

'Right to Work' Forces Shifting Tactics in State

Apparently spurred on by the taste of blood with the passage of the Landrum-Griffin bill by Congress this year, the Citizens Committee for Voluntary Unionism is shifting its drive for a so-called "right to work" law back into the legislative arena in Sacramento.

The "voluntary unionism" committee was one of the sponsors of Proposition 18, rejected by the voters in the 1958 general election.

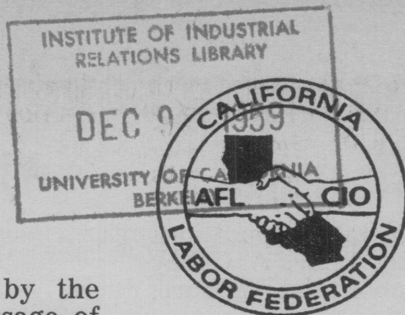
Robert Tevlin, executive secretary of the committee, said in a recent "dear co-worker" letter:

"We are organizing county committees who will be politically active throughout the county on a non-partisan basis to elect to the state legislature men who will protect their future security through proper labor legislation — namely, voluntary unionism."

The "open shop" executive secretary told his co-workers, "If a candidate for Assemblyman refuses to do this, deny him your support, be he Republican or Democrat."

Tevlin said that a meeting of members of the Citizens Committee for Voluntary Unionism from each county will be held in the near future.

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C. J. HAGGERTY
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Consumers Facing Multi-Million Dollar Steal on Fresh Meats

Consumers who buy meats at self-service counters are facing a multi-million dollar gouge under mounting pressure by large retail food chains to permit "weight tolerances" on fresh packaged meats.

The State Department of Agriculture is showing evidence of weakening under the pressure.

Under a bill passed by the 1957 state legislature, the Department has scheduled hearings for December 15-17 in Sacramento for the establishment of weight tolerances for "packaged and processed foods". An item has been added to the agenda to consider the possibility of extending the tolerances to fresh meats.

The California Labor Federation and the Butchers have been fighting to protect consumers. The issue boils down to this:

A pound of fresh packaged meat loses as much as an ounce of

weight over a day or two of being packaged in the self-service counter. The lost weight is absorbed in the blotter under the meat. If tolerances are allowed, the pricing can be made at the time of packaging, and the consumer has to absorb the lost weight through his pocketbook when he buys the meat a few days later.

Max J. Osslo, a Federation Veep and President of the Western Federation of Butchers of California, estimates that fresh meat tolerances would cost the consumers of San Diego alone in the neighborhood of \$2 million or more a year. Statewide, the gouge would be many times this figure.

Developments leading to the current threat date back to the 1957 general session of the legislature when the State Department of Agriculture proposed the weight tolerance bill. The broad language of the bill originally introduced clearly applied to packaged fresh meats, although the Department claimed such was not its intent.

Under Federation pressure, restrictive language was amended into the bill which the Department of Agriculture agreed could not be interpreted to apply to fresh meats. The intent of the bill as enacted therefore was to deny the Department even the authority to consider the establishment of meat tolerances.

Nevertheless, pressure of the retail stores on the Department to read fresh packaged meats into the restrictive language continued. It

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Discrimination by Real Estate Brokers Held Illegal

The Unruh Civil Rights Act passed by the legislature this year applies to all business establishments, including the businesses of real estate brokers and salesmen, Attorney General Stanley Mosk ruled last week.

In an opinion rendered to Assemblyman John A. O'Connell (D, San Francisco), Attorney General Mosk pointed out that the legislature at the 1959 session amended Civil Code section 51 to read: "All citizens . . . are free and equal and no matter what their race, color, religion, ancestry or national origin are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever."

Prior to the amendment, the section referred only to the limited number of business establishments specifically named in the code— inns, restaurants, hotels, eating houses, places where ice cream or soft drinks of any kind are sold for

consumption on the premises, barber shops, bath houses, theatres, skating rinks, public conveyances and other places for public accommodation or amusement.

