

1 I, ELISEO MEDINA, hereby declare:

2 I have been a farm worker all of my life. For the last  
3 ten years, I have been an organizer for the United Farm Workers,  
4 working in Florida, Illinois, and throughout California. I am  
5 presently a member of the Executive Board of the United Farm  
6 Workers of America, AFL-CIO, and am in charge of contract  
7 negotiations and administration.

8 It is the position of the United Farm Workers that if  
9 farm workers in California are to be guaranteed the right to  
10 organize, labor organizations must have means to communicate  
11 with the workers. In order to reach all farm workers, labor  
12 organizations must have access to workers at the work site, and  
13 meaningful access to workers at home, which would require an  
14 accurate list of the names and addresses of a grower's farm  
15 worker employees some time before the election at that ranch.  
16 The combination of field access and pre-petition lists is  
17 necessary because of the peculiar characteristics of California  
18 agriculture and the unavailability of alternative means of  
19 communicating with farm workers.

20 Based on my years organizing with the United Farm Workers  
21 and my experience as a farm worker before I began with the UFW,  
22 I think that the following are accurate general observations  
23 on the farm labor workforce in California:

24 Migratory: The vast majority of harvesting and pre-harvest  
25 cultivation work done in California agriculture is done by  
26 migrant workers. Each year thousands of farm workers come to  
27 California from Texas (and Nueva Leon, Mexico), from the  
28 interior of Mexico, and from the border Mexican states of  
Baja California (Mexicali, Tijuana) and Sonora (San Luis), as

1 well as Arizona and New Mexico. Each year, thousands of  
2 immigrants arrive from the Phillipines, India, and Yemen.  
3 In certain crops and certain parts of California, there is  
4 a fairly steady, if not large, influx of workers from Puerto  
5 Rico. Even among California farm workers, there is a great  
6 deal of seasonal migration. Coachella residents will follow  
7 the grape harvest north from July (Arvin and Lamont) until  
8 October (Lodi tokay harvest) or will head to Stockton and  
9 Yolo/Sutter for the tomatoe harvest. Salinas residents will  
10 follow the lettuce harvest in September to the San Joaquin  
11 Valley, in December to the Imperial Valley, and in March or  
12 April back to Salinas. Delano residents may go north to  
13 Stockton for the asparagus harvest in early Spring when there  
14 is no work in Delano's grapes. Farm work is seasonal, and  
15 the work force tends to follow the harvests from one Valley  
16 to another.

17 Relatively high turn-over: For a variety of reasons,  
18 there is a fairly-high turn-over rate among farm workers, more  
19 so in some ~~crops~~ and areas than others. The use of contractors,  
20 the availability of jobs in other parts of the state, the lack  
21 of job security, and the abuses workers suffer at the hands of  
22 contractors and growers all contribute to the relatively high  
23 turn-over rate.

24 Labor contractors dominate farm labor in many areas.  
25 Thinning of lettuce and sugar beets, harvesting citrus, picking  
26 melons, raisin grapes, and picking wine grapes are all  
27 activities which traditionally use labor contractors. A  
28 drive down Imperial Avenue in Calexico at three o'clock any  
December morning will convince anyone that labor contractors

1 play an extensive role in Imperial Valley agriculture.

2 The crew system prevails throughout the industry. The  
3 crews range from the highly organized crew (a lettuce ground crew  
4 or Filipino grape crew, for examples) to the de facto contractor  
5 crews slapped together each morning at "el Hoyo" ("The Hole")  
6 in Calexico. In almost any crew situation, the crew foreman  
7 has absolute power over the crew, and is usually surrounded by  
8 a nucleus of relatives and close friends.

9 Many nationalities make up the California farm labor  
10 force. Besides Mexicans and Filipinos (at least three major  
11 dialects), there are sizeable groups of Arabians (North and  
12 South Yemenese, with great cultural and political differences  
13 between the two, reflecting in part the political differences  
14 of their homelands), Portuguese, Punjabis, Japanese, Puerto  
15 Ricans, blacks, and some whites.

16 The work force is not universally well-informed about  
17 unionization or the Agricultural Labor Relations Act. By now  
18 the workers of the Bruce Church company, who have lived under  
19 Teamster contract for six years, struck twice to be represented  
20 by the United Farm Workers, and been through four (4) ALRB-  
21 conducted representation elections, might be considered a  
22 sophisticated work force by industrial standards. However, they  
23 are the exception, not the rule. The vast majority of farm  
24 workers in California have still not been educated as to their  
25 rights under the ALRA, and while it is safe to say that almost  
26 all farm workers in California have heard of Cesar Chavez and  
27 have some feeling for what he has done, workers from those  
28 areas and crops which have not been the focus point of the UFW's  
14 years of organizing have very little idea of what unionization

1 entails, both in terms of responsibilities and benefits.

