

## The voice of discontent

VISALIA, March 27—Three hundred farm workers voted a resounding NO to continued second class citizenship today. The Legislative Committee of Farm Workers of

Tulare County, mostly UFWOC members, called a meeting to discuss unemployment insurance and NLRA coverage for agricultural workers. By the time the meeting was over they had shown their active concern, anger and resolve to make some immediate changes.

Eddie Cuellar, partially retired farm worker, played the most important part in developing a resolution which was agreed upon by the meeting. His resolution pointed out that the "1937 lawmakers who established unemployment insurance promised coverage for farm workers within one year," and that the "NLRA discriminates by excluding farm workers." This situation of inequality for people in agriculture has continued for 30 years, "thus condemning all agricultural workers to the stigma of second class citizenship."

When discussion turned to the income tax, several workers gave the opinion that the tax laws, too, hurt farm workers by excluding deductions for transportation, rent, and work clothes.

The final note of the meeting

was sounded with unanimous agreement, "that if the government continues to violate the rights of agricultural workers, neither agricultural workers nor their sons should be forced into the armed services to fight for the so-called freedom which

discriminates completely against low-income workers."

The message is to go to General Hershey, head of the draft; the Internal Revenue Service; the President; all congressmen, and distributed throughout the community.


KENNETH J. LEAP

**General Insurance**

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Mr. Leap will be in the UFWOC Service Center (105 Asti Delano) every Wednesday to serve Union members.



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# El Malcriado

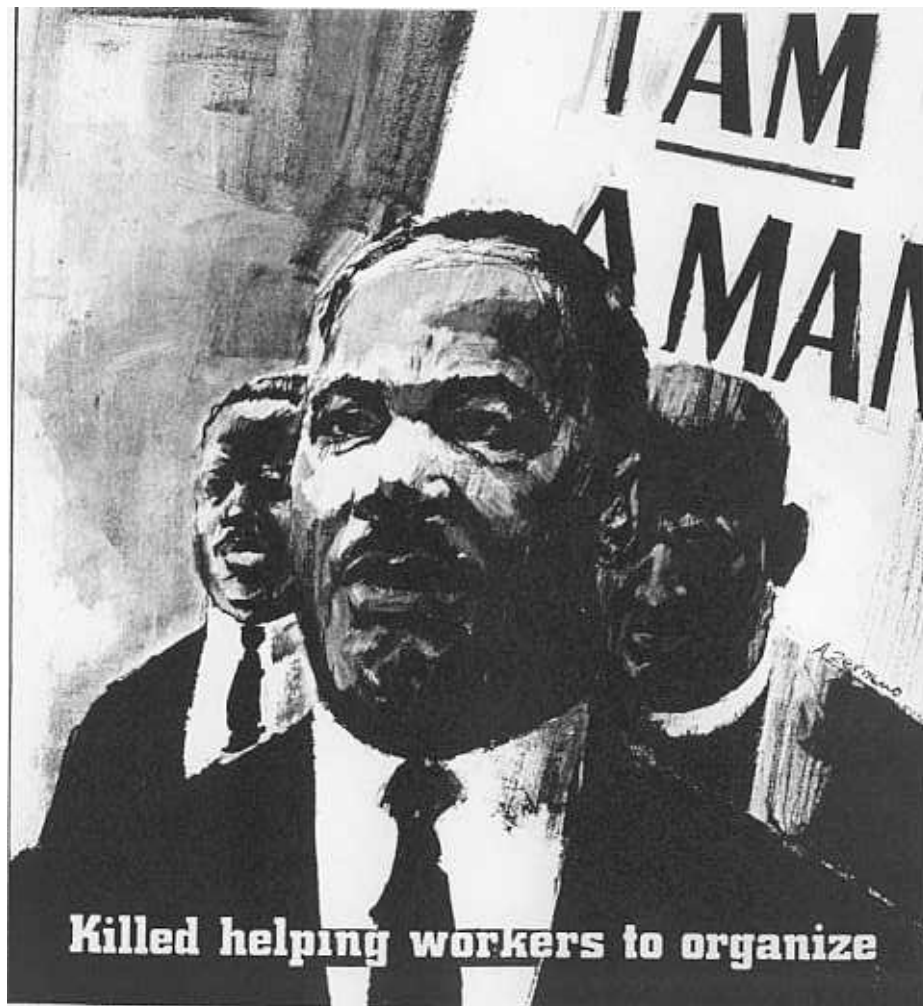
THE VOICE OF THE FARM WORKER



IN ENGLISH

Monday, April 15, 1968

Delano, California



# Green Giant Not So Jolly Anymore



Yuba City

The Jolly Green Giant in Yuba City was found to be trampling on the workers in his asparagus fields. The Green Giant may have thought of those workers as the cute little elves depicted in the TV commercials. On the other hand, the workers thought of themselves differently - as men of value and dignity who have a born right to be treated as such. The "elves" united and proved themselves far taller than the giant.

