Report from Chris Hartmire to DiGiorgio Corp

May 7, 1966

Dear Friends:

Apparently many pastors in California have received a detailed letter from the DiGiorgio Corporation in regard to the Delano strike. This letter is intended to help you respond to that DiGiorgio correspondence. Feel free to share it with others.

First, a summary of relevant events:

1) A long history of labor disputes over several decades in which DiGiorgio has taken a militant position against labor elections, collective bargaining and the rights of their workers. Men have been injured and even killed in the strikes which have resulted.

2) Late September 1965: Farm workers represented by the NFWA requested an opportunity to bargain with DiGiorgio over the grievances of workers. The request was not acknowledged. A bitter seven (7) month long labor dispute resulted.

3) April 6, 1966: As a result of strike and boycott pressures, Schenley industries recognized the NFWA as a legitimate labor organization representing Schenley's field workers. Negotiations for a contract on wages and working conditions were to begin by May 6th to be completed by June 6th.

4) April 7, 1966: At a press conference in San Francisco, DiGiorgio Corporation announced that they had written three labor groups* offering elections to determine whether DiGiorgio's field workers wanted to be represented by one of these groups. However, DiGiorgio insisted upon certain conditions that the unions would have to accept if elections were to proceed: suspension by the unions of all economic pressures, compulsory arbitration as a part of negotiations, no strike and no boycott clauses as a necessary part of any contract that might be negotiated. DiGiorgio also expressed support for extending the National Labor Relations Act (NLRA) to agricultural workers.

5) April 8, 1966: At a press conference, Cesar Chavez of the NFWA indicated that the seven (7) month long labor dispute was between NFWA and DiGiorgio Corporation and that other labor groups were not relevant parties to the dispute. He also questioned whether the company had the unilateral right to set all the prior conditions for an election. He offered to meet with DiGiorgio to resolve their differences.

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* National Farm Workers Association (NFWA)
Agricultural Workers Organizing Committee (AWOC)
Independent Kern-Tulare Farm Workers Association (IKFW)

6) April 19, 1966: The State Conciliation Service invited DiGiorgio Corporation and the three (3) labor groups to a meeting to discuss plans for an election. AWOC refused to attend because they are not a party to the dispute and because they consider the IKFW to be a company union. NFWA refused to attend because they insist that the IKFW has no intention of independently representing DiGiorgio Corporation's workers and is in fact a company union set-up since the strike by employers to serve the interests of employers, not workers. The Senate hearings in Delano established as a matter of public record that the officers of the IKFW are either labor contractors, supervisory personnel or local Delano business people.

7) April 20, 1966: A meeting was held in Fresno between DiGiorgio Corporation and NFWA. The meeting ended abruptly when fighting between pickets in Delano and DiGiorgio Corporation employees was reported. A picketer was seriously injured by a DiGiorgio Corporation guard. Subsequently, DiGiorgio agreed to disarm their employees.

8) April 27, 1966: Another meeting was held in Delano between DiGiorgio Corporation and NFWA. No agreement was reached but proposals and counter-proposals were offered.

9) May 4, 1966: At 3 P.M., a DiGiorgio Corporation representative in Delano called the NFWA and asked for an immediate meeting. There had been no prior agreement about such a meeting. The NFWA lawyer was in San Francisco at the time and a meeting was therefore not possible. The DiGiorgio Corp. representative had invited the press to be at the meeting and used the occasion to accuse the NFWA of bad faith and unwillingness to bargain.

10) The lawyers of the two principal parties to the dispute are in communication and a fute meeting is being planned.

There are a number of issues that church men should consider as they try to evaluate the current struggle between NFWA and DiGiorgio Corporation.

1. The two principal parties are in direct contact. Their bargaining positions shift regularly as negotiations proceed. It is impossible for observers to be well enough informed to intervene intelligently in the negotiations. Intervention of the kind that DiGiorgio Corporation is hinting at will not therefore help the negotiation process but will tend to weaken the NFWA's bargaining position.

2. The DiGiorgio Corporation's letter does not mention the conditions the company is insisting upon (see #4 above). Compulsory arbitration is not provided for under the NLRA (which DiGiorgio Corp. seem to favor) and in fact a Wisconsin state law requiring compulsory arbitration was declared unconstitutional by the U.S. Supreme Court.

No strike and no boycott clauses are issues for bargaining and not for unilateral declarations by the employer. The NFWA should not be expected to sign away it's only source of strength (strike and boycott) before there is even an election.

3. A just resolution of the farm labor struggle depends upon a strong, independent farm worker's union. Both growers and workers must have a dignity and strength of their own if there is to be equal dialogue and genuine reconciliation. The IKFW does not provide independent representation for farm workers; it is dependent upon employers and is therefore not a viable instrument for equal, honest dialogue and eventual conflict resolution.

4. After decades of attack on the rights of workers, why has the company suddenly become the pious advocate of democratic elections and collective bargaining rights? It is possible that they are acting out of conviction and in good faith. The workers who have been the direct victims of injustice find it difficult to believe this. They are convinced that the company is responding to the combined pressures of the strike, a threatened boycott and public opinion (particularly since Schenley's recognition agreement). Churchmen who sincerely trust the company's good will should not expect the workers to depend on that good will as they carry on their struggle. The workers must be free to continue to apply economic pressures at the same time that they seek an agreement that will resolve their grievances.

5. Given the realities of a difficult power struggle, the workers must be cautious at every step of negotiations. They must concern themselves with the several questions: Is the company serious about elections or is this a propaganda play for public opinion? Why does DiGiorgio Corporation want elections now instead of eight (8) months ago when elections could have avoided months of sacrifice and suffering? If the company is serious about elections why have they insisted upon pre-conditions that no labor organization could accept?

6. DiGiorgio Corp. discounts the Schenley and Christian Brothers recognition agreements, insisting that NFWA has not demonstrated that it represents the workers. As a matter of fact, NFWA staff have met with the Schenley's and Christian Brothers' workers to discuss the wages and working conditions that should be included inn any contract. The workers themselves will participate in negotiations and will define the negotiating terms.

Regardless of your reaction to this letter or DiGiorgio's Corporation letter, it should be recognized that a positive step has been taken: the two parties to this dispute are now in direct contact after months of conflict and isolation.

If you have questions or comments, please write. All good wishes.

WCH/sm Your brother, Wayne C. Hartmire, Jr.