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Teamsters union in Kern
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ORAL HISTORY OF THE SOUTHERN SAN JOAQUIN VALLEY PROJECT
CALIFORNIA STATE COLLEGE, BAKERSFIELD
FARM LABOR PROJECT

1976
TEAMSTER'S UNION IN KERN COUNTY

Pete Baclig, Pete Maturino, Louie Uribe

Interviewed

by

Susan McColgan

on

July 28, 1976

Transcriber: Vivian Cochneuer

Editor: Dr. Gerald Stanley

Typist: Barbara Lewy

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M: How and when did the Teamsters first become interested in organizing farm workers?

B: How and when did they first become interested? Well, the first contract that they signed that actually covers the farm workers in the sense of people who work in the fields was in 1960, I believe it would be, [with] a lettuce grower in the Salinas area. After that, the next year, they signed contracts with a lettuce company, and shortly after that they signed contracts with Yoder Brothers. They came into farm labor through a request from the farm workers. The normal procedure is when employees request representatives, they either call or get in touch with somebody they know that's

an organizer, or works for the union, and voices an interest. They were back in agriculture in the early forties and covered some dairy workers and packing shed workers and cannery workers, which was all considered agriculture then.

PM: Produce packers.

B: Produce packers have been under contract for thirty years.

M: Okay, now, is your organization open to other workers nation-wide?

B: We're right now. I believe we're just concentrating on the Western Conference, which would be the thirteen western states, mainly in California where we have the Agriculture Labor Relations Act to work with.

M: Okay, why do growers in California seem more willing to work with the Teamsters rather than the UFW?

B: Well, I think you'd better ask the grower that. I don't know if they're willing to work with Teamsters. I know that in the Coachella Valley here recently we had over a hundred arrests of Teamster members and organizers for trespassing on a grower's property.

M: Okay. What would you say are the major differences between your contracts and the UFW's contracts?

B: I think that we provide a better service, that we have more qualified people in there. I think that the contracts that we've been able to obtain have provided better working conditions and benefits and higher wages for the employees.

I think we've beat them hands down in the number of contracts that you could compare if you set [them] side by side, such as the ones that were just recently negotiated in the Salinas Valley on the companies that we have received certifications on. Yes, the United Farm Workers received certification. They signed a contract for a minimum hourly rate of \$3.10. On the contracts that we just negotiated, the minimum wage is \$3.35.

They have a medical plan that is called the Robert F. Kennedy plan that the people have to go to wherever they've got a clinic to get service. We have a medical plan that's just been negotiated; it's a \$49 plan. I don't know all the benefits yet because the platform hasn't come out. But it includes dental, and they can go to any doctor they want anywhere in the world and be covered. It's not restricted to one area. It also gives them the freedom to go and work wherever they want instead of going through a hiring hall and being assigned to a certain company; [and there are] numerous other benefits, [which is] why I think that we're doing a better job. We negotiated holiday pays that go to the employees, not to the union. If you'll look in the union contracts of Cesar Chavez, you'll see he has four paid holidays; but in one of them all of the monies goes to the unions.

M: In your opinion, why would you say a farm worker would rather work for the Teamsters than the UFW?

B: In my opinion, well, I think as a matter of, how do you say it, I'm looking for the right word, it's just freedom. We give him better service and the freedom that he needs to take home the money that he needs to survive with and to provide for his family.

M: I see.

B: It's just that I think we can provide better working conditions for the farm worker and that's what life's all about.

M: And why would somebody prefer the UFW?

B: Well, you'll have to ask the UFW or the farm worker that question.

M: The UFW is affiliated with the AFL-CIO and the Teamsters have not always been on the best of terms with them. Is there any coincidence in the fact that they're now opposing each other in the fields?

B: I'll be darned if I know.

M: You've always been on opposite ends with the AFL-CIO.

B: No, I don't think that's true at all. We've supported a lot of AFL-CIO strikes, and they supported a lot of our strikes. I don't think that's necessarily true with all of the affiliates of the AFL-CIO. We've worked hand in hand with them for years, and this is just an issue that we can't seem to come to some agreement on. It's our position that there's a law up there now; and if the farm workers choose Teamsters, then we're going to represent them. As long as they want us here we'll be here.