2  
3 Taking these general observations, I think that considera-  
4 tion of the various possible means of communicating with farm  
5 workers will show that only a combination of effective home  
6 visits (made possible by employee lists) and field access will  
7 guarantee that all farm workers are reached by union organizers  
8 and hear the union side of the story.

9  
10 RADIO: There are several major drawbacks with using  
11 radio to communicate with farm workers. To start with the  
12 obvious, not all farm workers carry radios or own radios.  
13 The thousands of workers, mostly illegal aliens, living in  
14 the fields, orchards, and vineyards around Lost Hills, Fresno,  
15 Corona, Oxnard, and throughout the State obviously don't have  
16 radios in their irrigation pipe or cardboard shack homes.  
17 Furthermore, the cost of radio advertising drains an organizing  
18 campaign, especially considering impersonal nature of a radio  
19 spot, which cannot be responsive to individual problems and  
20 questions. No matter how clever a thirty-second radio spot, it  
21 alone cannot convince a worker to sign an authorization card.

22 Perhaps the greatest obstacle to radio advertising in a  
23 union organization drive is the language problem. Only the  
24 small minority of farm workers who understand English and listen  
25 to English-speaking stations can be reached by English broadcasts.  
26 In areas where there are Spanish broadcasts, the radio stations  
27 often cover only a small town's area, and won't carry into the  
28 countryside where the workers live and work. In some areas there  
are brief broadcasts aimed at Filipinos, but these are generally

1 in Tagalog, which is unintelligible to the thousands of workers  
2 who speak another dialect, such as Ilocano or Visayan. From  
3 our investigation, it appears that there are no stations in rural  
4 areas broadcasting in either Punjabi or Arabic.

5  
6 TELEVISION. All of the problems of radio advertisement  
7 are magnified in television. The cost is greater, the viewing  
8 audience smaller, and the number of farm workers owning or  
9 bringing with them from home a television almost miniscule. A  
10 family leaving McCallen, Texas in April to follow the grape  
11 harvest in California until October, stopping in three or four  
12 towns between Coachella and Lodi, is not going to bring a  
13 television with it. A family coming from Michoacan to work in  
14 the tomatoes in Stockton and then Yolo is not going to bring a  
15 television with it. A group of single men who follow the  
16 lettuce from valley to valley in California and Arizona,  
17 living in company camps, is not going to bring a television  
18 with it.

19  
20 NEWSPAPERS: Besides the cost and impersonality of  
21 newspapers as a means of communicating with farm workers,  
22 there is a fairly large minority of farm workers who are  
23 illiterate and could not be reached by a newspaper add in  
24 any circumstances. There are few newspapers which would  
25 reach even those farm workers who can read. Farm workers  
26 don't read the Los Angeles Times or Bakersfield Californian.  
27 There are several newspapers read by Mexicans in California.  
28 La Opinion is Los Angeles based, and is aimed at urban

1 Mexican-Americans, not Mexican farm workers. La Voz de la  
2 Frontera is read only in the Imperial Valley, and because it  
3 is published in Mexico is subject to that country's censorship  
4 rules (a prohibition on saying anything bad about anybody).  
5 The few Filipino newspapers published in California are  
6 strictly urban publications, and are in Tagalog, so not directed  
7 at workers who speak dialects besides Tagalog. There are no  
8 Arabian or Punjabi newspapers at all.

9  
10 MAILINGS are not a practical means of communication and  
11 we have never, in the history of our Union, been able to rely  
12 on mailings to organize farm workers. First, many, many farm  
13 workers cannot read. Second, the mailing addresses which we  
14 might gather for workers are not reliable for speedy mailing  
15 purposes. Workers often give as a mailing address their  
16 permanent address is Texas or Mexico, where they pick up their  
17 mail at the end of the harvest season in California. Often,  
18 large groups of workers will use the same post office box  
19 address while in an area, checking the box when they pass  
20 through town. Other workers have their mail sent to a relative  
21 somewhere in California, who can be counted on to hold onto the  
22 letters until the worker can pick them up. Given the time  
23 context of fast elections and the seasonal nature of  
24 agriculture, mail is not an effective means of reaching migratory  
25 farm workers.

