

Organizers win lawsuit against United Farm Workers for nearly \$1 million in stolen wages

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A California judge last week ordered the United Farmworkers of America (UFW) to repay nearly a million dollars in back wages to organizers it cheated out of their pay.

Monterey Superior Court Judge Thomas Wills found that over a period of four years the union had required 24 different employees to work over forty hours a week and over eight hours a day without proper compensation, did not provide paid meal breaks, and would routinely issue pay stubs that did not break down the hours worked.

The judge awarded the plaintiffs \$885,000 in damages and an additional \$235,000 in penalties. The lawsuit and judgment reveal the bankrupt character of the UFW, which functions as a for-profit business and treats its own employees as such.

The lawsuit originated in 2013 when former UFW organizer Francisco Cerritos was fired for alleged disciplinary infractions. Cerritos was a founding member of La Union Es Para Todos (The Union is for Everyone), an employee union within the UFW formed to bargain on behalf of the union's organizers. Cerritos was fired two weeks after the UFW signed a collective bargaining agreement with the new organization. In other words, the UFW used the same tactics against its own organizers that the farm owners use against farmworkers.

Cerritos, who worked as an organizer for farm workers in the Monterey region, told the *Los Angeles Times*, "It's shameful that a union that says it protects the human rights of farmworkers has been violating the rights of its own employees. It's a product of the new management of the UFW. They no longer represent the workers."

UFW officials vowed to appeal the decision. Giev Kashkooli, political and legislative director for the UFW, told the *Los Angeles Times* that the lawsuit had been funded by growers and claimed that Cerrito had been paid to disrupt union activities by "outside agents."

The union also claims that the law firm Noland,

Hamerly, Etienne & Hoss, which represented Cerritos and the other workers, has a conflict of interest due to the fact that it represents agricultural interests in other cases against the UFW. The courts rejected a similar argument by the union in a case last year. The UFW's claim that its organizers are "outside agents" expresses the anti-communism and nationalism of this right-wing institution.

Agricultural workers in the state of California, numbering in the hundreds of thousands, are among the most ruthlessly exploited sections of the working class. According to state law, farm laborers are supposed to earn minimum wage. In reality, the average farm worker, often subjected to the "piecemeal" method of payment whereby workers are paid according to the volume of produce they harvest, makes little more than \$11,000 annually.

These workers, who generate over \$40 billion in revenues every year and pick a large majority of the fresh produce sold in the United States, labor under abhorrent conditions. Working from dawn until dusk, farm workers are routinely exposed to hot weather, agricultural chemicals, insects and the brutality of the field supervisors. With a great number of the laborers being undocumented immigrants, they also have to live with the constant fear of deportation. These conditions are enforced by the UFW and for this the union is widely hated amongst farmworkers.

With a membership that once peaked at 60,000 members, the UFW has been reduced to a mere 7,007 members as of 2017. The union and its founder, Cesar Chavez, first came to prominence in 1966 when thousands of UFW members marched from Delano to Sacramento in support of striking farm workers in southern California. Fueled by a growing strike wave throughout the late 1960s, the UFW grew rapidly.

Allying themselves early on with the AFL-CIO, Chavez and the other UFW leaders consistently sought to limit the scope of the struggle of farm workers and channel it into

support for the union apparatus and the Democratic Party. Throughout the 1960s and 1970s, Chavez continuously advocated for policies that would divert agricultural workers into the Democratic Party. He developed a particularly close relationship with then- and current California Governor Jerry Brown.

Chavez led efforts in the late 1960s to purge the UFW of communists and other left-wing elements. In the early 1970s, the union initiated a campaign of terror against immigrant workers who crossed the border without papers. Under the racist name “The Wet Line”, the UFW spent \$80,000 a week sponsoring physical attacks by union thugs on migrant workers.

In the years that followed, whenever the movement of agricultural workers threatened to develop into a mass strike, Chavez could be counted on to advocate boycotts, fasting and other forms of protest politics that strengthened his position within the UFW and protected the profits of agribusiness.

Throughout the 1980s, the UFW’s membership continued to diminish as the union betrayed and isolated militant farm workers across the country. Today, the UFW, led by Chavez’s son-in-law, Arturo Rodriguez, functions as a business and labor contractor for the corporations. Its bureaucrats have enriched themselves through real estate, radio stations, and merchandise lionizing Cesar Chavez, while exploiting their own organizers. Leveraging the pension and health funds built up through decades of dues-paying members into different ventures, the Chavez family and others in their circle have grown wealthy on the labor of millions of farm workers.

Their attempts to skim the top from their own organizers’ salaries reflect the latest rock bottom experienced by this organization.



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