

# 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

### Farmworkers Plan Pension Program

On July 12, the first slide presentation explaining the Juan de la Cruz Pension Plan was shown to a gathering of members from the different ranch communities in Selma. Since then, Brothers *Richard Chavez*, Executive Board Member, and *Kent Winterrowd* have been visiting other ranch communities with the slide presentation to obtain the worker's input on how they think the plan should work.



Photo By David Koehler

Executive Board Member *Richard Chavez* and Brother *Kent Winterrowd* plan Pension Fund with workers.

This is the first presentation of its kind because it provides an opportunity for the farm workers themselves to participate in putting together their own pension plan. Brothers *Chavez* and *Winterrowd* found workers in the areas they have visited anxious to contribute their energy and enthusiasm into planning the Pension Fund. Brothers *Chavez* and *Winterrowd* will eventually take the slide presentation to all the areas where we have contracts, certifications or pending certifications. The worker's recommendations will then be compiled and presented to the Juan de la Cruz Pension Fund Board of Trustees for their final decision.

## COLLECTIVE BARGAINING

### Arbitration

#### Montpelier Orchard Management Co. (Modesto)

In a recent arbitration decision, arbitrator *Jack Griffin* found that a grievance filed by workers at the Montpelier Orchard Management Company regarding the failure of the company to pay for vacations had been timely filed. The company had previously argued

that the grievance be dismissed on the grounds that the workers hadn't filed it within the time limit stated in the contract.

As a result of this decision, the company offered to pay \$5,779.00 to the 62 workers involved in the case so that the grievance could be resolved without further arbitration. The workers decided to accept the company's offer to resolve the grievance.

Mountpelier Orchard Management Company is an almond ranch in Modesto that employs about 200 workers during the peak season.

### Settlement

#### Christian Brothers (Napa)

A grievance was settled recently with Christian Brothers winery in Napa. We had charged the company with constructively discharging Brother *Ray Villanueva*. The company claimed that he had quit his job and would not let him return to work even though Brother *Villanueva* claimed that he had not quit.

The grievance was resolved when the company offered to reinstate Brother *Villanueva* at his old job as crew leader.

Members of the Ranch Committee are *Luis Trujillo*, president; *Ramona Espinoza*, vice president and *Jesus Rodriguez*, *Emilio Mendoza* and *Salvador Curiel*.

## ORGANIZING

### UFW Victory at Oshita

On July 20, the Union won an election at the Oshita ranch in Salinas. The workers there voted; UFW, 154; no union, 40; challenged, 81.

Oshita produces mixed lettuce, onions, parsley, voychoy, spinach, and mustard. The company employs 280 workers during a 10 month peak season.

This is a special victory since we had lost a previous election at this ranch to the Teamsters in 1975. The Agricultural Labor Relations Board overturned the election results in 1976 because of the number of unfair labor practices the Teamsters had committed during the election campaign. Last week's election win shows clearly that a strong majority of the workers at Oshita want to belong to the United Farm Workers of America.

Special recognition should go to the organizing committee at Oshita who organized and ran the 4 week election

campaign. Members of the committee are *Moises Alas*, *Jesus Alcala*, *María Alcala*, *Rafael Arciaga*, *Hector Flores*, *Yolanda Flores*, *Manuel Garcia*, *Jose Jacob*, *Aldino Jimenez*, *Emeterio Jimenez*, *Micaela Jimenez*, *Francisco Lizarraga*, *Francisco Martinez*, *Leonor Mendoza*, *Francisco Navarra*, *Juan Ornelas*, *Rose Padilla*, *Rocky Penenato*, *Magdelano Pinedo*, *Raul Rios*, *Santiago Rios*, *Romulo Rivera*, *Andres Rubio*, *Lidia Rubio*, *Ricardo Toledo*, *Jose Luis Valdera*, *Daniel Vargas* and *Alicia Ventura*. The committee was assisted by UFW organizer *Pedro Valdez*.

## AGRICULTURAL LABOR RELATIONS BOARD

### Decisions

#### K. K. Larson (Coachella)

The Board issued an order on July 7 finding that the UFW was not guilty of harassment charges brought against us by *K. K. Larson* in May 1977.

We were accused of harassing *Celia Hernandez*, a worker from Larson's ranch in Coachella. *Celia Hernandez* is known to UFW workers in the area as a notorious scab. She testified at the Board hearing in this case that she had crossed UFW picket lines in Bakersfield, Ducor and Delano in 1973.

The alleged harassing incident occurred when she and *Larson* crossed another one of our picket lines. This time the line was in front of the ALRB office in Coachella, where Union members and organizers were protesting the incompetence of former ALRB General Council *Harry Delizonna*. When the workers recognized her and saw that she was once again going to cross a UFW picket line, they began to shout "Scab!" as she and *Larson* walked through our line and into the office. We were charged with threatening *Celia Hernandez* and violating her legal rights.

The ALRB, however, decided that our members hadn't violated the law by their comments to *Celia Hernandez* and the charges were dismissed.

