

TESTIMONY OF
FRANK E. FITZSIMMONS
GENERAL PRESIDENT
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN
AND HELPERS OF AMERICA
IN SUPPORT OF H.R. 4408
Monday, May 21, 1973

Members of the Subcommittee on Agricultural Labor of the House
Committee on Education and Labor.

I am Frank E. Fitzsimmons, general president of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, and appear here in support of H.R. 4408, the bill sponsored by Congressmen Sisk, McFall, Ketchum and Rhodes.

I am most grateful for the opportunity to present testimony to your subcommittee on behalf of the more than two million Teamster members on the question of collective bargaining for farm workers.

I come before you to address myself to the rights of farm workers -- not the the rights of the Teamsters or the United Farm Workers, or, for that matter, the rights of any other union.

I am most certain that this subcommittee sincerely appreciates that rights spring from a body of law. This great nation is established on a body of law, the foundation of which is the Constitution of the United States.

Without that great body of law there would be no order in our affairs. Without that great body of law there would be no rights, or certainly rights would be in danger of being abrogated or curtailed.

Since the clergy in this country has expressed much interest in the farm worker controversy and has taken an active role in support of the United Farm Workers' Union, I feel compelled to point out the obvious -- that the clergy is bound by a body of rules and regulations which we call Canon Law.

Another obvious fact -- which unfortunately many have chosen to ignore -- is that collective bargaining in this nation is established according to a body of law. It began, in the main, with passage of the Wagner Act. That body of law has been enlarged to include the National Labor Relations Act, and subsequently amendments popularly called the Taft-Hartley and the Landrum-Griffin Act.

Yet, despite this nation's rightful affinity for conduct of its' affairs according to a body of law, despite this nation's rightful insistence that rights be protected by law, collective bargaining in agriculture is excluded from the National Labor Relations Act, and has been since its enactment in 1935.

I am most happy that this subcommittee's hearings have begun. Until now, debate over collective bargaining for farm workers has been governed only by a popular frame of reference. Unfortunately, that frame of reference has been clouded by emotions, surface understanding of collective bargaining, and all too often punctuated with racial overtones which type the farm worker as a 'Chicano', or a 'Mexican-American', but never in terms which refer to him as an American worker entitled to rights and protections enjoyed by other American workers.

The fact is that the story of exploitation of farm workers is the story of exploitation of Chicanos, Filipinos, Blacks, Whites, Chinese, and others.

I do not perceive the plight of farm workers to be racial at all. I see it as resulting from a denial of rights to them as Americans, regardless of their ethnic and racial backgrounds, just as the struggle of organized labor for legal status throughout the years was the struggle of American workers -- not the struggle of Italians, Jews, Irishmen, Englishmen, Greeks, of any other ethnic group which has evolved into the American working force.

When all involved are willing to recognize the problem as economic and not as racial, I believe that we will have taken the first step toward correction of a very serious national problem.

Unfortunately, the current debate has provoked rhetoric flavored with name-calling such as 'union-busting', 'sweetheart contracts', 'perpetuation of the despised labor contractor', and other ingredients which whet emotions, but unfortunately dull reason and logic.

Knowing that this subcommittee will not fall into the trap of a faulty frame of reference, I would like to explore some of the misunderstandings, with the hope that my union can make a contribution to a lasting and fair solution to the problem which abounds in labor-management relations in agriculture today.

First of all, thus far the argument has hinged upon the right of the United Farm Workers to represent farm workers. It has not addressed itself to the right of farm workers to join any union it determines is best equipped to address itself to job related problems.

I see nothing substantial in the argument of the divine right of one union or another. I subscribe, instead, to the argument embodied in federal policy regarding union membership which is the right of the American worker to join the union of his choice. The divine right argument denies the worker free choice of union membership.