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AN APPRAISAL OF THE CURRENT STATUS AND FUTURE PROSPECTS OF
UNIONIZATION AND COLLECTIVE BARGAINING IN AMERICAN AGRICULTURE

By

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Foreword

This paper represents an attempt by the author to prepare a Plan B Masters paper. The author's experiences as a farm worker suggested the problem situation for this paper.

The paper is national in scope. It is based on secondary data because primary data were not available; and due to time and financial constraints, the author could not undertake a study to obtain primary data.

Regardless of how this paper is viewed, the author wishes to express his appreciation and deepest gratitude to Dr. Larry J. Connor, Dr. John R. Brake, Dr. Collette Moser, and Mrs. Martha J. Soltow, Librarian, for their invaluable assistance in the writing of this paper.

CHAPTER I

Introduction

Today, the unionizing efforts of farm laborers have reached the highest plateau of achievement since the beginning of those efforts in the United States. The main reason for this is improved laws, public awareness, and union recognition. A very strong movement is under way, which is being led by Cesar Chavez.

Now, as always, there is a three-way squeeze between those parties immediately involved. At one time or another, each of these parties is caught in the middle when the squeeze is vigorously applied. The farm worker is trying to apply pressure on the farmer; the farmer, in turn, is faced with the fact that he is a price taker rather than a price maker; the consumer is constantly fighting against higher prices, so he, in turn, directs his leverage against those parties back down the line who he considers to be responsible for his dissatisfaction. This turns out to be an operation of the market.

The farmer is faced with the problem of trying to maintain a fair rate of return on his investment. He must work with a product that is, in many cases, highly perishable, and, if not handled properly, could wipe him out completely. To complicate his problem even more, he is subject to much pressure and criticism from other forces that protest against low wages and high cost of agricultural products, especially food.

On the other hand, there is the farm worker. He, like all men, is interested in providing for his family's health and well-being. He has found, especially those that work on large farms, that one

way of improving his living conditions is by bannng together in unions. This is done in the hope that it will help him obtain those things that he considers to be crucial to his well-being.

Because of such developments as labor-saving technology, the use of chemicals in agriculture, etc., there are some areas where unionization will be very slow in coming, if it is to come at all. But, on the other hand, because of current trends in the unionizing effort, there are areas where it is fairly likely to happen.

For many years, farmers usually planted as diversified a crop as local soil and climatic conditions allowed. Such a variety of crops meant different planting times, ever-changing cultivating needs and several harvesting seasons.

Then came revolutionary developments (mechanization of farming tasks, wide-spread use of chemicals in the production process, reduction in the numbers of family farms and small producers, increasing numbers of larger farms, etc.) which literally changed the face of agriculture, and, along with it, came specialized farming. But, with specialized farming in many cases, work can no longer be spread out over the year. There is a hectic planting season, a hectic harvest season and relative leisure at other times. The dairy industry is an exception to this.

The most important development in the history of American agriculture, by all odds, has been the spectacular way its productivity has improved in the past quarter-century. Greater use of fertilizer and lime and of improved seeds, more widespread adoption of soil-improvement practices and greater timeliness in farming operations through mechanization have all contributed to higher yields with fewer hours of work. The cost of new machinery and

ever-increasing wage rates make it economic suicide to work on a small scale. The result is the merger of farms into larger units with fewer producers.

Not only is there a tendency toward fewer but larger farms, but the large farms have continued to account for a more important share of total agricultural output.

Those few (percentage-wise) large farms not only produce a large percentage of crops, they also employ most of the hired farm labor. It is at these farms that the unionizing efforts have been primarily directed.

Technological developments in agriculture have resulted in fewer, but larger, farms producing more products with fewer man-hours of labor.

Consequently, although cereal and other crops are highly mechanized, in fruit, vegetables, sugar beets, and cotton, the human hand and eye is still indispensable. Crop specialization has shortened the seasons of farm activity and reduced the need for a year-round hired hand, but it has created new need for a large labor supply available for short seasons of cultivation or harvest. 1

The objective of this paper is to make an appraisal of the current status and future prospects of unionization and collective bargaining in American agriculture. The objective will be reached by looking at four major categories.

The historical development of unionization and collective bargaining in United State's agriculture is the spring board for this analysis. It is a descriptive presentation of the farm workers' attempts to organize through the years.

Secondly, the paper will deal with the current status of collective bargaining in United State's agriculture. Under this section can be found a discussion present-day unionization activites. It focuses on relevant laws and legislation and the demands and long-range goals of unions.

Thirdly, there is a presentation of specific factors that are affecting the unionization efforts. Included are such things as: the church, economic implication and management.

Fourth, the paper will attempt to evaluate future prospects of unionization in American agriculture. This section will be an appraisal of future prospects based on past and present trends in agriculture.

Finally, the summary and conclusion look at the results, implications and limitations of the study.

Chapter I Footnotes

1/ U.S. Congress, Senate Committee on Labor and Public Welfare. The Migratory Farm Labor Problem in the United States, 91st Congress, 1st Session, Washington, D.C., Government Printing Office, 1967, p. 50.

CHAPTER II

History of Unionization and Collective Bargaining
in U.S. Agriculture

California's history of farm labor unions began in the late 1880's when Chinese immigrants moved out to the rural areas and provided a cheap and abundant labor supply for the rapidly developing farm systems in the valleys. As a minority, the Chinese were never in a position to form unions for purposes of collective bargaining; but they did develop what amounts to private employment agencies, which recruited and hired Chinese farm laborers.^{2/} These protective associations, known as Tongs, became the basis for the labor contractor system, later utilized by other minority groups.^{3/}

The Chinese were followed in succeeding years by Japanese, Hindustani, Filipinos and Mexicans for whom even low farm labor wages were an improvement over their former situation.^{4/} Grower reliance upon this constantly replenished labor pool made it impossible for any durable labor unions to develop for they were quickly submerged by immigrants who would work for less than the union demands. A pattern of racial conflict developed as each successive group jockeyed to become the grower's source of cheapest labor.^{5/}

Each group, like the Chinese, tried to organize separately and engage in strikes; but, until the appearance in 1905 of the Industrial Workers of the World, known as the "wobblies", no effort was made to organize agricultural workers on a large scale.^{6/} The wobblies were formed by a merger of the Western Federation of Miners and the American Labor Union, groups of industrially organized workers who left the early craft-controlled American Federation of Labor.^{7/}

The IWW was opposed to centralizing power at the top and wanted to organize the skilled and unskilled, urban and rural workers across the country into

"one big union" with the aim of achieveing eventual worker ownership of industries. Their strength lay in the rough frontier areas where workers had no protection and law was the rule of the strongest.^{8/}

For several years the wobblies worked in the cities and in the rural areas. They found they had to establish their freedom to speak before they could organize workers. In Fresno, California, they demanded the right to maintain headquarters, to hold public meetings and to distribute information. That struggle won, they went on to San Diego in 1912 where vigilante committees formed to meet them.

In San Diego, the vigilantes rounded up all persons even remotely suspected ob being wobblies and marched then one night to Sorrento. There, the wobblies were made to ... kiss the American flag and sing the National Anthem while hundreds of vigilantes stood about armed with revolvers, knives, clubs, black jacks, and black snake whips. Then they were marched to San Onofre and driven into a cattle pen and systematically slugged and beaten. After awhile, they were taken out of the pen and beaten with clubs and whips as, one at a time, they were made "to run the gantlet."^{9/}

This practice of vigilantism, where groups of citizens take what they consider to be the law into their own hands is not foreign to California history. Carey McWilliams described the vigilance committees of 1850 and 1856 (whose members were of the merchant and propertied classes) and says:

"During the period when the vigilantes were in action they completely usurped the functions of government officials, defied the Governor of the State, conducted their own trials, equipped and drilled an armed force, and operated in effect as an insurrectionary junta."^{10/}

In August, 1933, the high point of wobbly organizing a situation

developed which showed, in great detail, how farm workers were exploited while the growers reached unheard of prosperity. As was the practice of the day, E. B. Durst, a hop grower in Wheatland, California, had advertised in newspapers through California and Nevada for 2,700 workers, when, in fact, he required only 1,500 to harvest his crop. Twenty-eight hundred people came from all over the west. Half of them were aliens, and interpreters were needed, for 27 nationalities were represented among 235 men in one working gang alone.^{12/}

Destitute, the 1,000 odd extra workers could not move on, and conditions at the camp were intolerable; tents were rented from Durst at 75 cents a week; workers were forced to use his store as he forbade local grocers to make deliveries; there were nine outdoor toilets for 2,800 people; drinking water was not allowed in the fields since Durst's cousin had a lemonade concession there at five cents a glass; a relative also owned the lunchtime "stew wagon".^{13/}

Finally, at a mass meeting in the workers' camp, veteran wobbly organizer, Blackie Ford, dramatically held a sick baby up to the crowd and shouted, "It's for the kids we are doing this." Into the tense emotion-filled crowd strode sheriff's deputies. One fired a shot to quiet the mob. Immediately, a riot ensued, during the course of which a district attorney, deputy sheriff, and two workers were killed. The National Guard was called out, and all over California wobblies were arrested. Leading wobbly, organizers, Ford and Suhr, were convicted of murder and sentenced to life imprisonment.^{14/}

The Wheatland Riot brought the wobblies nationwide attention; and after 1915, the most energetic group within the IWW was the Agricultural Workers Organization. The pre*World War I depression and the loss of urban jobs drove many workers to the Wheat Belt and wobbly organizing shifted to that region.