26 TELEPHONES are additionally useless. In the industrial  
27 sector, steadily employed workers may have telephones, but  
28 among farm workers telephones are not at all common. Workers

1 who don't stay in one town all year don't have telephones,  
2 and neither do the tens of thousands of workers who live in  
3 camps or in the fields, vineyards, and orchards.  
4

5 RALLIES: The United Farm Workers has made great use  
6 of large worker rallies from time to time, in order to celebrate  
7 victories or holidays, launch a campaign, or to update workers  
8 on the latest events. While rallies are good for the spirits,  
9 they are not that effective for discussing individual problems.  
10 It is hard to explain to each worker or even a crew from a  
11 ranch what the Union can do for that crew at that ranch while  
12 there is a rally with three, five, or ten thousand workers  
13 going on.  
14

15 UNION MEETINGS are the backbone of a democratic Union,  
16 and the United Farm Workers conducts many such meetings each  
17 week throughout California. However, they are usually quite  
18 large and subject to the same limitations as rallies, discussed  
19 above.  
20

21 LEAFLETS have the limited usefulness of notifying  
22 workers about an upcoming event, announcing a news item, or  
23 making a single, information point. But how are workers to  
24 get even leaflets without an access rule? It is impossible  
25 to wait for workers in the fields, for a company's farm labor  
26 work force is like a big factory which moves through a Valley,  
27 changing location each day. Organizers cannot anticipate  
28 where a crew or grower is going to be picking grapes on a given

1 day. It would be an exercise in futility to hope that you could  
2 guess which of Giumarra's 14,000 acres of grapes was going to  
3 be picked on a certain day in August, or which of Andco's  
4 11,000 acres of tomatoes was going to be harvested. By lunch  
5 organizers can locate crews and with an access rule can talk to  
6 crews and pass out leaflets, but the chances of finding a crew  
7 before they get into a field are miniscule.

8 There is the added problem that workers often arrive in  
9 company or contractor buses or in car caravans led by a contractor  
10 or foreman from the company. The company access roads are  
11 often as big as the county roads in the area, and cars would  
12 not naturally slow down entering the grower's property. A  
13 labor contractor or foreman would never stop, and workers in  
14 a caravan would be unlikely to do so.

15 PICK-UP POINTS. In certain areas, farm workers gather  
16 to be hired in the morning. An example is Calexico, where any  
17 winter morning will find thousands of workers seeking jobs along  
18 Imperial Avenue, at different alleys, and at the State-run  
19 "Hole". It is difficult to communicate with workers at such  
20 locations, because all jobs are strictly on a day-to-day basis,  
21 and a worker is concerned primarily with being hired and earning  
22 fifteen dollars to feed his family that night. There is the  
23 ever-present labor contractor or foreman, and the fact that  
24 it is cold out, early in the morning, and the worker might have  
25 been awake for three hours already (at three in the morning),  
26 walking from his home in Mexicali to the border and then finding  
27 work. Communication is difficult, given the time of morning,  
28 the weather, and the fear of not getting a job or of getting



1 fired.

2  
3 LABOR CAMPS are vanishing in many areas of the state.  
4 The San Joaquin Valley, once dotted with farm labor camps, in  
5 recent years has lost many camps as employers decided against  
6 spending additional money for housing migrant workers. In  
7 the Imperial Valley, where there is the nearby Mexican border,  
8 there is only one labor camp, and if it weren't for the ALRA  
9 and the desire of some employers to bring in workers from  
10 Delano and Texas who had never heard of the ALRA I don't think  
11 that even that single camp would be operating. The one camp  
12 had serious problems with different Imperial County health  
13 authorities last year, and next winter might see no camps at  
14 all in the Imperial Valley. The Salinas Valley, on the other  
15 hand, has a fair number of camps still, for Mexicali or San Luis  
16 residents working in Salinas for the summer.

17 Where there are camps, they are usually run by supervisors  
18 or labor contractors who, despite California Supreme Court  
19 decisions, feel that the camps are their property which they  
20 can declare off limits for organizers. Many camps are  
21 surrounded by barbed wires, and armed guards and attack dogs  
22 are not uncommon. In some camps, nobody other than "authorized"  
23 prostitutes and gamblers can get into the camp without seriously  
24 risking their lives.

25 In a limited number of situations, camp access can be  
26 helpful and effective. It cannot be ignored, but it certainly  
27 cannot be counted on to reach anything more than a very small  
28 percentage of the State's farm workers.

