



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1606

Date Filmed 3/28/84 Camera No. --- 2

Cameraman JRL

FEDERAL ELECTION COMMISSION

Posting Cards, 12 Day Repts & comment sheets

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act; 5 U.S.C. Section 552(b):

- |  |   |
|--|---|
| <input type="checkbox"/> (1) Classified Information                                | <input type="checkbox"/> (6) Personal privacy                             |
| <input checked="" type="checkbox"/> (2) Internal rules and practices               | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute                             | <input type="checkbox"/> (8) Banking Information                          |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents                         |   |

Signed \_\_\_\_\_

date 3/15/84

FEC 9-21-77

8401045299





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 16, 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Hermilo Mojica  
58 Natividad Road #46  
Salinas, California 93906

Re: MUR 1606

Dear Mr. Mojica:

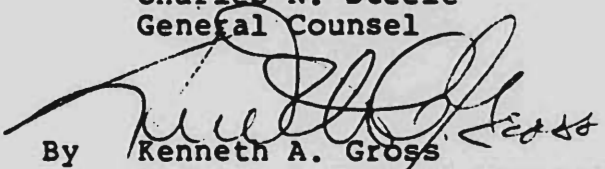
The Federal Election Commission has reviewed the allegations of your complaint dated November 25, 1983, and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele  
General Counsel

By   
Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

34010452992



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 16, 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Cesar Chavez, President  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

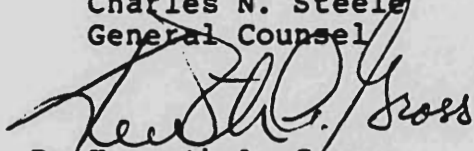
Dear Mr. Chavez:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February 13, 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

3401045297



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 16, 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter Velasco, Treasurer  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

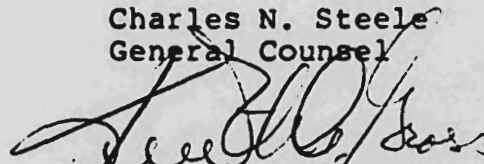
Dear Mr. Velasco:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February 13, 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

8 1 0 1 0 4 5 2 7 9

# SENSITIVE

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

## FIRST GENERAL COUNSEL'S REPORT

64 FEB 1 P 3: 57

MUR 1606

Date Received 12/2/83

Notification to Respondent

12/6/83

STAFF: Duane A. Brown

COMPLAINANT NAME: Hermilo Mojica  
RESPONDENT'S NAME: United Farm Workers of America  
Cesar Chavez, President  
Peter G. Velasco, Treasurer  
RELEVANT STATUTE: 2 U.S.C. § 441b(b) (3) (A), (B) and (C)  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

### SUMMARY OF ALLEGATIONS

In his complaint filed with the Commission on December 2, 1983, Hermilo Mojica alleges that he and others who are members of the United Farm Workers of America ("UFW") have been and continue to be harrassed for their failure to pay a required "dues" payment to the Civil Participation Day Fund ("CPD Fund") of the UFW (Attachment I). Mojica states that because of this refusal, he and others have been fired from their paid union positions by UFW president Cesar Chavez. Mr. Mojica also states that the UFW has threatened to have him fired from his present job if he continues to refuse to pay back dues owed to the CPD Fund.

The UFW responded to the complaint through its counsel on January 5, 1984 (Attachment II).

### FACTUAL AND LEGAL ANALYSIS

Mr. Mojica, in his complaint alleges that the CPD Fund was established and is controlled by the UFW. He further asserts that to the best of his knowledge, contributions to the CPD Fund

are used for political purposes. Mr. Mojica states that his employment with the UFW is conditioned upon his paying "dues" to the CPD Fund and that when he refused to contribute to the Fund he was terminated from his salaried position with the UFW. He also states that the UFW has threatened to have his employer fire him for failure to pay dues to the CPD Fund. Mr. Mojica states that he and other UFW members who have refused to pay dues to the CPD Fund continue to be harrassed by the UFW. Mr. Mojica alleges, therefore, that the UFW is conditioning employment of its members on their contribution to the CPD Fund in violation of 2 U.S.C. § 441b(b).