Departures were made from the basic strategy used in California. It was agreed not to spend union energies again on free speech fights, which had antagonized other elements of the farming communities. The change of tactics improved relations with growers and so made it easier to reach wage agreements. Also, members were instructed never to "hold out to the bitter end". In case of a strike, those directly involved were to bring other members of the union onto the struck job in order to strike again or to slow up production.^{15/}

Largely, as a result of the new strategy in the Wheat Belt, by the end of 1916 the IWW's Agricultural Workers Organization "had enrolled 20,000 workers, and its momentum was such that it was reported to have carried the total IWW membership from 5,000 in the spring of 1916 to over 70,000 at its peak in 1917."^{16/}

Since the wobblies posed a threat to the existing economic system, opposed American entrance into World War I and were also a threat to every power structure down to the local level, they were often met with repressive actions by police authorities (and occasionally by vigilantes). The fact that the wobblies grew steadily in the face of violence and intimidation indicates the strength of their appeal as well as the desperate conditions of masses of workers during these years before the rise of American trade unionism.

It is hard to say what would have happened to wobbly organizing efforts if their opposition to World War I had not led to their prosecution by the federal government. During the war, the wobblies were charged with violation of the Espionage Act; and after the war, they were prosecuted under state syndicalist laws passed during the war years. Wobbly activity returned sporadically during the twenties, but the IWW never made a successful comeback.^{17/}

Farm labor organizing and labor organizing, in general, during the deepening depression years between 1929 and 1933 was virtually nonexistent. Thousands of

unemployed urban workers flooded the farm areas, and competition for jobs was bitter. In some areas, wage levels of 50 cents an hour in 1929 had declined to 15 and 16 cents by 1933.^{18/} Though efforts at collective bargaining proved impossible during such labor surplus conditions, various factors contributing to labor unrest culminated in 1933 in a series of strikes unprecedented in number and size in farm labor history.

New Deal legislation, passed in 1932 and 1933, helped urban workers and farm owners but had no effect upon farm workers. Although the Agricultural Adjustment Act was designed to revitalize the agricultural economy, benefits were extended only to farmers and, theoretically, to sharecroppers. Similarly, the National Industrial Recovery Act helped urban workers but excluded farm workers from its provisions. The NIRA established maximum hours and minimum wages of \$16 a week for industrial workers and accorded them legal protection of their right to organize.

By mid-1933, the upheaval in the labor market was enormous. Organizing activities went apace, and farm workers were frustrated by their complete exclusion from the NIRA status which were bringing revolutionary changes to other industries.

The situation erupted in 1933 when a total of 56,800 farm workers went out on 61 different strikes in 17 states.^{19/} One organization backed by the Communist Party, the Connery and Agricultural Workers Industrial Union, capitalized on the explosive farm labor situation and led this spectacular wave of strikes. Major responsibilities for the violence and lawlessness clearly rests with the producers. It is true, however, that the unions involved were under Communist direction and were not particularly well-equipped to calm the sometimes neurotic fears of a group of employers who had had little experience with union organization and wanted less.^{20/}

October 4, 1933, marked the high point of CAWIU strike activity. Five thousand cotton pickers in Corcoran, California, struck for 90 cents per 100 pounds, protecting the prevailing wage rate of 60 cents. Refusing even to report for work, they boycotted the ranches altogether. When strikers attended a mass meeting at the Union Hall in Pixby, California, growers stationed themselves behind cars nearby and opened fire on the hall. Two workers were killed during the ensuing violence.^{21/}

After modest mediation efforts, the workers returned to pick cotton at a compromise wage of 75 cents per hundred pound. The strike had lasted twenty-four days, during the course of which an estimated 18,000 workers had refused to report for work.^{22/}

That the workers, many of whom were Mexicans, had been, as usual, alone against the whole community in their struggle, is borne out by the statement of an undersheriff:

"We protect our farmers here in Kern County. They are our best people. They are always with us. They keep the county going. They put us in here and they can put us out again, so we serve them. But the Mexicans are trash. They have no standard of living. We herd them like pigs."^{23/}

Twenty-five strikes waged in California in 1933 were spearheaded by CAWIU and involved 37,500 workers. Twenty-one of the strikes secured at least partial wage increases.^{24/}

CAWIU leaders were later arrested and tried on charges of criminal syndicalism. The union formally dissolved on March 17, 1935.

CAWIU made few inroads toward collective bargaining agreements for it was opposed to the negotiation tactics of the established unions. A major weakness was its lack of internal democracy and its dependence upon the leadership of a few individuals.

It is of some interest to examine the arguments which have been consistently advanced by farm spokesmen in explanation of their consistent opposition to efforts at organization of agricultural workers in California during this time.^{25/} Among the most consistent of the arguments advanced against unionization is the charge that California agriculture is and has been a special target of the Communist Party; and it is, therefore, a high duty of all believers in the American way of life to oppose the measures by which Communist objectives will be achieved. In pursuit of this duty, organizations of agricultural employers devoted a great deal of time, effort and money to the combatting of Communism. Certainly, much of the effort to organize California's agricultural workers was of Communist inspiration. But, neither should it be doubted that, as used by agricultural employers, the term "Communist" was most carelessly handled. It came very soon to be the equivalent of "labor organizer" so that any attempt at organization from whatever source was per se subversive.^{26/}

Filipino Agricultural Laborers Association:

A Modern Union

There was one interesting instance of farm labor unionizing in the 1930's which arose directly from the workers themselves rather than an existing organization, such as the Industrial Workers of the World or CAWIU.^{27/}

The Filipino Agricultural Laborers Association originated in 1939 among 6,000 Filipino asparagus pickers who walked off their jobs in Stockton, California in protest against a threatened wage cut. The union was aided in its early days by the Cio and the AFL, but it did not affiliate. The membership worked closely with independent Mexicans and Japanese unions, refusing to work as strikebreakers during their struggle. Late in 1940, it obtained a charter from the AFL.^{28/}

The union was composed almost entirely of Filipino farm workers around Stockton, Sacramento, and other central valley cities. It won several important strikes and gained union recognition, won increases, improved conditions, and written contracts.

Homogeneity of the membership was an important factor in the union's success. The workers had a common cultural past; they worked under similar conditions and faced the same problems. The unions goals, like those of UFWOC at present, were not limited to wage increases and recognition by growers; their activities encompassed the farm worker's way of life.^{29/}

U. S. involvement in World War II siphoned farm workers off to the armed forces and the cities and growers turned increasingly to Mexican laborers for harvest work. The Federated Agricultural Laborers Association could not withstand the effects of the government saction Public Law 78 and it soon collapsed.

California in the Sixties

No history of unionization would be complete without a discussion of Cesar Chavez and his organizing activities.

Chavez, whose father had come from Mexico, was born in 1927 on his grandfather's farm in Yuma, Arizona. During the depression, the farm was foreclosed. The family migrated to California and started moving with the crops. Chavez first worked in Delano in 1937 when he was ten. He returned from time to time and eventually married a girl whose family were resident vineyard workers there.

Like many other Mexican-American farm workers, Chavez encountered both discrimination and object poverty. He was once arrested in Delano while sitting with his wife in a movie house. He had refused to comply with the theater's policy of seating Mexican-Americans on one side, Anglos on the other.

One fall the family picked grapes near Fresno. Each week the labor contractor said he could not pay them since he had not yet been paid himself. "At the end of the seventh week," Chavez recalls, "we went to the contractor's house and it was empty. He owed us for seven weeks pay, and we haven't seen him to this day."^{30/}

Over the years, Chavez attended more than 30 schools. He had gotten as far as eighth grade when he dropped out completely to help support the family. But he was an avid reader; and his informal education continued. In 1952, he met Fred Ross, an organizer for Saul Alinsky's Community Service Organization which was working among the Spanish-speaking in California. Chavez took a job as organizer for CSO and in 1959 became its director. In 1962, he quit CSO and moved with his wife and children back to Delano.

"I had some ideas on what should be done," he said of his new commitment. "No great plans, just that it would take an awful lot of work to organize farm workers."

"It was a gamble," he stated. "I went around for about 11 months; and I went to about 87 communities and labor camps and in each place, I'd find a few people who were committed to doing something; something had happened in their lives, and they were ready for it."^{31/}

The movement Chavez was building owed much to his community organizational background. Wages and working conditions were basic, but the primary objective was to have the workers share in the decisions that affected their lives. Through the National Farm Workers Association, they began to develop services to meet their own needs - credit union, a cooperative store, a newspaper, and later, a health clinic.

The South

The plantation system was a recent development in eastern Arkansas

areas. Many planters were absentee owners; supervision was left to the "riding boss", a khaki-clad, gun-belted, booted figure of authority who in many ways took over the old role of the slave overseer.^{32/} For their part, the sharecroppers had often migrated to the area from other states during the twenties; and the whites, at least, hadn't had to learn the outward submission and passivity necessitated in the Old South by generations of slavery. Thus, conditions of unrest in this area lay closer to the surface than in any other part of the South.