The men had been promised \$4.75 per 100 pounds of asparagus cut. Resentment in the camp grew as the bosses cheated the men of up to 60 per cent of what the wages should have been.

There was never any accurate accounting of what a man produced, the sanitary conditions in the field were atrocious and in violation of the law; the conditions had become totally intolerable.

There were about 50 men living in the camp and working in the Jolly Giant's asparagus patch. Three representatives were chosen: Ricardo Gaytan, Rafael Berver and Refugio Ramirez.

They spoke with the boss, an unlicensed labor contractor, and tried to remedy the situation. They had no success. Instead they found that, after working five hours one day, they were paid an average of \$2.79 gross wages.

The next day they failed to get their paychecks on time. When the paychecks finally did come, they were short. Gaytan refused to accept his abbreviated check and told the others to refuse the checks until they were filled out to the right amount.

Gaytan was then told to turn in his blanket and get out of the camp. Within minutes the police arrived and Gaytan was carted away, arrested for trespassing.

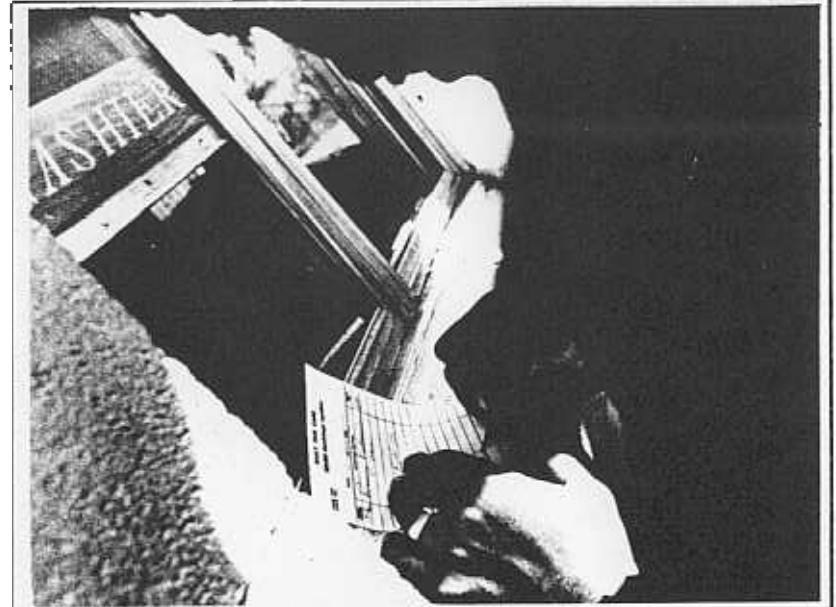
Nobody went back to work after the arrest. A series of meetings was held at the only available place, a local church. The men drew up demands: that charges against Gaytan be dropped, all men fired for walking off the job be taken back, sanitation standards be brought up to state requirements, and that the company pay according to its promises when the men were hired.

The morning of March 28 the sun came up on pickets orderly stationed at the entrances to the ranch, camp and packing shed. That same day a busload of 72 scabs arrived. They had been recruited by the California Department of Employment in Calexico and subjected to a 20-hour ride with one meal, bad enough to make some of the men ill. The pickets convinced about 50 of the scabs to join their ranks, while the other 20 left to find other jobs.

The strikers found enough sympathy and support in Yuba City to provide 100 people with food and lodging. The picketing continued, aided by sympathetic Yuba City residents, while a six-man delegation of strikers discussed a settlement with three "Green Giants" flown out from the home office in Minnesota.

After an allnight bargaining session the strike was terminated. The company was frightened of losing its crop, and apparently scared to death that the men might call in UFWOC. They bowed to all the demands of the strikers. All charges were dropped, all strikers rehired. A minimum of \$1.65 per hour or \$1.50 per box was set, and the men agreed to go back to work.