M: I see.

B: And they're not somebody who can just say well, here, AFL, take 'em because you want 'em.

M: The UFW's been called a civil rights movement rather than a labor union. Do you have any comments to make on that? How do you feel about that?

B: Well, I think that all labor unions are ?. That's what it's all about, to improve people's way of living. And I have no comment on that as far as the AFL, I mean the Farm Workers' civil rights movement.

M: Okay. How many of your members migrate from harvest to harvest now?

B: I would say roughly about ten percent.

M: Ten percent. Are there any troubles involved with migratory workers?

B: Well, sure there are. You know, some of the problems could be that you have been working in a company now, picking grapes, and a grievance occurs, and it's getting towards the end of the harvest. By the time you get the grievance just about settled, you go back out to the fields and he's gone on to the next ranch. So, it does create problems with the servicing; but as spread out as we are now, I think that the communications we have with one another, it might be of interest to you.

We have an agricultural division within the Western Conference of Teamsters, and that division has formed a policy

committee that is in charge of all the agricultural locals in the state of California. The purpose of this was to be able to handle the problems of the farm workers a little bit better and get all working on a uniform plan so the lines of communication are open. If Jose works for us here and then would move into another area where we have Teamster offices, we would have a line of communication and would be able to communicate with them a little better. But we are stepping forward and are trying to get as much service as possible to the farm workers.

M: It seems that mechanization is taking over a lot of farm workers' jobs at this point. What do you think will happen to the farm workers who are left out of work because of this? Or do you think that that's?

B: Well, I think that that's inevitable. It happened in every industry that I know of. Machinery has replaced a lot of workers. Our goal is to train farm workers, and hopefully their children, and try to stabilize the work force. It won't be necessary [for their children] to go out in the fields if they can become professionals and work in other careers and other phases of employment. [But we want] to guarantee those farm workers that are now in the fields the first opportunity to take any jobs that require, you know, skills with the machines and such, and train them to take those jobs and, hopefully, stabilize the work force enough that the

children of the now farm worker can get an education and won't have to move from town to town, get enough education to qualify for better jobs and not have to go out in the fields.

M: I see.

B: I think that answers the question.

M: Yes. Do you expect to see the changes occur say in the next ten years or so?

B: I couldn't really say. It probably depends on what these growers intend to do. There's a lot of jobs out there that a machine will never be able to do.

M: But you are taking the responsibility of training people to fit them into whatever kind of

B: Right. In all our contracts we've negotiated training programs, and the one that we just negotiated here recently with Dalton Richardson is. We've got a mechanization clause that would guarantee the workers that are now on the ranch the first opportunity of being trained to operate machinery or equipment in the event that it does come and prohibit companies from just firing masses of people and hiring outside qualified people without first giving them the opportunity. But the whole thing is to try to stabilize this work force to cut down on the movement of people up and down the state, stabilize and give them enough wages and benefits so they don't have to go in the wintertime and work. This was one of the reasons that the

Teamsters were the first ones in the history of farm labor to organize. I mean to provide for unemployment insurance within their contracts.

On the other hand, Cesar Chavez and the United Farm Workers took the position that it should be a state and federal thing, that they shouldn't have to negotiate them into their contracts. We negotiated them in, in 1970. We negotiated unemployment benefits into field contracts that we negotiated. One of the purposes of that is to stabilize the work force so that when the guys finish the season, for example, in the Salinas Valley where there're seven months of work during the harvest time, the guy could draw unemployment benefits and then he wouldn't have to take his kids out of school in the middle of winter and move out and work for 85, 90 dollars a week in the Imperial Valley. It would make it so he could buy a house and keep his kids in school.

M: When the Agricultural Labor Relations Board was refused refunding last year, were you satisfied with the law for the Board, the way it was operating then?