When the depression hit, not only did cotton prices plunge, but rural people, who had gone to the cities, were forced back to the Cotton Country, where opportunities were fewer than ever. The sawmills of eastern Arkansas shut down, greatly increasing the numbers of unemployed; and skeptical reporters returned from the area, horror-struck by the poverty, disease and desperation of the people. A single story was typical of thousands:

"One woman, her name was Ollie Strong. She died begging for a cup of coffee. She was the mother of eleven children I have seen her back crossties and haul them fifteen and twenty miles to sell them so she could get herself and the children something to eat She chopped cotton on various plantations when she was with child ... She went to picking when she was swelled so large she couldn't stoop over. She would have to crawl on her knees so as to be able to pick ... When she died, there wasn't anything to eat at all in the one-room pole cabin. The last thing she called for was a cup of coffee, but there wasn't any."^{33/}

In the summer of 1933, the situation worsened. There was a huge cotton surplus and another bumper crop expected. The Agricultural Adjustment Act, passed in the same year, required that some cotton land be plowed under to create scarcity and raise prices. In eastern Arkansas, the poverty became more acute than in other cotton-producing areas, for the growing mechanization of agriculture, combined with the effects of the new AAA Program, left proportionately more sharecroppers without homes or work.^{34/}

It was against this background of government policy, that actually increased poverty rather than alleviating it, that H. L. Mitchell became committed to improving the lot of the sharecroppers. He had heard Norman Thomas speak in Memphis during the 1932 political campaign. He secured Thomas' support for a study of the Agricultural Adjustment Act, which was enriching Southern planters while bringing new misery to the workers. It was during a conversation with Thomas that the idea for the Southern Tenant Farmers Union was conceived; and Norman Thomas was always considered its godfather, although the union never affiliated with any political party.^{35/}

On July 26, 1934, the organization was incorporated under the laws of the state of Arkansas and, shortly after, took Southern Tenant Farmers Union as its name. Its objectives were the relief of displaced workers, collective bargaining agreements between workers and landlords and revamping of the Agricultural Adjustment Act.^{36/}

From the earliest days, education was a major concern; in addition to calling for improvements of the inadequate rural schools for their children, STFU members eagerly participated in adult education courses organized by the union. Occasionally, members were able to attend sessions at labor schools where they could gain a new understanding of their role in the struggles of the American labor movements. The idea of cooperatives was also championed by STFU; consumer buying clubs were formed and a STFU cooperative farm ran successfully for many years.^{37/}

By the end of 1934, a situation developed which threw the Southern Tenant Farmers Union into the public spotlight for the first time. Many sharecroppers and tenants received notice from their landlords to move elsewhere. The decrease in cotton acreage had proportionately decreased the need for workers; moreover, the landlords wanted to become the sole beneficiaries of the government's

largess; and the cotton contract terms actually encouraged planters to shift from keeping tenants to hiring wage labor -- the benefits did not have to be shared with hired workers.

The issue came to a head in January, 1935, when it was learned that only Southern Tenant Farmers Union members were being evicted from the huge Narcross Plantation. STFU leaders decided to file for a court decision on the question of whether tenants were protected by Section 7 of the cotton contract, which was clearly intended to prevent their displacement as a result of the cotton reduction program. Although the suit was eventually lost, the issue had been brought into public debate.^{38/}

In March, there began a reign of terror as STFU stepped up its organizing activities. Meetings were banned and broken up; members were falsely accused, arrested, jailed and convicted on trumped-up charges and thrown into prison; relief was shut off; union members were evicted from the land by the hundreds; homes were riddled with bullets from machine guns; churches burned and school-houses were stuffed with hay and the floors removed; highways were patrolled night and day by armed vigilantes looking for the leaders; organizers were beaten, mobbed and murdered; the entire country was terrorized.^{39/}

Planters, with the aid of postal employers, conducted mail-opening campaigns to discover which tenants were union members. Many of STFU leaders and members had to flee for their lives across the river to Memphis. When the terrorism died down a few months later, however, the union's organizational structure was still intact; and it had gained vital outside support through the nationwide publicity resulting from the brutality and lawlessness.^{40/}

Not having a financially secure membership, the Southern Tenant Farmers Union had been dependent upon many organizations, including the Workers Defense League, the League for Industrial Democracy, the American Civil Liberties Union

and church groups. H. L. Mitchell, organizer of STFU, commented, "If it had not been for outside support ... we would never have been able to continue."^{41/}

Only later, when developments within the government finally demonstrated official concern for the sharecroppers, could Mitchell make a more accurate appraisal of the union's achievements. "The formation of the President's Farm Tenancy Commission was, let us say, due in part to the organization of the union of sharecroppers. If there had not been an organization of sharecroppers making a noise, Roosevelt would never have established a farm security administration or done anything about the problems of farm tenancy."^{42/}

Hawaii

Hawaii is the only state in which all workers in large-scale agriculture are organized and have been for over twenty years. They have shown satisfaction with their minimum wage law; they have comprehensive medical plans; they are given paid holidays and vacations; they receive sick pay and severance pay; they are entitled to workmen's compensation; they are covered under the state's collective bargaining law.^{43/}

Hawaii's success story did not come about easily. Union organizers, in fact, faced formidable, monolithic opposition from sugar plantation owners. Even as late as 1946 (the year in which most plantations were successfully organized in Hawaii), the situation was this: Through a system of interlocking marriages and directorates, the five companies -- Castle & Cooke, Alexander & Baldwin, American Factors, C. Brewer & Company, and Theo H. Doves & Company -- owned Hawaii. Their officers and directors controlled 96 percent of the sugar plantations, three irrigation companies, three banks, five public utilities, four pineapple companies, two steamship companies, two newspapers, two insurance companies and at least seventeen other miscellaneous concerns.^{44/}

The first recorded strike in Hawaii occurred in 1841 when Hawaiian workers walked off the fields of Koloa Plantation on Kariai for eight days demanding 25 cents a day or about 2 cents an hour. The workers lost.^{45/}

Hawaiian planters had used the principle of "divide and rule" for generations. Over the years, workers were imported from China, Portugal, the South Sea Islands, Japan, Norway, Puerto Rico, Korea, Spain, Russia and the Philippines. Each group was intentionally brought in to prevent any other from feeling secure enough to strike or to demand collective bargaining rights.^{46/} This statement appeared in the official planters' publication, The Planters Monthly, in 1883: "By employing different nationalities, there is less danger of collusion among laborers and the employer, on the whole, obtains better discipline."^{47/}

It took years for the workers to understand the importance of interracial unity; the prehistory of successful unionism here is replete with tragic tales of labor organizations, wage movements, strikes, and hopes shattered on the twin rocks of racial exclusiveness and racial strikebreaking.

A strike of Japanese workers on Oahu in 1909 failed, not for lack of organizational structure, but because it was run along racial lines. The reaction of the planters' association was to hire strikebreakers of other nationalities and pay them 117 percent more than the strikers had received. Although a Higher Wages Association was formed in response to news articles about racial discrimination, the strike failed after 13 weeks.^{48/}

The last strike attempted along racial lines was by Filipinos on Maui in 1937; the strike was launched by the Filipino labor organization called the "Vibora Luuimenda". Efforts were successful in stopping the harvesting, but the Filipinos could not convince other groups to strike in other areas of the crop production. It became clear that the success of the strike, though limited, was attributable to financial support from the Japanese and the CIO union.

The Vibora Luminenda died an anachronism; henceforth, serious organizing efforts would not be limited to racial unions.^{49/}

The general strike in San Francisco in 1934 was to signal the turning point in Hawaii's organizing history. Most of Hawaii's exports landed in San Francisco, where the International Longshoremen's and Warehousemen's Union was successfully organizing the dockworkers who loaded and unloaded shipments. While San Francisco dockworkers were struggling to obtain contracts, dockworkers in Hawaii risked nothing and registered few demands. The upshot was that "lack of unionization at the end of its operation posed a threat to the survival of unions at the other end."^{50/}

Attempts were, therefore, made to organize Hawaii's waterfront; and finally, after 10 months of striking, Honolulu's longshoremen won contracts in May, 1941.

But, World War II put an end to organizing for awhile. The effects of the war economy were to be contributing factors in the subsequent union organizing in Hawaii. Although the cane and pineapple workers could not benefit from the prosperity, they, nevertheless, were exposed to the possibility of a social mobility heretofore unknown in Hawaii. New roads freed workers from their isolated plantation outposts; the free spending of the troops increased the workers dissatisfaction with their lot.^{51/}

If the workers themselves were ready to organize, the members of the International Longshoremen's and Warehousemen's Union were equally eager to recruit them.

The ILWU had organized Hawaii's waterfront before the war, but the union's success depended upon expansion. In order to effectively control the docks, the ILWU also had to control production at its

source - the plantations.

The ILWU had firmly established itself as wielding a power which nearly equaled that held by a few plantation families for generations. Largely, as a result of the ILWU's efforts, in May, 1945, the Hawaii Employment Relations Act was passed which won collective bargaining rights for agriculture.^{52/}

By the end of 1946, Hawaiian industry was almost wholly unionized; sugar and pineapple plantations, docks and utilities were organized. The sweeping union movement had wrought revolutionary change in the community's power structure. Out of the system, which had concentrated economic power in five companies, had come countervailing power - the unity of the workers.

Other Specific Geographical Areas

California and the South aren't the only areas where unionization efforts have run into some very tough resistance. Every state, where unionization has appeared to be a threat, strikes and violence have been the main weapons used by both union organizers and farm employers.

This has happened on: Melon farms in Texas; on pickle cucumber, sugar beet, potato and cherry farms in Wisconsin; on pickle cucumber, cherry and strawberry farms in Michigan; on sugar cane, fruit and vegetable farms in Florida; on farms in New Jersey; and on farms in New York.^{53/}

Chapter II Footnotes

2/ National Advisory Committee on Farm Labor. Farm Labor Organizing 1905-1967; A Brief History, (New York, New York, 1967), p. 26.