2 U.S.C. § 441b(b) (3) (A) prohibits a separate segregated fund from obtaining contributions, to be used in connection with a Federal election, from union members which are not given voluntarily.

In its response to the complaint, the UFW states that although the money collected as CPD dues is mandatory, none of these funds are used in connection with a Federal election. The UFW states that CPD dues are used for state and local political activities and for non-partisan civic activities. Attached to the response is an affidavit by UFW President Cesar Chavez. Mr. Chavez's affidavit attempts to elaborate more fully on the origin and purpose of the CPD Fund.

Also attached is a copy of a quarterly report filed with the California Fair Political Practices Commission on behalf of the



National UFW PAC, the PAC through which the UFW states it funnels its CPD Funds. The report shows support to state and local candidates only.

Further, the UFW states that this complaint is similar to one filed against it in MUR 705. The UFW then, too, asserted that contributions to the Fund are not used in connection with a Federal election. The Commission in MUR 705 found no reasonable cause to believe the CPD Fund violated 2 U.S.C. § 441b(b) (3) (A).

Finally, the UFW states that the only funds used by the UFW in connection with a Federal election are administered by its Volunteer PAC which, as the name implies, derives funds only from voluntary contributions.

It appears from the evidence that the CPD Fund is used to support state and local political activities and for non-partisan civic activities. Contributions made to the CPD Fund are not used in connection with Federal elections. Therefore, the Office of General Counsel recommends there is no reason to believe that UFW violated 2 U.S.C. § 441b.

RECOMMENDATION

1. Find no reason to believe the United Farm Workers of America, Cesar Chavez, and Peter G. Velasco violated 2 U.S.C. § 441b(b)(3)(A), (B) and (C).
2. Approve attached letters.

Date

*January 31, 1984*

Charles N. Steele  
General Counsel

By:

*Kenneth A. Gross*  
Kenneth A. Gross  
Associate General Counsel

Attachments

1. Complaint
2. UFW Response to Complaint
3. CPD Fund Authorization Card
4. Letter to Cesar Chavez
5. Letter to Peter Velasco
6. Letter to Hermilo Mojica

8401045201



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 1606  
United Farm Workers of America )  
Cesar Chavez, President )  
Peter G. Velasco, Treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 13, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1606:

1. Find no reason to believe the United Farm Workers of America, Cesar Chevez, and Peter G. Velasco violated 2 U.S.C. § 441b(b)(3)(A), (B) and (C).
2. Approve the letters as attached to the First General Counsel's Report signed January 31, 1984.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

2/13/84  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

2-1-84, 3:57  
2-2-84, 11:00

ATTACHMENT

Brouncker



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

MEMORANDUM TO:

THE COMMISSION

FROM:

MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE:

DECEMBER 7, 1983

SUBJECT:

MUR 1606 - Original Complaint

The attached has been circulated for your  
information.

Attachment

91010433001

RECEIVED AT THE FEC  
GCC #1196  
83 DEC 2 P12:30  
Muk 1606

83 DEC 6 P1:38

Hermilo Mojica  
921 University Ave. #4  
Salinas, Ca.  
93901  
November 25, 1983

General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sir or Madam:

Pursuant to 111 C.F.R. Section 111.4 (2 U.S.C. 437g(a)(1))  
I am forwarding the enclosed complaint concerning certain  
practices of the United Farm Workers of America, AFL-CIO,  
which I believe violate the Federal Campaign Act of 1971  
as amended. Specifically, I believe that the actions of the  
United Farm Workers violate 2 U.S.C. Section 411b(b)(3).

Pursuant to 111 C.F.R. Section 111.5 I understand that  
if I do not receive a response from your office within five  
days of your receipt of my complaint I can assume that I  
have met the technical requirements of filing a complaint.

If you have any questions or require any further information  
please contact me at the above address.

Sincerely,

*Hermilo Mojica*  
Hermilo Mojica

DECLARATION OF HERMILO MOJICA

I, HERMILO MOJICA, being duly sworn, declare as follows:

1. My name is Hermilo Mojica, and I live at 921 University Avenue, #4, Salinas, California, 93901.

2. I have been a member of the United Farm Workers of America, AFL-CIO (UFW) since 1970.

3. I am a Ranch Committee President, and an elected officer of the Union in the Salinas area.

4. The UFW is a labor organization within the meaning of 29 U.S.C. Section 441b(b) (1).

5. The UFW maintains a Political Action Fund called the Civic Participation Day Fund (CPD) which is a fund within the meaning of 2 U.S.C. Section 411b(b) (2) (C).