B: We took the position, and it's on record at the Senate hearings, that we didn't have any real gripes about the way the law was written. We had numerous gripes about the way it was being administered. Our main issue was to assure that our parties got equal treatment. We felt that the government appointed people onto the board, and at that time it was Leroy Chatfield,

Bishop Cahoney, who is still there, and, what's the other guy's name that got eliminated, Ortega, were definitely sympathizers for United Farm Workers, and it was very obvious. This is a state board and it's supposed to be equal to all parties; we didn't feel that it was. We stated it, and we had documented proof that they were agents of the board were biased in favor of the United Farm Workers. Those records were available to you if you'd like copies of them. In instances, the board agents told people at pre-election conferences that, "let's hurry up and get this over with so the Teamsters can't get on the ballot." And board agents wore United Farm Workers buttons when they were conducting elections. This is all documented, and copies of it have been made available to the Senators and state legislators.

PM: There was one incident in the Salinas area. On December 2 there was a hearing of the five artichoke growers, the Teamsters, and the UFW. We won the elections and they were contesting the elections. I went and attended those hearings, and there was a fellow by the name of William W. Miller who came in and he sat as the attorney for the UFW until the hearings were completed. A month later, on January 2 or 4 of 1976, I walk in for another hearing for William Buack(?) Company, which is a large apple grower in the Watsonville area where the Teamsters won, and I walk in and who is sitting as the hearing officer that's going to hear, you know, both sides of

the parties, their problems. I asked him about fifteen times if he would excuse himself from the hearing for being biased and he said, "No, I'm going to look at it very objectively, and I promise to give you a good decision." To this date, that was about the time that the Board was running out of money, we don't know what happened to that, or what the outcome of that's going to be.

B: It's just one of many instances. Probably the most publicized was the fact that when the Board was open here in Fresno, they accepted between 9,000 and 12,000 cards, some of which were over a year old, signed by the United Farm Workers. These cards were filed in alphabetical order, and when the United Farm Workers would intervene on any petition that we filed, they would say, "see cards submitted." So the ALRB would accommodate them and go through the 12,000 cards on file. Suppose Jose Gonzales appeared in that file and Jose Gonzales appeared on the payroll as supplied by the employers. They would count him as an employee of that company not knowing if that was the same employee or not.

Therefore, allowing them to intervene in this one particular case of Carner(?) Brothers, they intervened in the election; they petitioned to call for an election. The outcome of that, there were some fifty people eligible to vote, was 44 to nothing in favor of the Teamsters. All 44 of the employees signed a petition saying they had never signed an

authorization card with the United Farm Workers and questioned why [the UFW] was allowed to be on the ballot. Representatives to the ALRB said that in order for them to intervene they had to have 20%, 30%?

PM: 20%.

B: 20%. They had to have 20% of the employees who were on the payroll in order to intervene in the election. Had they gotten the six that didn't vote, they would have still been four short. It took us approximately seven months to get a certification on Carner(?) Brothers, and all the ALRB said was, well they didn't know about it. They didn't have any explanation.

PM: The other problem that we had in the Salinas area, where I was at the time of the election, the regional director told us to our face. I knew that [according to] the statutes we had so much time to hand in objections so they can be on the docket and be put up for hearings. As we were told by the ALRB office in Salinas, that the time stamps that were used on the official documents were moved back for the convenience of the UFW [so they] could hand in their objections in a timely manner, because after five days, if you don't get your objection in after five days election, that's it. So they even told us to our face that they turned those time clocks back and stamped the documents so that they'd be timely filed.

On one day, September 24, the UFW submitted over 44 objections to elections in the span of fifteen minutes from

4:45 to 5:00. It roughly takes five minutes for all the paperwork just to submit one. All the different stamping that you have to do, and all the duplication and everything. How in the hell can they, you know, submit 44 objections to elections in the span of fifteen minutes? They told us, you know, "well, we changed the clock back." After that, we brought that to the General Counsel's attention of the Board, then they put a little memo out saying the closing hours will be at 5:00 sharp, but it was after that incident. Even the Bishop told us that they had lost files, complete files of elections and everything where the Teamsters won. One of them in particular was a very large company where we had won by a large majority in the Salinas growers exchange company, which covers over 350, 400 people. They lost that complete file.