As if to underline its fear of the Union, the Jolly Green Giant wrote individual contracts for each of the men. When the work is done, the men, having learned the power of unity, can keep those documents as written proof that the little elves can whip a Green Giant, no matter how Jolly, just so long as they stand side by side with their brothers.



## Growers fracture law

Despite the whimpering pleas for law and order on the part of Ronnie Reagan, his administration does little or nothing to control the lawlessness of agriculture.

The Marysville office of the California Rural Legal Assistance Program recently ran a survey of labor law violations on the ranches of four counties. The survey was a part of the research necessary to represent a farmworker who had been denied unemployment insurance when he refused a ranch job that had substandard conditions.

The survey was made in Northern California's Sutter, Yuba, Colusa and Butte counties. The employers sampled were a reasonable cross section of 173 ranches. The overall finding was that 95% of the ranches were in blatant violation of the law.

Ninety-one percent of the growers violated the law on drinking water. Either it was not available for the workers at all, or it was distributed in a way that could spread disease.

Ninety-eight percent of the ranches failed to live up to the laws which require clean toilets for the field work-

ers. Ninety-five percent of the farms surveyed failed to live up to the laws which protect the worker on payday. Many had no notice of the time and place of payment. Often workers were laid-off without immediate payment. Workers who quit frequently had their pay withheld beyond the legal 72-hour limit. A large number of employers never itemize the deductions on the paystubs. It was not unusual to find employers paying a whole family on a single paycheck, with a single social security deduction.

The investigators found 2,468 violations in all, exactly half of them relating to the protection of consumers from contaminated food. The health laws concerning both consumers and farm workers were broken in 735 cases. The ranches surveyed collided with the law in 499 cases relating to wage payments.

There is no reason to think that this report made any attempt to single out ranches. The figures obtained only bear out the facts of life which are familiar to anyone who has ever worked in the sunlit sweatshops of California.

# Reagan recruits scabs

The California Department of Employment marked the passage of April Fools Day by initiating a new policy of strikebreaking and scabberding. They issued an order to the state farm labor offices to begin sending scabs to six of the strike-bound ranches in Delano. The decision was made on the basis of "proof" offered by the growers, following a strange sort of investigation. Evidence, proof or argument of the striking Union, UFWOC, was never asked for or looked into.

Reagan's little Labor Department declined to recognize the fact that the Union might even have arguments which contradict those of the growers.

The matter seemed to hinge upon whether or not the original strikers were still a part of the strike action against the growers.

The Union supplied Reagan's Labor Department with a list of some of the strikers who walked out more than two years ago. Many of them have been a part of the strike since 1965; some have taken jobs with other ranches and are either working out of the area, at Union ranches or for ranchers who are not being struck.

The Union stated that the list was still a partial list and that many people were here in Delano ready to be interviewed by the investigators. The list was never examined, the strikers never interviewed, and the decision was made.

The Reagan Labor Department sent out an April Fools Day letter to the six growers, Caric & Sons, Zaninovich, Jake Cesare & Sons, Jack Radovitch, Sandrini Brothers, and Anton Caratan & Sons. We assume they are all loyal Reagan supporters. There are still some weather-worn Reagan election signs at some of the ranches. The letter stated "Our attorneys have reviewed your proof..... and found that your proof is valid."

It is hardly surprising to find the Reagan administration overlooking the rules of evidence. It is in line with the general Reagan policy of overlooking the rules of fairness, decency and intelligence.

The state is supposed to refrain from referring workers to ranches where the people have walked out in a labor dispute whether or not there is an active picketline on the day of referral.

We have evidence to prove that Reagan's Labor Department has been guilty of referring workers to Giumarra. In one instance a worker was given a hand drawn map directing him to a ranch which was surrounded by seventy pickets just a few blocks away from the Farm Labor Office. The worker returned to the office, refusing to cross the picketline and was told, "You just go back there again tomorrow. That picketline moves around all over the place, they may be up in Ducor in the morning."



## Stories from the past...

by William T. Gray  
Westminster, Colorado

In Colorado, there were no early reservoirs of cheap labor in the sugar beet district. In 1918, sugar beet companies began the importation of laborers from Mexico, the Great Western Sugar Company being the chief importer.

The technique was a one-way transportation system. The company distributed Mexican laborers to growers. The growers tried to place the responsibility for the welfare of the workers on the company; the company disclaimed the burden.