6. The CPD fund was created pursuant to collective bargaining agreements  
/between the UFW and certain companies in or about 1973-1974.

7. "Civic Participation Day" is a paid holiday negotiated between the UFW and certain companies and it is designated in the collective bargaining agreements as the first Sunday in June of each year.

8. Beginning at the time the CPD was first negotiated all of the members of the UFW working under collective bargaining agreements containing the CPD provision were asked to sign cards authorizing their companies to deduct a day's pay and forward it to the UFW's CPD fund.

9. The language of the authorization cards states that each member has the right to withdraw his/her authorization if he/she so desires. (A copy of said form is attached hereto.)

10. The CPD fund is entirely a creation of the collective bargaining agreement and is not mentioned in the Union Constitution.

11. Between the creation of the CPD and on or about September/October, 1981, I voluntarily paid my contributions to the CPD.

12. In addition to CPD contributions UFW members are required to pay 2% of their salaries as regular dues to fund the administrative, legal, and other obligations of the union.

13. The rules concerning mandatory dues are set out in the Constitution of the UFW.

14. That in or about 1977/1978 a member of the UFW working with me at Harden Farms in Salinas, California withdrew his CPD authorization from the company.

15. At or about that time the UFW conducted an internal union trial to compel him to pay the CPD contribution to the Union and the members at my company refused to vote to force him to pay the CPD.

16. Said member is still a member of the Union and working at Harden Farms.

17. In or about 1980, the UFW unilaterally and without consulting the members of the Union purported to change the nature of the CPD from voluntary contributions to mandatory dues<sup>owed</sup>/in addition to the 2% dues we already pay as our obligation to help support the administration of the Union.

18. In or about 1981, the UFW established a procedure through which a member may request a rebate of the portion of his CPD money which is used for political purposes, and orally informed the members of said procedure.

19. The UFW has never provided the members of the union with any written explanation of the process through which a member may



request a rebate.

20. To the best of my understanding a member must send a written rebate request to the UFW within 14 days of the anniversary date of his membership in the union by registered mail. The UFW has complete discretion to determine the percentage rebate. The UFW is not required to demonstrate through any accounting procedure how much of the CPD money is actually used for collective bargaining purposes.

21. In or about July 1981, David Martinez, a member of the National Executive Board of the UFW, told me that the rebate process was designed to be so complicated and time consuming that few members of the union would ever be able to meet the requirements to obtain a rebate.

22. Upon information and belief the 2% union dues pays all the administrative costs of the union and the additional CPD contributions are used exclusively for political purposes. This is based on my personal knowledge that union dues are 2% of our salaries, that prior to the UFW's attempt to make the CPD compulsory the union was adequately financed by the 2% dues and that prior to this time the CPD was used exclusively for political purposes.

23. Upon information and belief in 1982, the UFW made more than \$780,000.00 in political contributions to influence elections in California and in Texas. This is based on my having read a newspaper article to this affect.

24. On or about September/October of 1981, along with approximately 500 other members of the UFW in the Salinas area, I became dissatisfied with the political direction and goals of the CPD decided upon by Delores Huerta, Vice President of the UFW and Chairperson of the CPD.

10. The CPD fund is entirely a creation of the collective bargaining agreement and is not mentioned in the Union Constitution.

11. Between the creation of the CPD and on or about September/October, 1981, I voluntarily paid my contributions to the CPD.

12. In addition to CPD contributions UFW members are required to pay 2% of their salaries as regular dues to fund the administrative, legal, and other obligations of the union.

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15. At or about that time the UFW conducted an internal union trial to compel him to pay the CPD contribution to the Union and the members at my company refused to vote to force him to pay the CPD.

16. Said member is still a member of the Union and working at Harden Farms.

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19. The UFW has never provided the members of the union with any written explanation of the process through which a member may

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25. In or about September/October 1981, along with approximately 500 other members of the UFW, I withdrew my authorization for the CPD contributions from the companies where we worked and ceased to pay the CPD contributions to the UFW.