B: You know we could probably sit here all day on the LRB. Ellen Drake, who's a member of the five-man board, is also their attorney on record in lawsuits filed against us by the United Farm Workers. We could probably go on all day, but all this stuff is available, and is documented, and was presented up there at the senate hearing.

U: Now you get that from Senator Zanolich.

B: Zanolich, the chairman of the committee. We might have some copies. We could get in touch with Carol Cook. Do you have copies of all the stuff we put in? I think you'd be amazed.

We've never been sued because of it. So that's got to tell you something.

M: Okay. How do you feel about the access rules? Did you feel that you and the UFW both had a fair chance to present your case to the workers?

B: We supported the access rules and will continue to support them. I think both parties were afforded equal time with the farm workers with access rules. I think we both [were] afforded equal opportunities out there. Where they held contracts and had visitation rights they probably got more than we did. Where we held contracts and visitation rights we probably got more contacts with them.

M: So, you don't feel that anyone was given preferential treatment over the other one?

B: I don't see. The access rules applied equally to both parties.

M: Since the LRB has been refunded, do you want to see it restored as it was?

B: Well, the only thing we're asking for in this new LRB is that they treat all parties equally. We feel that they should screen their employees a little bit more thoroughly than they did the last time around. But there were a number of United Farm Workers sympathizers acting as Board agents who were working in key positions in the board, and we really have no comment as to the new Board. We just have to wait and see how they operate.

*Teamsters
claiming
to be UFW*

We do feel that their first order of business should be to get hearings on all the elections that have already been conducted and either order rerun elections or issue certification; it's been almost a year now. I don't know if you know it or not, but we won 85% of the elections that were held in the Delano area, 90% where it was a head to head competition between Teamsters and United Farm Workers.

M: How do you feel about Chavez's initiative coming up on the November ballot?

B: Oh, we'd probably end up supporting it.

M: Think so? Think it's pretty fair?

B: It's the law, just the way it's written now.

M: Okay.

B: We never had any complaints about the law itself, just the way it was administered.

M: Do you find now that growers are accepting more the collective bargaining of farm workers?

B: Yes, I think it's inevitable that the employers realize now, after the first series of elections were held, that farm workers do want union representation. I think in the future they'll learn to deal with it; they're going to have to. I think they've got a choice, you know; I think around 3% of the vote went for a nonunion vote across the state.

M: Now would you say the farm worker's right to collective bargaining is the same as any other worker's?

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B: Well, it should be, if it's not, it should be.

M: What are the UFW organizing procedures different from yours?

B: I don't know; I've never been a United Farm Worker.

M: [Laughter] What sort of organizing methods do you use?

B: What sort of organizing methods do we use? Well, we have to abide by the state law as it is now, and that is to assign a majority of the employees on the current payroll, then make a representation, and then file a petition with the ALRB. This is done in various ways, contacting people at their homes or in the fields in the day. It's somewhat like a salesman. You tell them what you have to offer, what you have in other areas, and ask them to let you be their representative. In many cases they come to us and say, "I don't have a union on my ranch. What do I have to do?" And we explain to them, well, we have to have at least 51%, we explain the law, what it says, and compare that particular job that they're doing with other jobs in the same geographical area and the wages and benefits that those workers are receiving. We always tell them that we'll try to get you this, this comparable thing. When it comes down to it, just like yesterday with the contract we signed, it has to be ratified by the membership in order to accept those benefits or not. And that's basically what it is.

M: What do you think about Cesar Chavez? What sort of a leader is he?

B: Great man.

M: Great man? Do you think there would be any UFW without his leadership and his personality?

B: Well, probably. It probably would still continue.

M: Do you think his control is pretty firm?

B: No.

M: No?

B: ^{accusative} No. In what way? In the way he controls his people or his lieutenants, the people underneath him?

M: Um.