The opinion states: ". . . the phrase 'business establishments' as used in section 51 as it now exists includes any and all business organizations, entities, or enterprises in this state."

In answer to a specific question regarding the application of section 51 to real estate brokers and salesmen, Attorney General Mosk

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Public Indignation Over Farm Labor Conditions Growing

State Senate Committee Opens Hearings

The gathering storm of public indignation over farm labor conditions began to take form in Sacramento recently as State Senator James A. Cobey opened hearings of his Fact-Finding Committee on Labor and Welfare, November 16 and 17.

The committee hearings are the result of a Senate resolution ordering a study of "all facts relating to all phases of farm labor problems."

The opening round was designed to permit selected groups, particularly governmental agencies, to submit background information prior to more detailed investigations later. The California Labor Federation, AFL-CIO is tentatively scheduled to testify early in 1960 along with other active groups on the farm labor front, including the California Citizens Committee for Agricultural Labor.

The clearest indicator of the mushrooming determination to stamp out the unparalleled wretchedness of farm employment conditions came from the spokesman for the traditionally truculent California Farm Bureau Federation. Its second vice president, Fred Heringer, who recently was deprived of his right to use Mexican nationals due to violations of Public Law 78, acknowledged before the committee:

"Society via state and federal agencies has served notice on agriculture there must be some decided improvement in transportation of farm workers, farm safety, field sanitation in food harvest, housing for farm workers, working conditions and wages for women and minors, use of domestic labor if employers use USES for imported labor, and minimum earnings per hour of employment."

The Farm Bureau official admitted, "Outside of citrus, little or no recognition is given for an equal pay scale for a unit of work under varying conditions. The lack of this type of pay schedule motivates labor to jump from farm to farm, job to job, seeking the highest pay . . ."

Heringer, however, was quick to dispel any doubts that a change of heart had taken place in his organization. He vigorously opposed vitally needed legislative changes and democratic collective bargaining practices, offering instead, suggestions for voluntary improvements by growers.

Louis Krainock and Henry Anderson testified in behalf of the AFL-CIO Agricultural Workers Organizing Committee's director, Norman Smith, as to the historic practice of California growers to recruit an excessive labor supply in order to keep wage rates depressed.

One example they cited was a July 1957 survey of Fresno County showing that 2,520 Mexican Nationals were working while 2,500 domestic farm workers were unemployed. Inclusion of farm worker representatives in the determination of whether or not foreign workers are needed was declared to be a minimal safeguard for domestics.

The AWOC spokesmen charged that the surplus labor supply often results in all workers being employed only for part of a day. On top of that, the piece work system of payment, combined with the callous indifference of growers, causes crews to sit idly in orchards for hours at a time waiting for boxes to be delivered.

Krainock saw the only solution

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State Labor and UI Codes Available

Revised editions of the state Labor and Unemployment Insurance Codes are now available from the state printing office in Sacramento.

The new codes, which contain all the amendments enacted by the 1959 session of the California legislature, cost \$1.50 each, plus 6 cents sales tax.

Copies may be obtained by sending a check in the amount of \$1.56 for each code to the Documents Section, State Printing Office, Sacramento 14, California.

Affiliated organizations are urged to purchase copies of these codes for ready reference.

Mitchell Again Urges Minimum Wage Protection

Stressing that migrant farm workers need "the protection of a minimum wage", Secretary of Labor James P. Mitchell last week scored "the powerful employer associations" for fighting improved worker conditions in a farm economy "where an employer can create a false labor shortage by offering unacceptable wages and then receive foreign workers to bring in his crops."

Mitchell's blunt remarks, made before a large farm labor conference in Chicago, were further indication of mounting pressure for government action on the farm labor front.

The two-day conference, sponsored by the Catholic Council on Working Life, a lay group of the Chicago Archdiocese, brought together 300 church, union, civic, farm and government leaders.

The conference discussed the problems of the two million men, women, and child farm workers, focused on the 500,000 migrants who average less than \$900 a year income, and dealt with the impact of the government's program of importing some 450,000 Mexican farm workers each year for growers.