26. In or about 1981 I developed internal union political differences with the National Executive Board of the UFW. As a result of those differences I, along with 8 other "paid representatives," were fired from our positions as "paid representatives" by the UFW President Cesar Chavez.

27. On or about January 29, 1981 I along with the 8 other ex-representatives fired by Cesar Chavez, filed suit in Federal District Court of the District of Northern California (Mojica, et al., v. UFW, et al., C82 0512 WAI (SJ) alleging that our firing by Cesar Chavez violated the Labor Management and Disclosure Act and the UFW Constitution.

28. On or about November 22, 1982, Mr. Chavez and other members of the UFW National Executive Board filed a Libel and Slander suit against the nine plaintiffs (UFW et al., v. Mojica, et al., C82 6644 WAI).

29. Three hundred members of the UFW, including myself, filed a second suit on or about March 25, 1983 against Mr. Chavez, certain members of the National Executive Board and the union, alleging that the Libel and Slander suit was filed in retaliation for our first suit and to chill the exercise of our First Amendment rights. (Mojica v. UFW, C83 1439 WAI).

30. In or about September 1983 I received a letter from the UFW signed by Roberto De La Cruz warning me that if I did not pay my back contributions to the CPD the UFW would require the Harden

25. In or about September/October 1981, along with approximately 500 other members of the UFW, I withdrew my authorization for the CPD contributions from the companies where we worked and ceased to pay the CPD contributions to the UFW.

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29. Three hundred members of the UFW, including myself, filed a second suit on or about March 25, 1983 against Mr. Chavez, certain members of the National Executive Board and the union, alleging that the Libel and Slander suit was filed in retaliation for our first suit and to chill the exercise of our First Amendment rights. (Mojica v. UFW, C83 1439 WAI).

30. In or about September 1983 I received a letter from the UFW signed by Roberto De La Cruz warning me that if I did not pay my back contributions to the CPD the UFW would require the Harden

Farms Company to fire me for failure to pay my required "dues" pursuant to the union security clause of the collective bargaining agreement.

31. Approximately 80 other members of the UFW have also received said letters.

32. Upon information and belief even though approximately 500 people are refusing to pay the CPD only members who are Plaintiffs in the second suit against the union have received said letter. This is based on the fact that I know all the members who have reported to me having received a letter are also Plaintiffs in the second suit.

33. Upon information and belief one person has actually been fired pursuant to the UFW's request and he is Aristeo Zambrano, one of the original nine paid representatives who filed suit against the UFW. This is based on Mr. Zambrano having told me the same.

34. The UFW is conditioning employment of its members on their contribution to the CPD fund and said action violates 2 U.S.C. Section 411(b)(3).

35. In spite of the facts set out above in numbers 14 and 15 the union has not conducted any internal union trials for refusals to pay the CPD contributions arising out of the present dispute.

36. To my knowledge no member of the union has ever successfully petitioned for and received a rebate of his/her CPD dues.

37. Upon information and belief the CPD contributions are used exclusively for political purposes, and as such the union may not legally condition employment on such payment by members who object to the use of said fund. This is based on my allegation number 22 and my understanding of the law.

38. I believe that the persons responsible for this are Cesar Chavez, President of the UFW, Delores Huerta, First Vice President, Frank Ortiz, Second Vice President of the UFW, David Martinez, NEB member, Arturo Rodriguez, NEB member, Oscar Mondragon, NEB member, Roberto De La Cruz, UFW Salinas Regional Director, as well as other officials of the UFW whose precise identities are not known to me at this time.

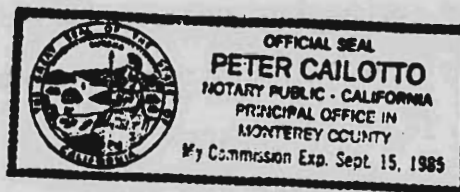
39. Based on the foregoing facts I request the General Counsel to initiate an investigation of the above listed practices and initiate the appropriate criminal procedures necessary to protect our rights guaranteed by law.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 7 day of November, 1983 at San Juan, California, 1983.