B: No. I think it's very lax. I don't know if he's the one responsible or not, but all that nonviolence you've heard about is, pardon the expression, pure bullshit. As you can see by the recent case involving this big Juan Delacruz. I don't want to see anybody killed, and this thing shouldn't be. But they made a big issue of that and made the man a martyr. Now the guy's been found innocent. Now what are they going to say? Witnesses who testified in the hearing have turned their testimony around. They testified that your pickets were very peaceful and didn't demonstrate, and then they turned around and testified that the only reason they did that was that they didn't want to destroy the nonviolent image that the United Farm Workers have created in the press. These are their own witnesses, and we have the whole record from day one until now. You're welcome to a copy of it. Every article has come out because of him.

The incident follows the whole case from the day it happened until the day of the acquittal. It's right here.

PM: I'll give this to you, and I've underlined statements by people who actually on the witness stand said they perjured themselves as to not destroy their nonviolent image.

B: You can have that; that's yours. That's the complete story on the death of Juan Delacruz from the beginning.

M: Okay. How independent is the farm workers' action of your union?

B: Well,

M: And who are its leaders?

B: Leaders. Well, I am the secretary/treasurer. These two people are the ones that are in head of each of the suboffices in Delano, Salinas. The senior business agent in Calexico is a man by the name of Johnny Mecius(?); in Oxnard it's a man by the name of Ben Guerrero; in Salinas it's a person by the name of Roy Mendoza. I am also the chairman of Agricultural Division Policy Committee. These people are members of that committee, so it's pretty independent. We have monthly meetings. Before we pass anything it's got to be by, with the approval of, the membership, like the contract that was signed yesterday. It's very independent.

PM: That would go along the lines of the thing that's come up for years and years--that the farm workers under the Teamsters are dominated by Anglo factions. Well, we are the people. I guess

you want to call us leaders or whatever, [but] we're the people that are responsible for the lives and the working conditions and the future of farm workers that are members. Okay. They say Fitzsimmons is the general president. Okay. George Meany is an Anglo; he is the president of AFL-CIO which Cesar Chavez and his affiliates is affiliated to. So, then I would say, well, you know, you've got Fitzsimmons as the boss of the farm workers. Well, he's not the boss of the farm workers. We are the boss of the farm workers. Well, he's not the boss of the farm workers. We are the ones that take care of the people here, Philipinos, Mexicans, Arabs, all races, and blacks, whatever--because that's what makes up the farm workers in the field. We only have three, two people, Carol and Juanie, the only two people in this local that are Anglo.

B: That's not the case on the United Farm Workers. If you trace it down you see Cesar Chavez, you see Cesar, you hear De Loris and after that it's all Anglo. Ben Maddox runs his Delano office; Sandy Nathan was running the Salinas office; Jerry Cohen(?) and Sandy Nathan. A number of Anglos run their operation, so to me it's a big farce. They say that the farm workers run their organization, but I don't really believe that.

M: How'd you get started working for the Teamsters?

B: I was working in lettuce in 1970. I was closing lettuce boxes, and I was approached and asked if I would like to help organize

farm workers. I said yes, and I started working in 1970 for the Teamsters. Pete also was working in lettuce in the Salinas area in 1973. In fact, with the exception of maybe one or two of the business agents that deal in service and handle the farm workers in this industry, every one of them came out of the field. Some come out, right directly out of the field.

M: Can either you or the UFW count on the allegiance of your members, or is it more like they'll go over to the union that offers them the best deal?

B: No, I don't really think so. I think that we can count on our members. I think they've proven it to us by voting for us. In many cases we were working under conditions which weren't probably, how do you say it, to their liking as well as the United Farm Workers. In that respect our best members now are former United Farm Worker members who have had to live under some of the conditions of this hiring hall and this type thing.

M: How do you expect boycotts will affect you and how do the Teamsters counter them?

B: I don't think they'll affect us. I think because of the state agriculture labor relations act now people back east are getting fed up with hearing "boycott this, boycott that." It's public information now that there is an act in California. He can scream all he wants about it, and I don't think his boycott is going to be successful. In California it's illegal.

See, so he didn't really give out. I don't think he really wants that.

