

BULLETIN TO LABOR EDITORS

NATIONAL COLLECTIVE BARGAINING LAW FOR
FARM WORKERS

THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE
WILL CONSIDER S.8, COLLECTIVE BARGAINING RIGHTS FOR
FARM WORKERS, ON TUESDAY, JUNE 18, AT 10:00 A.M., IN
ROOM 4230 NEW SENATE OFFICE BUILDING.

THIS LEGISLATION IS INTENDED TO CLOSE ONE OF THE
GREATEST GAPS STILL EXISTING IN OUR NATIONAL LABOR POLICY.

A FACT SHEET IS ENCLOSED. FOR ADDITIONAL INFORMATION,

CALL: FRED BLACKWELL, COUNSEL
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SPONSORS OF S.8:

*Senator Harrison A. Williams, jr. (D-NJ)
Senator E. L. Bartlett (D-Alaska)
Senator Joseph S. Clark (D-Pa.)
Senator Ernest Gruening (D-Alaska)
Senator Philip A. Hart (D-Mich.)
Senator Daniel Inouye (D-Hawaii)
Senator Edward M. Kennedy (D-Mass.)
Senator Robert F. Kennedy (D-NY)
Senator Eugene McCarthy (D-Minn.)
Senator Gaylord Nelson (D-Wis.)
Senator Claiborne Pell (D-R.I.)
Senator Stephen Young (D-Ohio)

*Chairman of Senate Subcommittee on Migratory Labor

AGRICULTURAL WORKERS AND COLLECTIVE BARGAINING

For more than three decades, this nation's farm laborers have been specifically excluded from the provisions of the National Labor Relations Act. Basic labor procedures, long considered mandatory for almost all other workers, are still denied the rural agricultural worker. As a result, strikes, violence, and boycotts continue to plague American agriculture. Farm workers themselves suffer the greatest hardship from these conditions; but in a larger sense, the entire national economy is threatened. Labor-management stability in agriculture will not come about until the basic right to organize and to bargain collectively is granted to farm workers.

Legislation to correct this shameful situation, by extending coverage of the National Labor Relations Act of 1935 to agricultural workers, is presently under consideration by the Senate Committee on Labor and Public Welfare. The bill, S.8, represents a milestone in labor legislation; it promises an end to the disruption of interstate commerce and normal agricultural activity, so vital to the nation's economy.

BASIC PROVISIONS OF S.8

The bill provides an orderly process for the conduct of elections by the National Labor Relations Board to permit employees freely to choose whether they wish to be represented by a union. Should a majority wish union representation, both the employer and the majority representative are obligated to bargain collectively. The right to join, or not to join, a labor organization is guaranteed. The NLRB investigates and decides cases involving allegations of unfair practices by employers, employees, or unions.

SECTION 8(f) PROVISIONS

In addition to the basic provisions above, S.8 would provide for coverage of the agriculture industry under section 8(f) of the National Labor Relations Act. This section recognizes special problems of a seasonal and mobile labor force. It permits but does not require, agricultural employers to enter into "prehire" agreements with a union, thus allowing the farmer or grower the chance to make a reasonable estimate of his labor costs. Other 8(f) provisions permit arrangements for a union hiring hall, and for union security arrangements (except, of course, where state law prohibits such agreements).

EXTENT OF COVERAGE

Only the very large farms would be covered by S.8. It is anticipated that the NLRB would apply a standard of \$50,000 in interstate commerce; thus, only about 3.5 per cent of the nation's farms would be covered. Nevertheless, these large farms account for most of the farm wage bill, and most of the farm workers--working on a small number of very large farms--would be covered.

STATUS OF S.8

The bill was reported by the Senate Subcommittee on Migratory Labor on January 24, 1968. Since that time, it has been awaiting action by the full Committee on Labor and Public Welfare. S.8 will be considered by the Committee, in executive session, on June 18.