Hermilo Mojica  
HERMILO MOJICA

Subscribed and Sworn to  
before me this 7 day  
of November, 1983.

Peter Caiotto  
Notary Public



38. I believe that the persons responsible for this are Cesar Chavez, President of the UFW, Delores Huerta, First Vice President, Frank Ortiz, Second Vice President of the UFW, David Martinez, NEB member, Arturo Rodriguez, NEB member, Oscar Mondragon, NEB member, Roberto De La Cruz, UFW Salinas Regional Director, as well as other officials of the UFW whose precise identities are not known to me at this time.

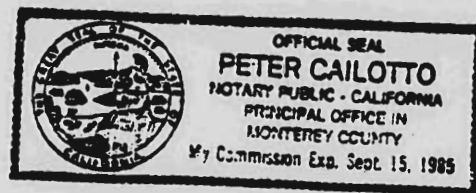
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Hermilo Mojica  
HERMILO MOJICA

Subscribed and Sworn to  
before me this 7 day  
of November, 1983.

Peter Caiotto  
Notary Public







UNITED FARM WORKERS OF AMERICA, AFL-CIO

## Citizenship Participation Day Deduction

Name of Company \_\_\_\_\_

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.



UNITED FARM WORKERS OF AMERICA, AFL-CIO

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Social Security No. \_\_\_\_\_

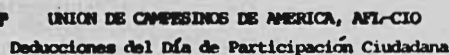
Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.



Nombre de la compañía

Autorizo a la Compañía, arriba indicada, para que envíe mi pago neto del Día de Participación Ciudadana al Comité del Día de Participación Ciudadana de la Unión de Campesinos de América, AFL-CIO, de acuerdo al Artículo del Acuerdo de Convenio Colectivo. Por este acto reconozco mi obligación hacia mi Unión y mis compañeros trabajadores."

Esta autorización continuará en efecto año por año, a menos que se de una orden de revocación a ambos, el Empleador y la Unión, por lo menos diez días antes del término de cualquier año calendario. Dicha revocación aplicará a las contribuciones a CPD futuras.\*\*

**Seguro Social**

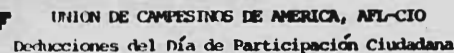
Firma \_\_\_\_\_

Fecha

**Testigo Representante de la Unión**

\* Si desea mayor información concerniente a las actividades del Comité de Día de Participación Ciudadana, comuníquese con su oficina local de la Unión.

\*\* Si tiene objeción para contribuir al Comité de Día de Participación Ciudadana, tiene el derecho de la alternativa de otro receptor, de una lista preparada por la Unión. Comuníquese con su oficina local de la Unión para mas detalles.



Nombre de la compañía

Autorizo a la Compañía, arriba indicada, para que envíe mi pago neto del Día de Participación Ciudadana al Comité del Día de Participación Ciudadana de la Unión de Campesinos de América, AFL-CIO, de acuerdo al Artículo \_\_\_\_\_ del Acuerdo de Convenio Colectivo. Por este acto reconozco mi obligación hacia mi Unión y mis compañeros trabajadores."

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Sequoia Social

Firma

Fecha

Testigo Representante de la Unión

\* Si desea mayor información concerniente a las actividades del Comité de Pda de Participación Ciudadana, comuníquese con su oficina local de la Unión.

\*\* Si tiene objeción para contribuir al Comité de Día de Participación Ciudadana, tiene el derecho de la alternativa de otro receptor, de una lista preparada por la Unión. Comuníquese con su oficina local de la Unión para mas detalles.





UNION DE CAMPESINOS DE AMERICA, AFL-CIO  
Deducciones del Día de Participación Ciudadana

Nombre de la compañía \_\_\_\_\_

Autorizo a la Compañía, arriba indicada, para que envíe mi pago neto del Día de Participación Ciudadana al Comité del Día de Participación Ciudadana de la Unión de Campesinos de América, AFL-CIO, de acuerdo al Artículo \_\_\_\_\_ del Acuerdo de Convenio Colectivo. Por este acto reconozco mi obligación hacia mi Unión y mis compañeros trabajadores.\*

Esta autorización continuará en efecto año por año, a menos que se de una orden de revocación a años, el Empleador y la Unión, por lo menos diez días antes del término de cualquier año calendario. Dicha revocación aplicará a las contribuciones a CPD futuras.\*\*

\_\_\_\_\_  
(Seguro Social)

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Testigo Representante de la Unión

\* Si desea mayor información concerniente a las actividades del Comité de Día de Participación Ciudadana, comuníquese con su oficina local de la Unión.

