relations Act, is to quickly and smoothly bring about the unionization. Until growers are made to accept that essential concept, the law will remain in serious difficulty.

—Dick Meister