There was neither a company-employee, nor a satisfactory grower-employee relationship.

This was an era of human exploitation and economic boom. From 1905 to 1939, common stockholders in the Great Western

Sugar Company received an average annual return of 43.2 per cent on original investment.

The spirit of these times is reflected in legislation passed by the State of Colorado. In 1927, a law was enacted prohibiting the use of county funds for the burial of these poor workers. Their bodies had to be delivered within 24 hours of death to the State Board of Health for removal to one of the medical colleges for dissection.

This law struck mortal terror to thousands of workers. In death, as in life, the Great Western Sugar Company disclaimed any responsibility for the welfare of its workers. At present, sugar beet workers in Colorado are without the protection and human dignity offered by UFWOC.

!VIVA LA CAUSA!

# Hurt? Get paid for

There is an accident. A tractor in reverse crushes a worker's leg. Juan screams. The crew gathers around and a friend carries him off to the hospital. Juan recovers but the doctor says he'll be crippled for life. The company pays the doctor bills as if they are doing a tremendous favor. They then offer \$500 so the family can get along while Juan recovers. Juan signs a little paper and takes the money.

Everyone is happy for a few weeks, until the money runs out and the family is hungry. Juan spends the rest of his life as a cripple, begging for odd jobs until the kids are old enough to go into the fields to earn a living.

How many times has this sort of thing happened? Nobody knows. Nobody counted, but always the company is well thought of for what they have done for the "Juan" involved.

Every large company or ranch which employs work-

ers has to carry insurance in case a man is injured. The more costly the injuries, the higher the rate for the company.

The company always try to skin by with paying the least. They never let a man know his full right of workmen's compensation. If they have to let the insurance company know of the injury, then it is the insurance company which tries to cheat the worker. The less the insurance company pays out, the more money it makes. They are in business to make money, there is no other reason.

The insurance companies hire high powered lawyers whose only job is to keep the company from paying out money when a man is hurt on the job. These men are specialists in using the law to cheat the workers. And the law they use was written for no other reason than to protect the workers.

These insurance company lawyers know all the tricks. No man is qualified to beat them at

their own game, unless he has studied the law and is a professional at that same game. A farm worker knows farm work. When he is hurt on the job he needs a lawyer to deal with the company lawyers.

When you are hurt on the job and it costs you any time at all, you need to see both a doctor and a lawyer. Always report an injury to your foreman or supervisor. Never trust the company's doctor, lawyers, or word. They are out to beat you out of the compensation that you have coming to you.

When you are injured you should get a lawyer you can trust. It will cost you nothing! The lawyer's is set by the Workmen's Compensation Appeal Board. It usually runs around ten percent of the final award. If the company has to pay you ten thousand dollars, then the lawyer gets about \$1000 of that money. The lawyer is not allowed to take any money from you directly. The WCAB sets the lawyer's fee and the company has to pay it.

The Union service center can help you get a good lawyer. The next time you have any accident at work, get in touch with your local Union office and get help from your representative. You never know how serious a small injury can get in later years.

Any time you have to lose work to recover from a job injury you can be getting temporary compensation which is at least 65 percent of your regular earnings. It goes a long way toward easing the pain. The final disability award which is won by your lawyer can often amount to thousands. It is better than any medication.

IF YOU HAVE ANY QUESTIONS ABOUT WORKMEN'S COMPENSATION, SEND YOUR QUESTION TO EL MALCRIADO.





'Good Grief! They Want To ORGANIZE - Just Like Us!'

--Reprinted from Ventura Star-Free Press. Sent to us by Peter Renault. With permission.

### 193,000 workers cheated by bosses

A Department of Labor investigation has revealed that during the first six months of 1967 at least 193,668 American workers were cheated by their bosses. This was a rise of 6% over 1966.

The Labor Department investigators found 138,000 cases where workers did not get time-and-a-half pay for working over time; and 78,000 workers who were paid less than the Federal Minimum Wage and who were covered by the law. The Department of Labor admitted that they had only discovered a fraction of the cheating that goes on.

Farm workers are now covered by the Federal Minimum Wage Law and they should be receiving at least \$1.15 an hour for every hour worked. If your boss is not paying \$1.15 an hour, he is breaking the law. If you work more than 42 hours a week, you are entitled to overtime pay at least 1.5 times the minimum wage, (\$1.72 an hour).