\*\* Si tiene objeción para contribuir al Comité de Día de Participación Ciudadana, tiene el derecho de la alternativa de otro recibidor, de una lista preparada por la Unión. Comuníquese con su oficina local de la Unión para mas detalles.



UNION DE CAMPESINOS DE AMERICA, AFL-CIO  
Deducciones del Día de Participación Ciudadana

Nombre de la compañía \_\_\_\_\_

Autorizo a la Compañía, arriba indicada, para que envíe mi pago neto del Día de Participación Ciudadana al Comité del Día de Participación Ciudadana de la Unión de Campesinos de América, AFL-CIO, de acuerdo al Artículo \_\_\_\_\_ del Acuerdo de Convenio Colectivo. Por este acto reconozco mi obligación hacia mi Unión y mis compañeros trabajadores.\*

Esta autorización continuará en efecto año por año, a menos que se de una orden de revocación a años, el Empleador y la Unión, por lo menos diez días antes del término de cualquier año calendario. Dicha revocación aplicará a las contribuciones a CPD futuras.\*\*

\_\_\_\_\_  
(Seguro Social)

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Testigo Representante de la Unión

\* Si desea mayor información concerniente a las actividades del Comité de Día de Participación Ciudadana, comuníquese con su oficina local de la Unión.

\*\* Si tiene objeción para contribuir al Comité de Día de Participación Ciudadana, tiene el derecho de la alternativa de otro recibidor, de una lista preparada por la Unión. Comuníquese con su oficina local de la Unión para mas detalles.



UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

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UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

Name of Company

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No.

Signature

Name of Company

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No.

Signature

ATTACHMENT II  
UNITED FARM WORKERS of AMERICA AFL-CIO

X/ LEGAL DEPARTMENT  
POST OFFICE BOX 30  
KEENE, CA 93531  
(805) 822-5571

Appellate Division  
1201 24th Street  
Sacramento, CA 95814  
(916) 442-1862

C-1047  
1356

December 23, 1983

Mr. Kenneth A. Gross  
Associate General Counsel  
Mr. Duane Brown  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 1606

Dear Sirs:

This letter is in response to the complaint filed by Hermilo Mojica, a copy of which was received by Mr. Chavez on December 19, 1983 and by Mr. Velasco on December 20, 1983. Enclosed are completed forms designating myself as counsel for Mr. Chavez & Mr. Velasco.

It appears that the gist of Mr. Mojica's complaint is that the UFW is requiring members to contribute to a political fund and that all or part of the funds collected are being used for federal political campaigns and activities, in violation of 2 USC §441b(b) (3).

Mr. Mojica is wrong. The UFW has made all contributions to federal campaigns from strictly voluntary sources. Money collected as CPD dues, which since August 28, 1977 has been mandatory, has never been used as a funding source for the National UFW Volunteer PAC (hereinafter referred to as VPAC). As the name implies, all VPAC money comes from purely voluntary sources, such as individual contributions and fundraisers.

CPD dues, about which Mr. Mojica complains, are used for state and local political activities (through the National UFW Political Action Committee, or NPAC) and for non-partisan civic activities (through the National UFW Civic Action Program, or NCAP). CPD dues have never been used to fund VPAC.

The enclosed affidavit of Cesar Chavez, as well as the other documents I have included, verify what I have just explained. The exhibits, to which Mr. Chavez makes reference in his affidavit, are listed and described below:

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- Exhibit A UFW Constitution
- Exhibit B UFW newspaper, El Malcriado,  
special issue, May 28, 1982
- Exhibit C Settlement agreement with the  
California Agricultural Labor  
Relations Board, approving of  
the rebate procedures established  
by amendment to the UFW Consti-  
tution. The rebate concerns  
CPD money only, a fund used  
solely for non-federal\* cam-  
paigns and activities.
- Exhibit D Copy of UFW Administrative  
Letter sent to all ranch  
communities, dated December  
3, 1981. Offered as a sample  
of rebate computation.
- Exhibit (group) E Reports sent to the California  
Fair Political Practices Com-  
mission (FPPC) showing that  
the large political contribu-  
tions referred to by Mr. Mojica  
in ¶23 of his complaint were  
non-federal\* contributions.
- Exhibit (group) F Copies of correspondence between  
UFW and FEC in previous investi-  
gation in 1978.