3/ Ibid., p. 27.

4/ Ibid., p. 28.

5/ Ibid., p. 28.

6/ Alexander Morin. The Organizability of Farm Labor in the United States, (Cambridge, Mass., 1952, Harvard University Press), p. 75.

7/ Ibid., p. 76.

8/ Ibid., p. 76.

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CHAPTER III

CURRENT STATUS OF UNIONIZATION AND COLLECTIVE BARGAINING
IN AMERICAN AGRICULTURE

Currently, some union organizers and farm employers in California, Texas, etc., are closer to certain concessions jointly with each other than any previous time in the history of agricultural employer-employee relationships. While this is a recognized fact, there are still many reports today that make it too clear that there is still a lot of tension between the unions and the farmers.

Testimony received in California revealed dramatic grassroots organization of workers and industry unrest, including strike, jurisdictional disputes between unions, distribution of hate literature, marches on state capitols, a national product boycott against manufacturers of wine and grapes, and arrests, jailings, beatings and accusations.^{54/} From Texas, there are allegations of continual harassment, physical violence and brutality against strikers and employers; mass arrest; strikebreaking; allegations from management of sabotage of equipment; and allegations, some documented by the Texas Advisory Committee to the U. S. Commission of Civil Rights, that citizens' actions in the organizational campaign had been denied certain of their legal rights and that local law enforcement officials are engaging in an actual pattern of conduct to assist growers, to the detriment of the union, and physically and verbally abused and intimidated farm workers.^{55/}

Laws and Legislation

Present unrest in the agriculture industry stems from the National Labor Relations Act in 1935. The struggle within the industry to secure the right to collective bargaining affects everyone, for it necessarily entails a "substantial obstruction to the free flow of commerce." This was the primary justification for implementing the concept of collective bargaining over 37 years ago.

Legislation has been proposed that would include agricultural employees under the National Labor Relations Act. This will provide an orderly process for the conduct of elections by the NLRB to permit employers freely to choose whether they wish to be represented by a union.

The legislation also provides for coverage of the agriculture industry under section 8(F), which permits, but does not require, employers in the agricultural industry to enter into an agreement with a union before employees are actually hired and before a majority status of the union is actually determined.^{56/}

Other provisions of section 8(F) permit arrangements for a union hiring hall and union security agreements providing union membership seven days after employment.

Migrant health program guidelines stress flexibility in the scheduling and location of health services in order to make them available at times and places where they can be effectively used. Emphasis is placed on providing, at a single health service center, early care of illness or injury and primary preventive measures such as immunization for all migrant family members.

The Housing Act of 1965 (Public Law 89-117) provides a subsidy for housing by assisting in the construction of low-rent housing for American farmers. Under this Act, the Farmer's Home Administration is authorized to make grants up to two-thirds of the cost of providing low-rent housing.^{57/}

The grants are made to states or other political subdivisions and essentially provide a means of creating public housing for farm workers. In general, the effect of the law is to reduce the cost of labor to the individual farmer. The provision of low-cost housing, at the expense of the state and federal governments, provides a means whereby the farmer can attract a given amount of labor at a lower direct wage cost, other things being equal. In essence, the government

and the farmers are sharing in the cost of the labor. The longer run effect of such programs is to slow down the rate of change into a more capital-intensive agriculture and also to shift the product mix to more labor-intensive products. Currently, about \$32 million a year is expended for farm-labor housing.

A major breakthrough was scored for farm workers when Congress extended the minimum wage provisions of the Fair Labor Standards Act to the agricultural industry.

Nine states provide varying degrees of minimum wage coverage for farm workers -- seven by statute (Arkansas, Hawaii, Massachusetts, Michigan, New Jersey, New Mexico and Oregon), and two through wage orders applicable to women and minors (California and Wisconsin) -- (See Table 1). In addition, wage board-type laws in four other states do not exclude agriculture; but minimum rates for farm workers could apply to women and minors in Colorado, Utah and Washington and to men and women in North Dakota.^{58/}

At the present time, there are a number of major migrant education programs in operation throughout the country. Key agencies now carrying out direct or supplementary migrant programs include the U.S. Office of Education, the Office of Economic Opportunity and the U.S. Department of Labor. State agencies usually administer these programs while private organizations and municipal agencies carry out the actual instruction, training or counseling.

Under the present system, states control workmen's compensation; and the federal government is limited to promoting voluntary acceptance of approved standards.

Some states provide for voluntary workmen's compensation coverage for farm workers at the option of the employer. Some steps toward specific inclusion of agriculture, under workmen's compensation laws, have been taken by 22 states and Puerto Rico (Table 2). In the 28 jurisdictions, not specifically providing

Table 1.

State Minimum Wages for
Agricultural Workers
1967

State	Basic Minimum Rate Per Hr.	Overtime Standard	Workers Covered	Effective Date
California ^{1/}	\$1.30	Exempt	Women	Sept. 15, 1965
	1.10	Do	Minors	Do
Hawaii	\$1.25	1 1/2 times regular wage over 40-hour week. ^{2/}	Men and women.	Jan. 1, 1964
Massachusetts ^{3/}	\$1.35	No provision.	Do	Feb. 1, 1968
Michigan ^{4/}	\$1.25	Do	Do	Jan. 1, 1967
New Jersey	\$1.50	Exempt	Do	Dec. 15, 1967
New Mexico ^{5/}	\$1.15	Do	Do	Feb. 1, 1968
Oregon	\$1.25	Do	Men, women & minors.	Do
Puerto Rico	0.30	No provision.	Men and women.	Aug. 20, 1961
	0.60			
Wisconsin	\$1.30	Do	Women	Feb. 1, 1968
	1.10	Do	Minors	Do

^{1/} Hourly rates of \$1.65 for women and \$1.35 for minors, originally due to become effective Feb. 1, 1968, have been suspended pending legal action.

^{2/} Exemption of 20 weeks, 1 1/2 the regular wage is paid for work over 48 hours a week.

^{3/} Will rise to \$1.50 an hour on Feb. 1, 1969.

^{4/} Nonseasonal workers and time-rate workers only. Under the state law, piece-rate wages for various crop activities can also be established.

^{5/} To be raised to \$1.30 an hour on Feb. 1, 1969.

Source: Present in report of the Committee on Labor and Public Welfare, Senate, 1969, data taken from Hearing of the California Industrial Welfare Commission, March 27-29, 1967.

Table 2.

Jurisdictions in Which Workmen's Compensation
Laws Apply to Farm Workers.

1967

State	Farm Workers Covered	Type of Coverage	Workers Exempted if Employers Have Fewer Employees Than Number Indicated (Maybe Voluntarily)
Alaska	Agricultural employees, except those employed on a part-time basis.	Compulsory	No numerical exemption.
Arizona	Workers employed in the use of machinery.	Do	3 employees
California	No express provision exempting farm workers; therefore, all farm workers are covered.	Do	No numerical exemption.
Connecticut	Do	Do	Do
Florida	All agricultural workers except those working for bona fide farmers.	Elective	3 employees
Hawaii	No express provision exempting farm workers.	Compulsory	No numerical exemption.
Kentucky	Workers engaged in the operation of threshing machines.	Elective	3 employees
Louisiana	Workers engaged in the operation of harvesting machinery and threshing machinery.	Do	No numerical exemption.
Maine	All agricultural workers except seasonal or casual.	Do	4 employees

Table 2 Continued

State	Farm Workers Covered	Type of Coverage	Workers Exempted if Employers Have Fewer Employees Than Number Indicated (Maybe Voluntarily)
Massachusetts	No express provision exempting farm workers.	Compulsory	No numerical exemption.
Michigan	Farm workers working for an employer who employs 3 or more regular employees 35 or more hours a week for 13 or more weeks.	Do	See Col. 2
Minnesota	Workers engaged as commercial threshermen and commercial balers.	Do	No numerical exemption.
New Hampshire	Farm workers working for an employer who employs more than 5 employees.	Do	See Col. 2
New Jersey	No express provision exempting farm workers.	Elective	No numerical exemption.
New York	Require workmen's compensation coverage of farm laborer for 12 months from Apr. 1, if the total cash payment was \$1,200.	Compulsory	No numerical exemption.
Ohio	No express provision exempting farm workers.	Do	3 employees
Oregon	Farm workers are covered if employed by an employer with an annual payroll of more than \$1,500.	Do	No numerical exemption
Puerto Rico	Farm workers are covered specially in the same manner as other workers.	Do	Do

Table 2 Continued

State	Farm Workers Covered	Type of Coverage	Workers Exempted if Employers Have Fewer Employees Than Number Indicated (Maybe Voluntarily)
South Dakota	Workers engaged commercially in the operation of machinery.	Elective	Do
Vermont	No express provision exempting farm workers.	Do	3 employees
Wisconsin	Farm workers working for an employer, who becomes subject to the Act 10 days after he has employed 6 or more employees.	Compulsory	See Col. 2
Wyoming	Workers engaged in power farming when one or more are employed for an average of 6 months each year.	Elective	No numerical exemption.

^{1/} The remaining jurisdictions do not have compulsory or elective coverage of agricultural workers; but in most of them, employers of farm workers may bring such workers under the Act voluntarily.