EL MALCRIADO SAYS: There is a lot of talk about "crime in the streets" and "cracking down on crime." But this type of crime, cheating poor workers out of money that they have earned through hard work, is the worst possible type of crime, and hurts the people who can least afford it. The Union can help stop these criminal practices.

## Who killed King?

Continued from page 3

society. He acted for every Klansman who ever wore a hood. He acted for every cop who ever raised a billy club needlessly. He acted for every judge who ever ruled to maintain the nationwide standard of racial, national, ethnic and economic inequality before the law. He acted for every member of Congress who ever allowed this nation to withhold the natural rights of a man because he was poor or black or brown.

He acted for every employer who ever drew a penny of profit by exploiting the group differences between men. He acted for every newspaper, movie company, T.V. mogul and educator who allowed racism to permeate our society, whether by design

or default.

King's killer acted for every man whose courage weakened when another said "nigger" or "greaser" or "wetback" or "flip" or "kike" and he failed to say NO.

Those who never challenged the racist institutions such as the draft and the war killed King, just as surely as if they had raised the gun.

Racism, subtle or strong, direct or passive, taints the past and present of Americans.

Whether or not the trigger man is brought to justice, we know who the killer is.

"Our King is dead. Our King of Peace is dead. Long live our King."

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DEAR MRS KING

WE ARE DEEPLY SADDENED TO LEARN OF THE DEATH OF YOUR HUSBAND. OUR PRAYERS ARE FOR YOU AND YOUR CHILDREN IN YOUR SORROW. IT IS MY BELIEF THAT MUCH OF THE COURAGE WHICH WE HAVE FOUND IN OUR STRUGGLE FOR JUSTICE IN THE FIELDS HAS HAD ITS ROOTS IN THE EXAMPLE SET BY YOUR HUSBAND AND BY THOSE MULTITUDES WHO FOLLOWED HIS NON-VIOLENT LEADERSHIP. WE OWE SO MUCH TO DR. MARTIN LUTHER KING THAT WORDS ALONE CANNOT EXPRESS OUR GRATEFULNESS. DESPITE THE TRAGIC VIOLENCE WHICH TOOK YOUR HUSBAND, THERE IS MUCH THAT IS GOOD ABOUT OUR NATION. IT WAS TO THAT GOODNESS THAT YOUR HUSBAND APPEALED. IT WAS THAT COMPASSION IN ALL OF US THAT HE REACHED OUT TO TOUCH. HIS NON-VIOLENCE WAS THAT OF ACTION--NOT THAT OF ONE CONTEMPLATING ACTION. BECAUSE OF THAT, HE WILL ALWAYS BE TO US MORE THAN A PHILOSOPHER OF NON-VIOLENCE. RATHER, HE WILL BE REMEMBERED BY US AS A MAN OF PEACE.

CESAR E. CHAVEZ DIRECTOR, UFWOC



Andy Imutan

At a memorial service for Dr. King held in Bakersfield recently, Rev. Emilio Carranza, minister-farm worker, and UFWOC vice president Andy Imutan were speakers. We reprint here Brother Imutan's talk.

*For the farm worker Dr. King's influence has been and will continue to be the greatest source of our strength next to our united numbers. Through his life he has welded the concepts of non-violence, organization and unity into living concrete examples which give us hope for a future with justice.*

*Commitment to non-violence has become for us in the Farm Workers Union a way of life. The basis of our movement is a belief in the importance of each individual human life. We cannot compromise.*

*The measure of a man is not how violent he may be - it is in his strength and his will to achieve justice through just means.*

*In this measure Dr. King was a truly great man. It is this greatness to which our Union is committed.*

*We may take today to mourn the death of Rev. Dr. Martin Luther King, but that really doesn't mean much. Words of mourning have fallen from the lips of many enemies of the cause of social justice. The very racists Dr. King was marching against in Memphis have put up a reward for his assailant.*

*Rather than mourn his death, we should learn from his life and work in our own lives according to his wisdom. Dr. King stated many times, "If a man has nothing worth dying for, then he also has no reason to live." The farm workers who are waging a non-violent battle for dignity and a decent life accept that statement and live by it. When each of us takes that statement as a code of our own lives we will be honoring the man, Martin Luther King, and his memory.*



Rev. Emilio Carranza

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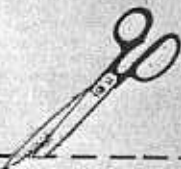
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To members, subscribers, and supporters:

EL MALCRIADO wishes to thank the Franciscan brothers at San Juan Bautista for helping to provide the Union with a "new" mailing machine. It is a 1917 vintage Addressograph but has a new motor and will work fine for a long time. The generosity of the Franciscans will enable us to automate our mailing system over the next two months. We hope soon to set up a regular system of news releases and other publicity, Union news and work bulletins to members, and other publicity, as well as to automate the subscription list for EL MALCRIADO.