1        TOWN VISITING (Door to door) could be helpful, though  
2        incredibly time consuming, in only a very limited way.

3        First, not all workers live in a "town" even during  
4        the harvest season. You could walk every block of every town  
5        in the Fresno area and miss thousands of workers who live in  
6        the fields. In ten minutes you could knock every door in  
7        Lost Hills, California, but you wouldn't reach one percent of  
8        the thousands of workers who are now working in the southwest  
9        corner of the San Joaquin Valley, recently planted in hundreds  
10       and thousands of acres of grapes, tree fruit, and olives.

11       Second, even if you spent several years visiting every  
12       house in every town in the San Joaquin Valley, you would touch  
13       only the hard core of workers who live in the area all year round.  
14       You would miss the thousands of workers who come from Texas,  
15       Mexico, Coachella, and northern California for the grape harvesting.  
16       Even in the year-round agricultural operations, where the  
17       turn-over is lower than the seasonal operations (but still very  
18       high compared to industry), you would have to visit all the  
19       towns in a hundred mile radius of the ranch in order to find  
20       the workers working there.

21       By only talking to a worker at his home, you might never  
22       learn the worker's employer. The worker might know that his  
23       foreman's name is "Jose", nicknamed "El prieto", that each day  
24       they pick raisins at a couple of different properties, and that  
25       each day they are paid in cash (or the contractor's check).  
26       Is this worker an employee of each ranch where he picks raisins?  
27       Is this worker an employee of Jose? Is this worker an employee  
28       of a hiring association? Is this worker an employee of a packing  
     house? Without field access and, more importantly in this

1 situation, without a pre-petition list from the ranch or from  
2 Jose or from the packing house, you would never know who the  
3 worker was working for.

4  
5 HOUSE VISITS. The one viable means of organizing farm  
6 workers, along with field access, is house meetings. House  
7 meetings afford an opportunity for private, detailed discussion  
8 in the privacy of the workers' home. They afford a chance for  
9 workers to rationally consider how they want to resolve their  
10 own problems, and set the foundation for democracy in a Union  
11 where everyone's participation is sought in the decision-making  
12 process.

13 The first problem, though, is how you get the workers'  
14 address.

15 A grower with a sense of humor might suggest that we  
16 follow workers home from work and get their addresses that  
17 way. How are we to follow 400 workers leaving one field in  
18 the middle of the San Joaquin Valley home in the evening, home  
19 to every little town between Fresno and Bakersfield? How are  
20 we to follow 6,000 workers home into Mexicali each evening in  
21 the Imperial Valley?

22 It is similarly impossible to get addresses from workers  
23 as they come to work. The same problems exist as for  
24 leafletting - there is no way to know where workers will  
25 arrive, the access roads are as big as the county roads so the  
26 workers don't slow down, and the workers usually arrive in  
27 contractor-led caravans or company/contractor buses.

28 Employer-designated meeting places are not effective  
for even getting worker addresses. Workers must do something

1 out of the ordinary, go to a certain place, and this means  
2 de facto interrogation. While telling workers that they can  
3 meet UFW organizers at a certain location after the worker,  
4 a grower might as well add, "All of you who want to talk with  
5 Chavez go to the equipment shop and then report to the payroll  
6 office for your last check."

7  
8 Field access is essential, along with pre-petition  
9 lists of workers, if workers are to be reached. Where we had  
10 no field access this winter (several rose companies in the  
11 McFarland area), we had no elections. Pre-petition lists and  
12 field access compliment each other, and much come together.  
13 Home visits are ideal for detailed discussions, but have  
14 their weaknesses as well. Home visits are impossible in the  
15 context of a large company (Bud Antle has approximately 1700  
16 employees during peak) or a short season (for three weeks in  
17 June there are 10,000 cherry pickers in Lodi). Similarly,  
18 field access is necessary to counter employer campaigning.  
19 If an employer makes an anti-union speech to a group of 300  
20 employees, how can the Union reach the 300 workers without field  
21 access? By 300 home visits? A leaflet can't balance the  
22 effect of a twenty-minute employer speech - only access to the  
23 whole crew can.

24 Field access and pre-petition lists must be seen as two  
25 columns, together supporting a building. Alone, neither column  
26 supports the building. Together, the building stands.

27 Executed at Keene, California, on September 12, 1976.

28 I declare under penalty of perjury that the foregoing is  
true and correct.

Eliseo Medina