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In addition to the affidavit, I ask that you please read carefully Exhibit B, giving special attention to the sections that I have highlighted in yellow. That issue of the UFW newspaper was specially produced for widespread circulation among the membership and was intended to fully inform them as to the history of CPD, its development into a mandatory dues obligation known as Rufino Contreras dues and its use for non-federal\* (and to a certain extent, non-partisan) activities.

Hopefully our explanation, as well as the affidavit and exhibits, will be sufficient documentation of the fact that Mr. Mojica has, as they say, "mixed apples and oranges." His complaint is only accurate insofar as the UFW does collect mandatory dues from its members, and a portion of

\* I use the term "non-federal" to refer to activities that do not fall within the category of federal political activities described in 2 USC §441b.

Kenneth Cross  
Duane Brown  
December 23, 1983  
Page Three

those dues are used for political activities. Those activities, however, do not include any of the political activities described in 2 USC §441b(a). Moreover, although state and local political activities are carried out with mandatory dues money, any member may object to his or her dues being spent for primarily political causes with which he/she disagrees. If a proper objection is made, the objecting member is entitled to a proportional rebate of his/her dues money spent on such activities.

Although Mr. Mojica clearly does not approve of the UFW's rebate system, the system has absolutely nothing to do with VPAC. VPAC has always been a strictly voluntary fund, which has been purposely kept segregated from mandatory CPD so that the Union would not be in violation of any federal election laws.

Finally, you should also be aware of the fact that in 1978 the FEC conducted an identical investigation of VPAC and its relationship to mandatory CPD. After a brief exchange of correspondence, the Commission concluded that CPD did not violate the Federal Election Campaign Act. See MUR 705. Since that time there has been no change in the relationship between CPD and VPAC; the two funds have always remained completely segregated.

If you feel that further, or more detailed, explanation is warranted, or if you have any other questions about VPAC, please contact me at once. We have complete accounting records to verify all of the information that has been provided here. Since Mr. Mojica is clearly confusing these two totally separate funds, I would hope that additional documentation would not be necessary. Thank you for your consideration of this matter.

Very truly yours,

*Ellen J. Eggers*

Ellen J. Eggers  
Attorney at Law

EJE/rt

Enclosures

340 0453017



STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Ellen J. Eggers

ADDRESS: Post Office Box 30  
Keene, Ca 93531

TELEPHONE: (805) 822-5571

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and  
other communications from the Commission and to act on my  
behalf before the Commission.

12-28-83  
Date

Cesar E. Chavez  
Signature

NAME: Cesar E. Chavez

ADDRESS: P.O. Box 62  
Keene, Ca 93531

HOME PHONE: (805) 822-5571

BUSINESS PHONE: (805) 822-5571

34040453010

STATEMENT OF DESIGNATION OF COUNSEL

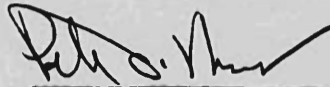
NAME OF COUNSEL: Ellen J. Eggers

ADDRESS: Post Office Box 30  
Keene, Ca 93531

TELEPHONE: (805) 822 -5571

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and  
other communications from the Commission and to act on my  
behalf before the Commission.

12/22/83  
Date

  
Signature

NAME: Peter G. Velasco

ADDRESS: P.O. Box 62  
Keene, Ca 93531

HOME PHONE: (805) 822-5571

BUSINESS PHONE: (805) 822-5571



AFFIDAVIT OF CESAR E. CHAVEZ

I, Cesar E. Chavez, being first duly sworn upon my oath, say:

1. I am the President of the United Farm Workers of America, AFL-CIO (UFW) and chairman of the National UFW Volunteer PAC (VPAC) and the National UFW Political Action Committee (NPAC).