In his address to the conference, Mitchell also took out after corporate farm interests which are trying to pit small farmers against labor by charging that any aid to migrant workers will harm small farmers.

The Secretary of Labor quoted the facts:

"More than half of all of the farms in America hire no labor at all, and those farms that do hire the bulk of labor, including migrant labor, represent a very small percentage of small farms—something like 5% of all farms in America spend 70% of all the money spent on hiring help."

Mitchell added that the important point for the small farmer to realize is this:

"Cheap wages on big farms cheapen his (small farmer) own

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More—State Senate Committee Opens Hearings

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to such profligate waste of manpower in the organization of the farm labor market through unionization, which will force growers to "replace waste and folly with efficiency and planning."

The AWOC officials foresaw the semi-mechanization of many harvest operations resulting from the stabilization of the farm labor market. They expressed support for technological progress on condition that workers share equitably in its fruits.

Department of Employment representative George S. Roche told the committee, "Despite the injunction of Public Law 78 to avoid adverse effect, no satisfactory course

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labor and worsen his own competitive position.

"If the large farm, which hires most of the labor in agriculture, obtains that labor at low wages, and works it long hours, then the work performed on the small farm by the owner and his family is of equally small value, as that value is determined in the market.

"A farmer who considers his own labor and that of his sons and neighbors worth more than the sum being paid by the larger farmer, will find his products driven from the market by the products grown by hired labor paid less."

Mitchell concluded on this point: "If the small farmer agrees with the spokesmen for some farm associations that hired help is worth no more than substandard wages, he is marking that price down on his own labor as well."

Among other participants in the conference was Archbishop Robert E. Lucey of San Antonio, a long-time advocate of farm labor action.

Lucey said that the exploitation of migrants is "inevitable" when the grower faces a temptation of "defenseless" workers at 50 cents an hour, when there is no union, and when there is no legal protection like the right to organize or wage-hour law coverage.

PHONEY "LABOR" PAPERS

It has been called to our attention that the following phoney papers, claiming or implying official labor backing, are soliciting ads in California:

California Union Labor Journal, operating out of P. O. Box 542, San Francisco.

American Labor News, operating out of 3950 West 6th Street, Los Angeles.

of action to prevent it has been developed up to the present time. . . . The key problem in adverse effect, of course, is that it depresses wage rates by affecting the interaction of supply and demand for labor."

Roche pointed out that 80% of all seasonal farm labor in Imperial County are Mexican Nationals. For other counties, the situation is as follows: San Diego (97%); Monterey (72%); Ventura and Yolo (about 67%); eastern Riverside (about 50%). The labor force for many state crops was heavily dominated

by Nationals: lemons (82%); tomatoes (73%); lettuce and sugar beets (over 60%); and asparagus (56%).

A small part of the adverse effect was seen in tabulation of wage rates paid by growers of nursery products around San Bernardino-Riverside-Ontario-Hemet. Of 113 domestic workers hired by users of Mexican Nationals, 62 were paid \$1.00 an hour while the rest received \$1.05 an hour. Nearby growers not using Nationals employed 109 workers, 31 of whom received \$1.25 per hour, 46 were paid \$1.10, and only 32 earned as little as \$1.00 an hour.

Varden Fuller, professor of economics at the Giannini Foundation, saw stabilization of the farm labor market and the maximization of work opportunities for domestic workers as being ultimately in the best interests of growers themselves. He advanced the suggestion that the labor needs of individual farms be pooled in order to employ workers more fully and effectively.

Fuller also urged that domestic workers be offered a contract just as is now done with foreign workers. He emphasized the great labor supply potential for summer months available from high schools and colleges if farm work conditions were favorable.

The former executive secretary of the President's Commission on Migratory Labor warned, however, that no constructive policies along these lines are possible unless the bracero program is committed to a specified termination date.