We must still invest in a Graphotype machine, costing several hundred dollars, to make the metal address plates, so there will still be some delay in automating our subscription list. For those of you receiving more than one copy of the paper, we ask your patience. Pass it on to a friend. We are so understaffed that we simply do not have the facilities for removing all duplications at present.

And for those of you who have never formally subscribed to EL MALCRIADO, or whose subscriptions are about to expire, we urge you to send in your \$3.50 today, to be sure that you will continue to receive the paper after we change to the new addressing system.



EL MALCRIADO  
 P.O. BOX 130  
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More and more people are finding out that a subscription to EL MALCRIADO is the best way to keep up with the farmworker struggle. Don't be left out—send in this coupon today! FILL OUT THIS CARD AND SEND IT WITH \$3.50 TO THE ABOVE ADDRESS FOR A ONE-YEAR SUBSCRIPTION TO EL MALCRIADO, SENT TO YOUR HOME EVERY TWO WEEKS FOR ONE YEAR.

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# Court okays gun threat



Miss Jessica Govea reads quotations from Martin Luther King at the recent Memorial Service.

LAMONT, April 5—The law in Kern County ruled today that it's okay to pull a pistol on a striker, just so long as you back up the pistol threat with a sawed-off shotgun. Judge Head ruled on a case which originated last August when Miss Jessica Govea, UFWOC secretary, tried to serve a subpoena at a Glumarra labor camp.

On an evening at the beginning of the strike, Miss Govea, riding in a car driven by Union organizer Marcos Muñoz, showed up at the camp on court business to serve a paper. According to sworn testimony they were greeted by company fuzz Ed Hooper, who, over the barrel of his pistol, ordered them to leave.

In the court testimony, Hooper spoke of the gun as his "persuader".

Miss Govea, a shy, soft-spoken brunette, tried to convince Hooper to allow her to com-

plete her business. Hooper then told her to get out and stay out, or the next time he'd have a sawed-off shotgun.

The defense lawyer insisted that Hooper pulled the gun on Miss Govea in "self defense." The prosecuting D.A. failed to ask several pertinent questions and did not seem too interested in obtaining a conviction, according to courtroom observers.

Jessica Govea is convinced that "this man threatened me with a deadly weapon and then threatened to get a lethal crowd killer for us. He could never have gotten away with that if not for the law's prejudice against the Union," she told EL MALCRIADO.

According to the Kern County pattern, Hooper was acquitted. The law may just as well be written on a perforated roll for all its effectiveness in protecting a striker.

## Filipino-American Political Association backs huelga

DELANO, March 30--Saturday is the day caravans of farm worker supporters arrive in Delano bearing the supplies which keep the strike and the strikers alive. The Filipino American Political Association (FAPA) paid its first visit to the strike area. They have sent us support since 1965 but this was the first organized caravan which arrived. They brought food, clothing and money and spent the afternoon talking with strikers and visiting the strike area.

Emile Haradia, FAPA president, lives in San Francisco where the organization is based.

He says "Our group is already more than two years old, and our growing membership is working for political representation so that we will have some voice in the way our government operates. Right now we are working to see that all American citizens of Philippine origin are registered to vote. We are very much interested in seeing Mr. Johnson re-

placed by Senator Kennedy, but we are also interested in local politics wherever we have members."

The 35 member delegation also included Mr. Alex Escalado, publisher of the Philippine News, who took numerous pictures and promises to "try my best to rally Filipinos to the cause of the farmworker and UFWOC."

The strikers gave the group a warm welcome and look forward to continuing the relationship of cooperation. Only recently a FAPA chapter was formed by the Filipino workers in Delano.

Named president was Phillip Veracruz; vice president, Willie Barrientos; secretary, Luning Imutan; treasurer, Lourdes Dahlig.

Veracruz, also a director of UFWOC, stated the first activity of the local FAPA chapter is to "work in full cooperation with the Union on voter registration for Kennedy."