Source: Presenting in Report of the Committee on Labor and Public Welfare, Senate, 1969, data obtained from U.S. Department of Labor, January, 1969.

for compulsory or elective coverage of agricultural workers, the employer may, nevertheless, choose "voluntary" coverage in at least 23. Alabama and the District of Columbia have laws expressly prohibiting voluntary coverage, while Oklahoma, Tennessee and Texas are silent on this subject.^{59/}

The most bitter argument about the farm worker problem in the past revolved around the use of Mexican contract laborers brought to this country under the provisions of Public Law 78. At first, the government itself was the prime contractor and sublet its contracts to farm employers; but in 1948, the system changed to that of individual contracts between workers and employers negotiated by the two governments. With this cheap labor supply, the huge corporate farms not only depressed conditions for domestic workers but also undercut small farmers in the marketplace by producing crops requiring intensive labor more cheaply than they could.^{60/} It wasn't until 1964 that this law was made void, but one reason why P.L. 78 isn't a problem today is because farm workers and farmers (small) put up a solid front of opposition to this law.

Reference to the National Labor Relations Act has been made in the beginning of this chapter; but because of its power, it is worth mentioning again.

When the original bill was written in 1935, it included farm workers. But, the bill was reported out of committee two months later with farm workers specifically excluded. Adequate justification was never given. The Senate report stated "administrative reasons", and the house was equally vague.

Representative Connery, Chairman of the Labor Committee, opposed the inclusion for this reason:

"The Committee discussed this matter carefully in session and decided not to include agricultural workers. We hope that the agricultural workers will be taken care of ... I am in favor of giving agricultural workers every protection, but just now I believe in biting off one mouth-full at a time. If we can get this bill through and get it working properly, there will be opportunity later, and I hope soon to take care of agricultural workers."^{61/}

Many people believe that if the NLRA didn't include -- "shall not include any individual employed as an agricultural laborer" -- it would be easier to ease the tension between farm workers and employers. As stated, earlier steps are being taken to include agricultural laborers under the Act; but apparently, this isn't the cinch answer because there is mounting opposition to this.

Proof of this is shown by Cesar Chavez, who is currently opposed to agricultural coverage. Chavez is opposed to agricultural coverage under the (NLRA) because he feels that more can be done to build strong unions under the Wagner Act. His main opposition is the fact that if agriculture is covered by the Act it would put farm workers under the Department of Agriculture; thus, outlawing strikes and boycotts and bringing any deadlock before an impartial arbitration board.

Chavez expressed his opposition this way,

"The Wagner Act is a positive Act that helped build unions, and we're in the same position today as the auto workers were in the 1930's. We, too, have to go back to the basics, to the Wagner Act to get the protection it gives, and not to the limitations that come in later legislation."^{62/}

Nature of Contracts

The nature of current contracts can be seen by looking at some of the demands and provisions from an actual contract.

The grape industry is not typical of California agriculture. It is a highly skilled, twelve-month-a-year operation. This, coupled with the fact that union organizers were able to get a national boycott on grapes, help greatly in securing the contract that will be discussed.

Only the largest ranches were struck: The growers made no response to the demand for a wage increase; and on September 8, 1965, about 600 to 800 AWOC workers, under leadership of Larry Itliong, struck 34 ranches. They demanded higher wages, improved working conditions and later a union contract. (On one farm in the

Delano area, 67 workers had to drink water from a single, empty beer can. (Lack-
ing state-required portable toilets, the workers had to relieve themselves in
the fields.) Eight days later, 1,100 members of the National Farm Workers
Association joined the AWOC strikers.^{63/} From then on until the two unions
merged, a joint committee was in command.

The following items were taken from a copy of the first major contract
signed March 31, 1970, with the grape industry: the Coachella Valley Contract
with the David Freedman Company. This contract was the result of activities
by the United Farm Workers Organizing Committee, (AWOC and NFWA merged), under
the leadership of Cesar Chavez. This contract set the pattern for all subsequent
agreements.

Collective Bargaining Agreement; The parties agreed on the following:^{64/}

"Section 1. Recognition.

Company does hereby recognize Union as the sole labor organization
representing Company's agricultural employees (herein called "workers")
and recognizes and agrees to threat and negotiate with Union as the
sole and exclusive bargaining agent for and on behalf of such workers
on properties owned or leased by Company, and all other workers employed
by Company.

"Section IV. Hiring.

Whenever Company requires workers to perform any work covered
by this Agreement, it shall notify Union, stating the number of workers
needed, the type of work to be performed, the estimated starting date
of the work and the approximate duration thereof. Said preliminary
notice shall be given at least two weeks prior to the estimated starting
date. Company shall give Union a further notice fixing the exact start-
ing date at least forty-eight hours prior to the date fixed for actual
commencement of the work.

"Section V. Discrimination.

In accord with policies of Company and Union, it is agreed that neither party will discriminate against any worker on the basis of race, age, creed, color, religion, sex, political belief, national origin or language spoken.

"Section VIII. Camp Housing.

Allocation of available camp housing shall be on a nondiscriminatory basis without favoritism. Camp housing shall be free of charge. Board shall be operated on a nonprofit basis.

"Section XXIII. Wages and Other Benefits.

A worker will be paid jury pay and/or witness pay for any days of work missed (not exceeding seven) due to the performance of such duty. Jury duty pay and/or witness pay is defined as the difference between the fees received by such worker for performing such duty and his regular earnings up to (8) hours per day for each such day of jury duty and/or witness service.

"Section XXIV. Hours of Work.

A normal work day will consist of no more than eight (8) hours per day, Monday through Saturday. A normal work week will consist of forty-eight (48) hours.

"Section XXV. Strikes, Boycotts and Lockouts.

There shall be no strikes, boycotts of Union-picked grapes or lockouts. If any of said events occur, the officers and representatives of Union and/or Company, as the case may be, shall do everything within their power to end or overtake such activity.

There are twenty-six sections in this contract. It wasn't the intention of the author to present all of them. Certain specific sections were presented

in an effort to show the scope and detail contained in the present day farm contracts. These sections vividly show the difference between contracts of today and the "contract" discussed in the historical chapter of this paper.

Composition of the Union:
Characteristics of the Farm Workers

For all practical purposes, the hired farm work force in the United States is composed of three main groups: regular workers; seasonally employed workers; and the foreign farmhands, mostly Mexican, brought in under a special program (P.L. 78) approved by Congress (See Table 3).

The 700,000 regular hired workers, those employed for more than 150 days a year by one employer, are almost all male; they take care of livestock, repair buildings, maintain equipment, drive tractors, and generally work without supervision. Frequently, they live on or near the farm where they are employed. About half of this group are hired by the largest farms; 48 percent of them are working for farms of more than 1,900 acres.^{65/}

The million seasonal farm workers normally work less than 150 days in a year, and they work for more than one employer. They do work that can be completed in a short time and are usually paid by the day, hour or piece. They clear land, lay fertilizer, chop, weed and do the harvest work -- cutting, picking, packing and toting. Forty-eight percent of all hired seasonal workers were employed on the two largest groups of cotton and fruit-and-nut farms in Texas, California, Arkansas, Mississippi, Louisiana, Tennessee and North Carolina.^{66/}

The seasonal farm workers split into three main groups: the larger groups of local day-haul employees, who may go out with a different farmer each day and are picked up by trucks from a central employment point; and the much smaller number of migrants, mostly employed by labor contractors in the South and West and by crew leaders in the East. The contractor or crew leader take the migrant

Table 3.

Estimated Employment of Seasonal Hired Agricultural Worker
By Type of Worker
 United States, January - December, 1968
 (Thousands of Workers)

Type of Worker	Employment											
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
All Types	256.6	271.8	288.4	377.1	611.2	930.5	976.8	1,007.9	814.4	696.6	388.9	295.9
Total Domestic	247.9	264.4	282.1	374.1	611.2	930.5	976.8	1,007.9	812.7	692.8	384.5	287.4
Local Migrant	212.5	225.9	241.4	314.3	496.0	726.6	768.5	772.3	610.3	557.8	336.7	242.5
	35.3	38.5	40.7	59.8	115.2	203.9	208.3	235.6	202.3	134.9	48.0	44.9
Intrastate Interstate	16.0	17.6	20.1	26.0	42.1	54.6	62.6	65.9	60.6	46.5	24.5	27.3
	19.3	20.9	20.7	33.8	73.1	149.3	145.8	169.7	141.7	88.4	23.1	17.6
Total Foreign	8.6	7.3	5.0	-0-	-0-	-0-	-0-	-0-	1.7	3.8	4.4	8.5
British, W. In.	8.6	7.3	5.0	-0-	-0-	-0-	-0-	-0-	1.3	2.7	4.4	8.5
Canadian	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	.4	1.1	-0-	-0-

Note: Due to rounding, figures may not add to totals.

Source: Presented in Report of the Committee on Labor and Public Welfare, Senate, 1969, taken from U.S. Department of Labor, Bureau of Employment Security.

from farm to farm along the migrant stream.^{67/} These latter two types of workers are frequently categorized as migratory labor.

Migratory workers differ little in age and sex from other hired farm workers. In 1967, half were under 25 years of age. A fourth were teenagers, 14 through 17 years old. Only 38,000 people past the age of 34 continued doing farm wage work.^{68/}

The migratory farm wage force of 1967 was predominantly male in all age groups. Only one-fourth of the migrants were female. Participation by women varied by age and was greatest for those between the ages of 25 to 54. Nearly half of all female migratory workers were in this age group. Among workers, ages 14 through 17, boys outnumbered girls three to one.^{69/}

The large number of Spanish-speaking Americans performing migratory farm work in the central and western areas of the United States, together with the English-speaking white migrants from the South, make the migratory work force predominantly white. The nonmigrants farm work force is also predominantly white, but it contains a slightly larger proportion of nonwhites.