Other experts testifying at the hearing included officials of California Departments of Industrial Relations, Finance, Agriculture and Public Health. Statements were also made by various authorities from the University of California and the federal government.

Dr. Paul S. Taylor presented an analysis of the history of agricultural labor problems in California.

FORM 3547 REQUESTED

More--Discrimination by Real Estate Brokers Held Illegal

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stated: "The conclusion is that section 51 requires all citizens, regardless of race, color, religion, ancestry or national origin, be given the full and equal accommodations, advantages, privileges, and services supplied by real estate brokers and salesmen in regard to selling, transferring, renting, or rental managing."

The opinion points out that in a series of sections contained in the Business and Professions Code (Sections 10059, 10130, 10150.6, 10162 and 10163) the legislature has referred to persons engaged in real estate as being engaged in a business, and that it is, therefore, clear the legislature intended real estate activities to be included within the word "business" as used in the Unruh Civil Rights Act.

Opinion Hailed

Mosk's opinion was hailed by the California Committee for Fair Practices which campaigned for the passage of the Unruh Act (AB 594), as it pressed for a more far-reaching law.

At the same time, the committee, through Secretary William Becker, pointed out that this one law will not answer all of the problems which exist in the complicated field of discrimination in housing. It does provide legal recourse for a person discriminated against, Becker said, but it does not provide for any state machinery for working in this problem area to develop solutions without resort to the courts.

The Fair Practices Committee Secretary added that the opinion on the Unruh Civil Rights Act should not be seen in isolation, as it is part of a broad and aggressive program of Attorney General Mosk on behalf of civil rights in California.

One of Mosk's first actions was to create a Civil Rights Division in his Department, and to appoint Franklin H. Williams, former

regional head of the NAACP, to direct it.

The Attorney General threw the support of his department behind an openly declared campaign by Williams to attack discrimination wherever it was found.

In the operation of the Civil Rights Division under Williams, where cases of possible employment discrimination have been brought to the attention of the Attorney General's office, a procedure has been developed for providing two conciliation steps before referring the case to the FEP Commission for formal processing. These steps have consisted of calling the attention of the employment agency, the union or the employer involved to the existence of the law and possible violation of it, and then of offering to help work out a procedure for eliminating any discriminatory practice.

In this work, as with the widely reported American Legion 40 and 8 issue, the Attorney General has apparently been aiming at getting the people involved to solve their problems themselves within a reasonable amount of time.

People close to the civil rights front have hailed the Attorney General's new division as an additional weapon in the campaign against discrimination in California and a logical assist to the laws enacted with labor support at the last session of the California legislature.

Consumers Facing Big Steal on Fresh Meat

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was recently learned that the Department then sought an informal opinion from the Attorney General's office on the question.

Apparently ignoring the legislative intent, the informal opinion was

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ture, "at which time the members will appoint a county chairman and treasurer."

He urged all co-workers to "feel free to call on us to assist in making your committee a potent political factor in your county."

Tevlin's letter was in the nature of an appeal for reactivation of the "voluntary unionism committee".

Characteristic of Tevlin's appeal was the following language:

"... the committee fully realizes that everything of any consequence in this state and the United States has become subordinate to Union Labor Leaders.

"You and I know, Union Labor Leaders, by their acts, have severed nearly all of Labor's identity with the American People. Labor is now a separate entity, economically and politically, living by and through extortion. Labor does not exist any longer to serve the welfare of the Nation—only for the welfare of Labor Leaders—the anointed."

interpreted by the Department to give them authority on the meat tolerances.

Retail stores pressing the issue immediately followed up by an official request to the Department of Agriculture to include the consideration of such tolerances in the agenda for the forthcoming hearings.

The recent announcement of the agenda indicates clearly that the Department is yielding to the pressure of the retail interests, contrary to their declared intent at the 1957 legislative session.

C. J. Haggerty, secretary-treasurer of the California Labor Federation, AFL-CIO has informed the Department of Agriculture that representatives of the Federation will be on hand at the hearings to continue its fight to protect the interests of consumers in the state.