PM: There was an article in the paper, I think yesterday, day before, in the Bakersfield Californian, where Cesar's going to start a nationwide boycott of products coming out of Florida. So, in other words, he's going back; he's going to start in Florida like he did in California ten or twelve years ago, not organizing farm workers, but organizing boycotts. And then, again, if the farmer can't sell his product he's going to have to sign a contract. So, that was in the Bakersfield Californian. I don't know what his goals are or what's going to turn out of it; but, again, it shows his tactics. He's a good boycott organizer, but he's going to have to get the contract where people have no say so.

B: Back in the Stockton area, there's a company through receiver certification that approached us to ask us if we can go in and get another election for recertification. It is my understanding he replaced all the permanent members of that company with his organizers and people who have been picketing with him, even though some of those people have been with the company for ten, fifteen years and have helped him organize in that particular company.

That's one of their main gripes: their loss of seniority. In other words, if he wins an election, seniority is not by the number of years you worked in the company; it's by the

number of years you've been a member of his union. This is very bad, especially where you've got some of the tractor drivers, irrigators, who have been with the employers say fifteen, twenty years. They're hesitant to join the union, so they're penalized by the union telling them, well you're number thirty on the hiring list and the employer only needs twenty, so you have to wait until we have another dispatch for you.

M: Do you use labor contractors?

B: We do not limit the use of labor contractors; but in the event that an employer uses a labor contractor, the labor contractor's employees must be on the company payroll. They must be, the company is responsible for making the payroll for that labor contractor and the employees of the labor contractor are assured all the benefits of the contract. All the contracts. All benefits, conditions, wages, the whole thing.

PM: That's not only in our contract, but that's federal law. Standards Act, December '74.

B: It was in our contracts prior to the federal law.

PM: Cesar Chavez has subcontracting articles too.

B: Which seems something he's never had, never given the company. He's claimed he's wiped out all the labor contractors; but it says right in his contracts that if the hiring hall cannot furnish enough labor, the company can see the labor contractor.

M: Well, why do you think that George Meany doesn't help the

UFW more than he does?

B: I don't have any idea. You'd have to ask George Meany.

M: (Small laugh.)

B: You'd really have to ask his membership.

M: Yes. I just thought you might have some opinion on it.

B: I know that there's a great deal of confusion among their membership. Where United Farm Workers have boycotted and picketed stores [] and [] where there are AFL-CIO members working, they've refused to honor the picket lines or the boycott.

PM: Right now, my own personal opinion is that Cesar Chavez is being a thorn in Meany's side. He's stuck his head so far out towards Cesar Chavez that he doesn't know how to gracefully, you know, not back up and just say, hey, you know, I don't want any part of you any more. Right now Meany's caught in between the rock and the hard place. He made his own bed; let him sleep in it.

B: The glass blowers make the bottles that the wine is poured in.

PM: AFL-CIO.

B: AFL-CIO. So they're boycotting their own people who are supporting them; [] and [] they're asking money from [] them [] to help. There's a lot of dissension, I guess, among the AFL-CIO and some of the United Farm Workers. When they say they have the support of the AFL-CIO, they have the support of Meany, not the entire AFL-CIO.

M: (Unintelligible.)

B: No, just maybe quash the rumor that's been going around that we intend to give up the farm workers. I don't know if you read it in the L. A. Times back in June.

M: No.

B: But there were articles out that we were making deals for the United Farm Workers to give up to Mrs. Harry Burnstein. I think the United Farm Workers have started some rumors out that are causing quite a bit of confusion among our members. We have no intention of getting out of the farm labor; as long as the Teamsters want us here, we'll be here.

M: Okay.

B: Hope that helps you.

M: It did. Thank you very much.

B: All the things we've been telling you have been documented and are available to you.

M: Okay.

B: Just leave your name and give it to Carol. Pete, I think you've had some of the documented evidence that we've produced in the numerous piles of incidents that have happened in the administering of this Agricultural Labor Relations Act. I think you would be shocked if you read some of it.

PM: If you like, we could put you on the mailing list and give you a copy of the latest edition of our. . . .

M: Sure.

B: Another thing. At the convention that was just held in June, there was a resolution passed that we would continue to support the farm labor program. There were 2,254 delegates to that convention representing every local and the international Teamsters and they voted unanimously to support the Teamsters. That's it.



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