Although some migratory farm work was done in almost every state, half of the total man-months of migratory worker employment in 1967 occurred in five states: California, Florida, Michigan, Texas and Washington (See Table 4). In December, 1965, 40 percent of the migratory workers were living in the geographical region extending from Texas east to the Atlantic Ocean and north through Maryland and Delaware. The remaining workers were about equally distributed in the northern and western regions of the United States.^{70/}

The Unions

The two best examples in the United States of enduring collective bargaining relationships covering farm workers are the Amalgamated Meat Cutters and Butcher Workmen -- agreement with Seabrook Farms, one of the largest growers in New

Table 4. Estimated Man-Months of Migratory Labor, by State, United States, 1968, and Change From 1967

State	Thousands of Man-Months of Migratory Worker Employment ^{1/}	
	1968	Change From 1967
U.S.	1,368.9	-40.9
California	349.4	+36.9
Florida	144.7	+15.2
Michigan	119.4	-17.4
Texas	74.4	+ 3.4
Washington	58.2	-10.9
New Jersey	55.7	- 1.9
New York	50.3	-11.8
Ohio	49.9	- 2.2
Oregon	48.7	- 8.7
Other States	418.2	-43.5

^{1/} Based on midmonth employment. The 1968 figures include preliminary data for the month of December.

Note: Due to rounding, figures may not add to totals.

Source: Presenting in Report of Committee on Labor and Welfare, Senate, 1969, taken from U.S. Department of Labor, Bureau of Employment Security.

Jersey -- and the International Longshoremen's and Warehousemen's Union contracts covering almost all the agricultural workers in Hawaii.^{71/} In Hawaii, agricultural workers have collective bargaining rights under the Hawaii Employment Relations Act; and their efforts to win recognition are further aided by a tight labor supply, the employer's previous experience in dealing with unions and the desire of the ILWU to control both the docks and the source of production -- the field.^{72/}

The United Farm Workers Organizing Committee resulted from the 1966 merger of the Agricultural Workers Organization Committee (AWOC) of the AFL-CIO and the independent National Farm Workers Association.

The organization presently is comprised of about 20,000 dues-paying members (\$3.50 a month). This just barely covers expenses. Most of the farm workers pay dues only about three or four months of the year.^{73/} Some help comes from the AFL-CIO unions, the UAW and a lot of contributions. But, there is still not enough money, yet, to give anyone a salary.

While most unions are concerned almost solely with employment conditions, UFWOC concerns itself with its members' living conditions as well. Although the union's primary emphasis is on improving working conditions, it is also concerned with the health, education and general welfare of its members.^{74/}

The Teamsters also attempted to organize the workers in the grape fields. It is generally believed that the Teamster Union was more acceptable to the growers than was UFWOC because it looked and acted like a traditional union, while UFWOC had the overtone of a civil rights movement. But, the Teamsters lost several representation elections to UFWOC; and the two organizations now have an agreement on job jurisdiction.^{75/} For a time, intense rivalry flared up between the two unions; but this ended when the Western Conference of Teamsters and UFWOC signed an agreement delineating jurisdictional rights in agriculture. Under this agreement, UFWOC will have the sole right to organize field workers,

while workers in farm-related processing plants will come under teamster jurisdiction.^{76/} It was also agreed that certain workers who do not come under either category could be organized by either union, with the proviso that neither union would interfere if the other started organizing workers in any of the unclaimed categories. (It should be noted that this agreement is in effect only in those areas served by the Western Conference of Teamsters and is not binding on the Teamsters Union as a whole.)^{77/}

In Florida, crew leaders, themselves, provided the initial impetus for unionization with the establishment of the United Agricultural Workers of America (UAWA), which quickly affiliated with the International Laborers Union AFL-CIO. The union membership drive culminated in the spring of 1966 with about 700 of the 2,000 crew leaders and about 10,000 field hands signing up.^{78/} After two unsanctioned and unsuccessful walkouts, the field workers were then organized in the Packinghouse and Allied Workers of America (AFL-CIO). The union has not yet demonstrated that it can organize transient farm workers into a disciplined and cohesive unit for effective union action. This may be due to a lack of grassroots leadership of the caliber of Cesar Chavez. If the union can maintain its membership, however, it may feel ready for a confrontation with industry. And, if it succeeds in gaining recognition status and achieves a contract, then increased union activity can be anticipated in other eastern states, particularly New Jersey.^{79/}

In the Southwest, the Texas melon harvesters' strike provided a test of the staying power of farm unions. The Independent Workers Association (IWA) began the strike in June, 1966. In 1967, the IWA affiliated with UFWOC, but was unable to prevent the harvesting of a bumper crop. But, their efforts encouraged other groups; and this aided Arizona's Farm Laborers Association and other union efforts in the Southwest.^{80/}

In the Midwest, the United Workers (Obreros Unidos), organized by Jesus Salas, was unsuccessful in its initial bid to gain recognition as the collective bargaining agent for potato workers in Wisconsin. The effort was poorly timed as the strike occurred late in the 1966 season. The following year the union won a representation election at Libby, McNeil and Libby. These and subsequent developing had great influence on organizational efforts in the Midwest. In addition, some grassroots organization efforts directed toward labor-intensive crops has occurred in Michigan and other states where large-scale industrialized farming systems have developed.^{81/}

The author regrets that data concerning number of locals per union and membership figures were not presented. But, these data could not be obtained.

Types of Products

The types of crops that farm unions are having some success with are those that are classified as highly perishable and critically seasonal. The bulk of these products are either fruits or vegetables, but there are others. The following list will show those crops that the unionizing efforts have been directed toward. Fruits: Citrus, apples, peaches, strawberries, cherries, berries; Vegetables: Beans, potatoes, peas, sugar beets, tomatoes; Others: Cotton, rice, nuts, hay, tobacco, wheat, corn and small grains.

The farmers' need for peak-season labor has been one of the reasons for farm unions' success against those farmers who grow the crops discussed in the preceding paragraph. Highly perishable crops, such as blueberries, tomatoes or strawberries, must be harvested and harvested within a relatively limited amount of time. Delay spells tragic economic consequences not only for the farmer and his employees but for the entire agricultural and rural economy and the nation's food supply.

Since most farm strikes are called during the peak-season, justification is given for opposition to organized farm workers.

Chapter III Footnotes

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76/ Ibid., p. 14.

77/ Ibid., p. 14.

78/ Ibid., p. 14.

79/ Ibid., p. 15.

80/ Ibid., p. 16.

81/ Ibid., p. 16.

CHAPTER IV

Specific Factors Affecting the Unionization Effort

Many factors have had an effect on the unionizing efforts of U.S. farm laborers. Some have been presented throughout the preceding portions of this paper; but this chapter intends to present a more detailed look at those factors that may have been only slightly touched upon, or missed all together.

Efforts of the Church and Other Outside Forces

In most areas where the unionization efforts are really strong, the church has played a big role in organization and as a source of moral support. This has been especially true in California and the South. In the South, there was some confusion in the beginning about just what unionism was. One early member commented, "When they first started talking about unions, I thought it was a new church." Union meetings did have elements reminiscent of church services, since, for many members, the church was the only organization they had ever had contact with.^{82/}

In California, the church was placed in a precarious situation. This was especially true of the Roman Catholic Church. The farm workers (mostly Chicanos and Catholics) believed that the church should give them total support in their efforts against the grower. However, on the other hand, the growers, ranchers and farmers feel that, since many of them are also members of the church, it would be unfair for the church to take a stand against them in favor of the farm worker. In fact, many of them believe that the church has over-stepped its bounds by getting involved in the struggle at all. This brought about a confrontation with the churches -- those for the workers and those against.

Nevertheless, even with the difference of opinion within the church, much of the UFWOC success in obtaining contract agreements with the farmers can be

attributed to the direct participation of the clergy -- ministers, priests, rabbis and nuns -- who not only urged congregations to support the striking unions but themselves joined the strikers on the picket lines and in a march to the state capitol at Sacramento. Not all clergymen supported the strike, however; some -- particularly those in the immediate area -- have condemned both the strikers and the clergy supporting them.^{83/}

Those clergymen that denounced church involvement in the labor conflicts do so on the ground that it is not the function of the churchmen to organize farm workers. They feel that picketing and marching are the roles of the laymen and not that of the church.

Problems Faced by Management

That farmers are, generally in the United States, including the small farmers hiring little or no labor, strongly opposed to the entrance of unionism into agriculture needs no documentation. What is important here is the reason for this opposition.

The problems of farm labor are so different from those of industry that, while farmers have no quarrel with the aims of the legitimate industrial labor unions, they are opposed to the unionization of farm workers. The main differences are as follows: Owing to the perishable nature of his crop, a farmer cannot afford to have his harvesting delayed while negotiating with strikers. A week's delay could destroy his whole year's income and the much larger amount he has spent in producing his crop.