### Make-Whole Remedy

The Board recently ordered three California companies to pay a "make-whole" remedy to the workers on their ranches. "Make-whole" is a provision of the Agricultural Labor Relations Act that gives the Agricultural Labor Relations Board the authority to order employers to re-imburse their workers for any loss of wages that result from the employer's refusal to bargain in good faith with a union selected by the workers in a secret ballot election conducted by the Board.

The three companies who have been ordered to pay the "make-whole" are Superior Farms, Inc. in Delano, Waller Flower Seeds in Santa Monica and D'Arrigo Brothers in the Imperial Valley. At all three of these ranches, the workers had voted for the UFW in secret ballot elections.

## LABOR

### Retail Clerks and Meat Cutters Boycott Winn-Dixie

At its 1977 convention, the AFL-CIO unanimously voted to "actively and enthusiastically support a nationwide boycott of Winn-Dixie stores" in response to a plea for help from the Retail Clerks and Meat Cutters unions.

Winn-Dixie, the fourth largest food retailer in the nation and the largest in the southeast and southwest, brings in annual retail sales of \$4 billion. It has 1,150 stores in 14 states and employs 51,000 workers.

A boycott of Winn-Dixie and its affiliated stores (Kwik Chek, Foodway, and Buddies) was called as a result of the company's long standing record of labor law violations and unfair and illegal treatment of workers. The particular incident that preceded the call for a national boycott occurred when Winn-Dixie bought up the Foodway chain in New Mexico. Immediately after the company obtained control of the chain, Winn-Dixie launched a massive attack to drive the Retail Clerks and Meat Cutters out of the 20 stores where the unions represented workers under contract. In the process, the company violated the National Labor Relations Act and has already been found guilty of 26 labor law violations. In the face of a continuing pattern of unfair treatment of employees and labor law violations, the Retail Clerks and the Meat Cutters struck 16 of the Winn-Dixie/Foodway stores in New Mexico.

Executive Board Member *Richard Chavez* spoke at a rally of striking workers and their supporters in Las Cruces, New Mexico on June 3. Brother *Chavez's* appearance at the rally came exactly one year after the strike of the New Mexico stores was called.

Brother *Chavez* told the crowd, "I think there a number of communities across the country that are willing to serve the boycott. We can be influential in talking to them and get them to help the Retail Clerks in their fight against Winn-Dixie...If they (Retail Clerks) extend the boycott everywhere that this chain operates, the employers will soon find out that, once it gets underway, they are not dealing only with a local area. I think they will change their minds."

Everyone is asked to honor the boycott and not shop at Winn-Dixie or its affiliates until the company comes to an agreement with its workers in New Mexico.

### RFK MEDICAL PLAN

*Is the new born child covered by his own benefits at birth?*

It depends on the health of the baby after the delivery. If there is no problem with the baby at birth then the Maternity Benefit is to cover the expenses of both the mother and the baby. However, if your baby is ill or has an injury requiring longer hospitalization, that hospitalization from the date of birth is payable by the baby's Hospital Benefit rather than by the Maternity Benefit.

*Does the Plan pay a Maternity Benefit if my dependent child has a baby while I am still responsible for her?*

No. The Plan pays only on the pregnancy of a member or the wife of a member if they have the hours to qualify for Medium Category.

### OFFICIAL NOTICES

#### Nagi Daifallah Vacation Plan

If you have worked or are working in a company that pays into the Nagi Daifallah Farm Workers Pooled Vacation Plan for you, you must send in a completed Application for Vacation Benefits to the Vacation Plan office in La Paz in order to qualify for Vacation Plan Benefits. You will receive a check in **December** at the address given on the Application.

If you change your address or beneficiary - the person who will receive your Vacation Plan Benefit in case of your death - or if you have not received an Application, fill out an Application and send it to the Plan office in La Paz. No Vacation Plan Benefits will be paid where the Plan has received no completed Application.

Companies that pay into the Nagi Daifallah Farm Workers Pooled Vacation plan are David Freedman, Travertine Vineyard Association, Richard Glass, Ranch 2, Schell Ranch, Beckman and Bender, Valdora Produce, and Coachella Valley Citrus. All of these ranches are located in Coachella.

#### Latest Election

Oshita/Salinas/mixed lettuce, onions, spinach/July 20/UFW-154, no union-40, challenged-81.

#### New Certifications

F and P Growers Association/Oxnard/lemons/July 10.

#### New Contracts

Bruce Church/Northern, Central and Southern Calif./row crops  
Prevedelli/Watsonville/apples, plums



Photo by Ned Dunphy

Chicano Leader -- Leaders from major Chicano community groups visited us at La Paz on July 13, to express support for the Union and discuss current issues facing Spanish-speaking people in the U.S. *Ed Moraga*, past president of League of United Latin American Citizens (above), presented us with a plaque recognizing UFW's struggle before a La Paz community meeting. Also with us were *Luis Rodriguez* and *Jess Durasco* of American GI Forum, *Bob Griego* and *Art Montoya* of IMAGE (representing Chicano government workers), and *Domingo Rodriguez*, newly appointed Los Angeles City Fire Commissioner.

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