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~~ORIGINAL~~
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WILLIAM L. WHITTAKER
CLERK, U. S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

22

11 HERMILO MOJICA, et al.,)
12 Plaintiffs,)
13 vs.)
14 UNITED FARM WORKERS OF)
15 AMERICA, AFL-CIO, et al.,)
16 Defendants.)
17

No. C82-0512 WAI
DECLARATION OF SABINO LOPEZ.

18 I, SABINO LOPEZ, state as follows:

19 1. I have been a member of the UFW since 1970 and have
20 worked at Sun Harvest since 1973.

21 2. I was elected by the union members at my ranch to be
22 vice-president and full time representative. Sun Harvest is so
23 large that there are two full time representatives. Attached
24 hereto as Exhibit A is an agenda for the nominations meeting.
25 It shows that the representatives are the same people as the presi-
26 dent and vice-president. The policies which were read at the
27 nominations meeting are attached hereto as Exhibit B. The policy
28 list shows that a vacant position for representative will be filled
29 by election. Attached hereto as Exhibit C is the announcement
30 of the election meeting. It too states that the representatives
31 are the same persons who are elected president and vice-president.
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1 Exhibit D attached hereto which announces a run-off election and
2 Exhibit E attached hereto also demonstrates the policy of the
3 Union to elect representatives.

4 3. I have always tried to do my best to represent the workers
5 at Sun Harvest. I usually worked from 6:00 a.m. until 8:00 or
6 9:00 p.m. on union business. This is because there were always
7 many disputes to resolve, grievances to file and other contract
8 matters to handle. I had monthly meetings with the members and
9 saw workers daily in the fields.

10 4. The Defendants declarations which discuss the strawberry
11 crop discontinuance misrepresent the situation and my role in it.
12 That year, 1980, was the first time Sun Harvest tried to grow
13 strawberries. The crop was administered poorly. The workers
14 were paid piece rate, however they were guaranteed an hourly
15 minimum. The company believed that the crop was not profitable.
16 The company wasn't making money probably due both to poor admini-
17 stration and the guaranteed hourly. The company said that either
18 we had to go back to a piece rate or they would close down. I
19 told them that they couldn't just do that because there were many
20 people working there. I requested a meeting with the company
21 where they reiterated their stand. I spoke with Jose Renteria,
22 the field office director and he advised me to let the workers
23 decide. In the spring of 1980 the workers decided to accept piece
24 rate to save their jobs. Then suddenly, without advising me,
25 the company discontinued the strawberry crop. I filed a grievance.
26 All the workers were included in one grievance. I sent a letter
27 requesting bargaining. I filed charges with Agricultural Labor
28 Relations Board. Sun Harvest had many closures and we decided
29 to pursue the matter with the ALRB. Attached hereto as Exhibit
30 F is an article from the Salinas Californian which describes
31 what happened to the ALRB charges. Attached hereto as Exhibit
32 G is a letter from the UFW Legal Department which followed the

1 ALRB case. Items 10, 11 and 12 address the strawberry situation.

2 5. I did not know about the celery closure ten months in
3 advance. The Declaration of Julio Ramirez is completely misleading.

4 When I found out about the celery layoffs I immediately filed
5 a grievance. I went to the union office to search the files
6 concerning the celery layoff. There I found a letter which was
7 not "carbon copied" to me or any of the committee members. I
8 showed the letter to some of the celery crew and explained how
9 I found it. They took the letter and filed internal union charges
10 against me. I was acquitted of the charges.

11 6. I filed all grievances that were brought to my attention.
12 I filed the grievance that Jack Deaton claims in his declaration
13 was never filed.

14 7. I do not know why Douglas Kessler is submitting a
15 declaration. He is a school bus driver.

16 8. Juana Kessler never asked me to file a grievance for
17 her.

18 9. People became upset because the arbitrations take so
19 long. This is because the union only has one person handling
20 arbitrations.

21 10. I frequently called the union office to inquire after
22 medical claims. I was usually told that it was being taken care
23 of. Then the aggrieved member would complain to me again and
24 I would call the medical plan and they would tell me that they
25 couldn't find the form. The workers would often get angry with
26 me though I tried to straighten things out.

27 11. After the meeting where I was removed I asked David
28 Martinez, the regional director, what I had done. Martinez told
29 me that I was kicked out because I had supported the others.
30 He said that I never supported him in the representative meetings
31 and I should have helped him attack Mario and the others. I told
32 him that when he came down to investigate Medical Plan problems

1 he just threatened and spread rumors and made false accusations.
2 He did not try to solve the Plan problems. I asked him how could
3 I follow along with him and attack people who I knew were doing
4 their jobs right. I told him that it was better to lose my job
5 than to be forced to do his dirty work. He told me I could not
6 do my job because I allowed myself to be run by Marshall (Ganz)
7 and others.

8 12. On or about May 23, 1981 Lupe Bautiste said to me
9 "even though you were elected we will get rid of you to see who
10 really has the power."

11 13. At the meeting where I was removed from my position
12 as paid representative I was told that I was being removed because
13 I had worked in the Napa Valley to gather support for Jose
14 Renteria's campaign.

15 I declare under penalty of perjury that the foregoing is
16 true and correct and that this Declaration was executed on May
17 15, 1982 at Salinas, California.

18
19
20 Sabino Lopez Jr.
21 SABINO LOPEZ

22 I, JOSE RENTERIA declare under penalty of
23 perjury that I am fluent in Spanish and English and that I read
24 the foregoing to the declarant in Spanish and he affirmed its
25 contents before signing. Executed this 15 day of May, 1982
26 in Salinas, California.

27
28
29 Jose Renteria
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