One, and perhaps the most crucial, problem that farmers face is the fact that they, as a group of producers, are not able to pass on their increased cost to the consumers, for they are already getting all they can for their products. Of course, this is not the case with all farmers. Those farm firms that have reached a scale of operation large enough so as to be able to influence

the supply of a commodity can raise their prices to a certain level because of the interacting forces of supply and demand. But, for many small farmers, if they raise worker's wages, this would mean that their annual income would decrease by the amount of the increase in wages. Because they can't affect prices that they receive for their commodities, the best they can do is to raise wages as the prices for their products rise.

Changing Nature of Agriculture

The nature of agriculture and farm production has changed considerably over the years. As far as it affects the unionizing effort, the most important changes have been specialization of farm production, larger farms and fewer producers, labor supply and, perhaps most important, are the technological innovations in labor-saving machinery.

Massive machinery, scientific fertilizers, power-produced irrigation, airborne crop dusters and similar phenomena produce more fruitful crops with much less physical effort by far fewer men.^{84/}

Thanks to a fertile, progressive technology, the average U.S. farm worker is 110 percent more productive than he was 25 years ago; and so 37 percent fewer farm workers, putting in fewer hours, are producing 54 percent more than U.S. agriculture produced 25 years ago. The chances are that farm production in 1980 will have more than doubled since 1930, while farm population will have declined by nearly half.^{85/}

Mechanization of farming has increased the inducement to increase the size of farm operations. The cost of new machinery and the rising cost of wages has made it economic suicide to work on a small scale. One result is the merger of farms into larger units.

Not only is there a tendency toward fewer but larger farms, but the large farms have continued to account for a more important share of total agricultural

Farm population has been declining steadily in the United States since its peak in the mid-thirties. It is now less than 7 percent of our total population. By 1980, it will probably be 3 percent or less of the country's expected total population.

The number of farms reached a peak in 1920 and then started to decline. The decline was arrested in the 30's when, during the Great Depression, people returned to farms briefly as urban employment slackened; but following the recovery, the downward trend continued. In 1964, only 1,8 million farms sold products valued at \$2,500 or more; less than 900,000 sent products to market with a value of \$10,000 or more. It is safe to say that the number of farms will continue to decrease; and by 1980, the total of economically productive farms probably will not exceed 500 to 600 thousand.^{87/}

Crop specialization has shortened the seasons of farm activity and reduced the need for a year-round hired hand; but it has created the new need for a large labor supply available for short seasons of cultivation or harvest.

There has been quite a bit of labor-saving machinery substitution in agriculture. This is especially true with the larger farms. With specialized farming, increased size of farms and the cost of labor, technological advancements have made it quite profitable to substitute machinery for labor wherever possible. With a large enough operation, mechanization has proven to be cheaper than hand labor. Mechanization has made it possible to increase production with fewer man-hours needed because one man can do more. Advancements in specialized technology have really been an important factor in agriculture, especially in those farming operations that were labor-intensive before the introduction of

the new machinery. As said before, substitution of capital for labor is done quite freely by the large farmers because the top 9 percent of all farms pay more than 70 percent of the total annual wage bill. More than 30 percent of all expenditures for hired farm labor is made by one-half of one percent of the very largest farms.^{88/}

Brewster argued that mechanization in agriculture has been quite different than mechanization in the industrial sector. In the industrial sector, it led to a higher degree of functional specialization in the use of labor; and the laborer became, essentially, an extension of the machine, performing highly routinized tasks with little or no skills other than manual skills required. In agriculture, however, mechanization has not led to such functional specialization. There has been little or no use made of assembly line technique in agriculture; and the laborer has, essentially, the range of functions to perform as he did prior to mechanization. And, a major contribution of mechanization has been to lighten work loads and improve the timeliness of farming operations.^{89/}

Because of specialization and mechanization, the farm worker has had to become more of a skilled laborer than before.

Unionization will become increasingly feasible as total production becomes increasingly concentrated in fewer farms, and if operators and family labor should make up a smaller fraction of the labor force on the individual farm unit.

A number of studies have shown the role of unemployment in the nonfarm sector in determining the migration rate from agriculture. A high level of aggregate demand, with unemployment down to around 4 percent, makes for a rapid outflow of labor from the agricultural sector; whereas, a higher level of unemployment keeps the labor supply demand up in agriculture.^{90/}

We can see the effects of this most in 1965 when average farm employment declined 3 percent from 1964, the largest decline of record for any one year. Farm wage rates, on the other hand, increased 5 percent from 1964. A year-to-year advance of this size has been recorded in only one year since 1951-52, when pressures of the Korean War contributed to considerable increases.^{91/}

Adjustments of this magnitude continued into 1966. The number of workers on farms during the survey week of April 17-23 was 7 percent below what it had been in the same period of the previous year. And, farm wage rates were 10 percent above those of the same period in the previous year. The reduction in the labor force for the first 3 months of 1966 was also 7 percent.^{92/}

All of the things discussed in this chapter have had a definite effect upon unionizing efforts, both positive and negative effects. Perhaps, the most important effects have come from the changing nature of agriculture.

Chapter IV Footnotes

82/ Mark Day. "The Churches and the Struggle", Forty Acres, (Praeger Publishers: New York, 1971), p. 53.

83/ Monthly Labor Review. Collective Bargaining, (Jan. - June, 1968, Pt. 1), p. 8.

84/ U.S. Congress, Senate Committee on Labor and Public Welfare. The Migrant Farm Worker in America, 86th Congress, 2nd Session, (Washington, D.C.: Government Printing Office, 1960), p. 4.

85/ Ibid., p. 5.

86/ Ibid., p. 6.

87/ CAED Report 29. Changing Agriculture and Its Demands for Capital Equipment and Management, (Iowa State University of Science and Technology, Ames, Iowa, 1967), p. 12.

88/ National Advisory Committee. Farm Labor Organizing 1905-1967, p. 7.

89/ CAED Report, Changing Agriculture and Its Demand for Capital Equipment and Management, p. 47.

90/ Ibid., p. 45.

91/ Ibid., p. 46.

92/ Ibid., p. 46.

CHAPTER V

An Appraisal of Future Prospects of Unionization
in United States Agriculture

The unionization of agricultural labor has been, and will continue to be, difficult, largely because of the geographic distribution of the industry and the attendant difficulties in policing. The effect of unionization will depend, in large part, on the form it takes and on the individual situations of the employers.

The establishment of labor unions will probably lead to a great deal more rigidity in agricultural wages, especially on the downward side and may lead to the appearance of somewhat more unemployment among farm employees as weather and product demand fluctuations shift the demand for labor. This effect will be in addition to the upward pressure on wage rates, which the union will exert.^{93/}

Future Prospects of Agricultural Unionization

Hired farm workers are most likely to try to organize where they are concentrated in a fairly limited area over considerable periods of time or moving in stable groups over the same routes year after year.^{94/}

They are more likely to turn to unionism and to develop the necessary leadership for effective common action where they have achieved some degree of awareness of their permanency in agriculture and of the common nature of their problems. Other unions, or past experience with unions, may also be a contributing factor. The more homogeneous the farm labor group in background, language and perspectives, the more likely that an organization of them will succeed.^{95/}

In general, farm laborers possess few of the strategic skills that have figured so largely in the persistence of trade unions in manufacturing and construction. On paper, the seasonal nature of farm production and the necessity

of performing tasks at definite times, give farm workers a patent bargaining weapon. In practice, it does so only if this weapon is very circumspectly used because of the opposition of employers and the public generally to the use of the strike weapon in this way.^{96/} The administrative and financial problems of maintaining an effective union are considerable. It is likely that the trade union movement, as a whole, will need to subsidize its agricultural branches at least in part and at least for some time after their initial establishment.

While there is a possibility that more nonagricultural labor unions will enter this field, it must be concluded that, in the immediate future, agricultural unionism will have to depend upon the agriculture workers themselves. The best chance for success and general acceptance of unions of many types of farm workers is for them to learn to function much in the manner of farm labor contractors. Thus functioning, they will have valuable services to offer to both workers and to employers.

Many of the problems now militating against organization would be solved in considerable part by the bandwagon effect of unionism, once a really successful organization is established. At best, the lack of full legislative protection leaves agricultural laborers unprotected from the opposition of their employers to unionism; the most important possibilities of organization depend upon changes in the legislative climate.^{97/}

The areas where organization is most likely, on the basis of past trends, are those where the industrialization of agriculture and of the working force has proceeded farthest. Specifically, this included California and Florida and areas of labor-intensive farming near industrial centers, such as a New Jersey vegetable farm or large dairy farms near cities.^{98/}

Both the range livestock area and the Delta plantations also have possibilities of union organization; although, in each case, certain special problems of at-

itudes must be overcome. In general, the full development of rural unionism must be considered to depend upon the acceptance on the part of rural workers of their identity as a group, at least on local levels, and of collective action as a legitimate and useful means of achieving their common ends.

Given the experience and practices of the past when sufficient labor was usually to be had without resort to agreements with unions, the motivation of farm employers to preserve the status quo is considerably stronger than is the motivation to experiment with possible alternatives.

While sporadic protests against certain specific situations have enlisted short-run support, long-run perspectives and interests have not had sufficient vitality to support unionization and to seek reforms. Like many general rules, there are exceptions; in this particular case, Hawaii is an exception to the rule.

Two types of changes are now under way that may affect the unionization efforts by bringing alternatives in employment practices and in the labor relations of agriculture: (1) the mechanization of hand labor tasks and (2) the awareness of farm workers.

Until recently, the mechanizing of agriculture was largely concerned with substituting mechanical power for draft animals and was concentrated on land preparation and preharvest tasks, to the neglect of human hand labor tasks. Now, hand labor tasks are the center of engineering interests. The years ahead promise to bring great changes in hand labor methods and needs. Concurrent with the decrease in hand labor, there is an increase in more attractive and more skilled jobs in the operating and maintenance of the new equipment. Depending on how much mechanization occurs, farm wages could increase rapidly. If enough labor is displaced by mechanization and off-farm employment can be obtained, thereby reducing the total agricultural labor supply, then the forces of supply

and demand should interact to force the price of wages up. No one dares to say that they know exactly what effect these developments will have on the unionization effort.

As mentioned earlier, the effect of unionization will depend, in large part, on the form it takes and on the individual situations of the employers. H. G. Lewis makes a distinction between competitive unions and monopoly unions.^{99/} Competitive unions tend to organize the labor of an individual firm and provide a systematic basis for establishing the rules of employment. Such unions provide a service to the firms in that they make for economy in hiring personnel, in establishing rates of pay and in establishing the other conditions of employment. Moreover, they do not, in general, restrict the supply of labor as a means of exploiting a monopoly position.

Monopoly unions, on the other hand, in addition to establishing work rules are also in the position of restricting the supply of labor offered; and, thus, gain a monopoly return. Such unions are typically organized on an industry-wide basis and generally ration the supply of labor offered through some licensing procedure, generally with the explicit or implicit support of the government -- the latter obtained through some guise of protecting the public, such as housing codes, safety codes or health.

Clearly, the relative wage or employment effects of unionization in agriculture will depend on which of these forms it takes. The creation of an industry-wide union, with power to ration job opportunities, would have a larger wage effect than a competitive union established to facilitate the establishment of work rules and conditions of employment. However, the individual situations of the employers are also important in evaluating the impact of unionization. If the employer is a monopsony purchaser of labor and is, thereby, purchasing less labor and at a lower wage than if he were hiring in a competitive market, the creation

of either a competitive or a monopoly union could have sizable wage and employment effects, either one tending toward the position of a competitive solution.^{100/}

If the firm is hiring labor in a competitive market, the formation of competitive unions will have little or no effect on relative wages and employment but will lead to standardization of hiring and firing procedures and other rules of employment. The formation of a monopoly union will destroy the competitive market in which the firms hire labor and, by definition, would lead to higher wages and the availability of less labor.^{101/}

Another possibility for the firms is that they be monopoly sellers of their product. This situation lends itself especially well to the establishment of a monopoly union; and the fruits of the product monopoly are shared, then, between the firm (or firms if it is a cartel) and the labor union.

The new day in farm labor is approaching. It will bring many problems. The most important factor in the farming of the future is probably the farmer's ability to get along with their help.

It is quite possible that legislative response to an aroused public conscience, rather than the rural power of union organization, will be the ultimate means of improving employer-employee relationships in the agriculture industry.

Chapter V Footnotes

93/ Ibid., p. 45.

94/ Morin. Organizability of Farm Labor in the United States, p. 101.

95/ Ibid., p. 101.

96/ Ibid., p. 101.

97/ Ibid., p. 102.

98/ Ibid., p. 102.

99/ Presenting in CAED Report 29. Unionization, pp. 43-44.

100/ Ibid., p. 44.

101/ Ibid., p. 44.

CHAPTER VI

Summary and Conclusion

The history of agricultural unionization is full of reports about violence and turmoil; this has been the case on both sides of the fence. Both labor and management are guilty of disrupting the flow of agricultural products coming to the market. History also tells us that a number of different nationalities have tried to put together viable collective bargaining groups in agriculture. Some of these groups have been composed of Chinese, Japanese, Hindustani, Filipinos, Mexicans, and Americans. Most of the earlier attempts at organizing were defeated themselves before they ever got off the ground. They were plagued with language barriers, racial jealousy, ignorance about the purposes and goals of collective bargaining and other general organization problems.

Many people have advanced the theory that exclusion from some laws and legislation is the reason for most of the trouble that has been occurring in agriculture's labor relations, especially exclusion from coverage under the National Labor Relations Act. However, there are also those that don't want to be covered by the NIRA. One person that is against such coverage is Cesar Chavez. He argues that coverage under the Wagner Act would be more beneficial to the farm worker. Whether this is true or not is questionable; but regardless of whether it is or is not true, steps are being, and have been taken to include agriculture under the NIRA, especially in federal legislation. Currently, most states have some type of legislation, either on the books or in process, that is designed to improve the condition of the farm worker.

The farm worker is covered under legislation concerning housing, education, minimum wages, workmen's compensation, social security and health and welfare in most states by law, statute, or in very many cases, he is covered voluntarily by an employer.

However, no states, except Hawaii, have laws giving agricultural laborers collective bargaining rights. Some contracts have been negotiated in a collective bargaining manner, but these have primarily been the result of coercive activity.

Unionization of agriculture has been greatly affected by the changing nature of agriculture. U.S. agriculture has changed from one of many independent family owned and operated farms to larger farms and few producers, from diversified farming to specialization in operation. Today, mechanization of farm production is at the highest point ever obtained. This mechanization has had a profound effect upon farm labor because it means that one man can do much more work than he could before. Economies of scale and size and the rising cost of labor has lead to widespread adoption and use of technological innovations. This is true, more than ever, with specialty crops that are labor-intensive.

By striking or threatening to strike, groups of workers have had some success in obtaining collective bargaining agreements. Perhaps, the reason for this success is the fact that the strike power was directed at commodities that were seasonal in nature, labor-intensive and perishable. It's really hard to determine how effective a strike is because it alienates consumers, farmers and even some of the farm workers themselves.

The present day contracts signed between producers and workers are very extensive, both in scope and detail. They attempt to cover any conflict that might occur between labor and management.

There are several agricultural unions that appear to be fairly stable in both leaders and followers. The ones that are being referred to are: the United Federated Workers Organization Committee (UFWOC), under the leadership of Cesar Chavez in California primarily; the United Agricultural Workers of America (UAWA) in Florida; the Packinghouse and Allied Workers of America (PAWA); the Independent Workers Association (IWA) in the Southwest; the United Workers (UW), under the

Leadership of Jesus Salas; the Amalgamated Meat Cutters and Butcher Workmen (AMCBW) in New Jersey; and the International Longshoremen's and Warehousemen's Unions (ILWU) in Hawaii.

When talking about agricultural unionization, one must also consider the situation of the producer-management. Most farmers are faced with a market dictated price, especially small farmers. They must take the price offered for their commodity and adjust their operation accordingly. A wage increase must be paid out of the price given, thus reducing his share of the income received. Even though some large farms can affect the prices that they receive, they are still affected by a rising wage rate. This, coupled with the fact that many agricultural crops are perishable, makes it quite clear why many farmers are against the unionization of farm labor. It has been said that unions could be good for both the worker and the employer, but farmers are still skeptical.

It is generally believed that the unionization of agriculture will continue. The effect of this unionization will depend upon the structure of the union and the structure of the farm firm. It depends a great deal on whether the union is competitive or monopolistic in nature. It also depends on what structure the firm assumes and how the firm and union interact together. No one knows exactly what structure will be assumed by either party. But, what is generally agreed upon is that, in any case, the wage rate will rise to some extent.

Because of current trends in mechanization and specialization, the farm worker will have to acquire certain skills that were not needed in earlier days. He must be able to understand, operate and care for the new equipment and be able to safely use chemicals. This has already lead to the displacement of some workers, thereby increasing unemployment in the agricultural sector of the economy. This unemployment isn't just bad for agriculture, but it affects the nation as a whole.

Can a union even continue to exist if it is not acknowledged by the employer involved? The near-hundred-year-history of farm labor unions attests to the fact that they cannot survive in a dynamic way unless some foothold is secured in the traditional collective bargaining process.

The principle of collective bargaining can, and has, worked in the agricultural industry of the United States. Contracts have been in existence for a number of years where the employers voluntarily agreed to bargain with a democratically chosen representation of their employees. In California, for example, several major wine grape growers have entered into collective bargaining agreements with farm labor unions. The long history of successful collective bargaining in the sugar and pineapple industry in Hawaii is a further testament to the fact that collective bargaining in agriculture can work.

In 1935, this nation adopted the principle that the key to labor management relations peace was collective bargaining. That principle has worked in large measure, except in the one industry that is precluded from the application of that principle. In agriculture, instead of constructive give-and-take bargaining around a conference table, resulting in compromise and accomodation without conflict, our entire society must suffer the consequences of an economic warfare.

The importance of agriculture as one of the nation's major industries, coupled with its critical effect on all our lives, further evidences the need for maintaining equitable and stable employer-employee relationships. Not only will the struggle in California and Texas undoubtedly spill over into other agricultural states but such agricultural strife is also aggravating to the entire community, for

it affects free production, farm profits, workers' earnings and the general flow of farm products to the consumer.

Limitations of Study

This paper was limited to secondary material and had a broad scope. The reason for this limitation is because original data were not available, and this was coupled with the fact that there was a time and financial constraint that had to be taken into consideration. In addition to the above-mentioned limitations, there is even somewhat of a scarcity of secondary material that deals specifically with problems, effects and implications of unionism in the agricultural sectors of the economy. Original data from a specific situation, economically analyzed, could be fruitful in that it would be a scientific study of the actual effects of farm workers unionization on farmers' profits, farm production, agricultural employment and product prices to consumers.

One study of this nature probably wouldn't have much value, but a number of studies using original data could prove to be invaluable to agriculture and the national economy.

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