2. In 1970, the National Executive Board (NEB) of the UFW ordered the establishment of a Citizen Participation Day Fund to be supported by voluntary member contributions. By 1972, the UFW had negotiated into its collective bargaining agreements a day known as Citizenship Participation Day. By contract, the employer was required to pay employees for that day, although they did not work. If the employee had executed an authorization, the pay was remitted by the employer directly to the Citizen Participation Day Committee. Up until August 28, 1977, the CPD contribution was entirely voluntary.

3. At the UFW's national convention, on August 28, 1977, the delegates voted to make CPD a mandatory, rather than voluntary, contribution.

4. Thereafter, by a resolution of the CPD committee, all funds that were collected after August 28, 1977 were maintained in a segregated account. None of those funds have ever been used for federal campaigns. In September of 1978, VPAC, formerly known as UFW Federal PAC (FPAC), came into existence. Both FPAC and VPAC have always derived all

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of their funds from strictly voluntary sources.

5. The first mandatory CPD contributions were collected in 1978. That year, the UFW's NEB established two separate programs through which the mandatory CPD money would be expended. The first, the National UFW Civic Action Program (NCAP), was designated to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families, and to promote the "general welfare" and "democratic way of life" for all people. The money which is allocated to NCAP cannot be spent for activities regulated by state or federal election laws. NCAP is empowered to endorse candidates and to recommend contributions to the second CPD program, the National UFW Political Action Committee (NPAC). NPAC was created to make political expenditures and contributions to influence the nomination and election of state, local and party officials, and the passage or defeat of ballot propositions. Neither NCAP nor NPAC expend money for federal campaigns.

6. In 1978, in response to a complaint filed by the California Agricultural Labor Relations Board (ALRB) and in order to accomodate dissenting members, the UFW established a procedure whereby the member had the option of contributing that portion of the CPD expenditure with which he/she disagreed to one of three charitable options selected by the UFW. An authorization form was prepared which informed the member of his obligation to contribute to CPD, but also his/her right to object and to contribute to an alternate recipient. In

his complaint to the FEC, Mr. Mojica attached a true copy of this former CPD authorization form, which was used by the Union from 1978 to 1981. This is not the current form. (The current form does not refer to charitable alternatives. An objecting member must simply refer to the UFW constitution for a complete description of the objection-rebate procedures.) What is significant, however, is that this entire procedure has never had anything to do with VPAC, the fund that is used for federal campaign activity. Federal campaign activity has been financed strictly through voluntary sources - never from mandatory CPD, the fund to which the objection system applied. The charitable option objection system, set out above, pertained only to objections to state and local political activities.

7. The "charitable option" objection procedure was still challenged by the ALRB in 1978 in Case No. 78-CL-21-M. The ALRB charged that this procedure was not sufficient to meet the needs of objectors. In the course of negotiating a settlement of this ALRB case, the UFW agreed to establish a rebate system for objecting members. On May 23, 1981, the UFW's NEB amended the UFW Constitution to conform to the guidelines mandated by the ALRB. Article 14, Section 4 of the UFW Constitution (which is designated Article 12 in appendix C, page 13 of the Constitution, Exhibit A), sets out the rebate procedure available to members who object to the political uses of their dues money. CPD is now known as Rufino Contreras dues.

8. In May of 1982, the ALRB approved the settlement in Case No. 78-CL-21-M and ordered the UFW to establish the rebate procedure as had been agreed upon and which had in fact been implemented in 1981. See Exhibit C.

9. As provided in the Constitutional amendment, a committee of the NEB each year determines the percentage of dues spent for primarily political causes and activities. Any member who makes a timely objection is entitled to a rebate of the approximate portion of his/her dues spent for primarily political causes. Attached as Exhibit D is a copy of the Administrative letter which was sent to all ranch communities in December, 1981. This is an example of the type of computation that is done in order to determine the amount of the rebate owing. See, in particular, pages 8-13 of Exhibit D.

10. To date, two people have applied for a rebate pursuant to the new procedure. The first one applied in July of 1982 and was issued a check for the full amount of the rebate. The second request was just received within the last week and is being processed.

11. In May of 1982, just prior to the first CPD day which would occur since the new amendment took effect, the UFW printed a special issue of its newspaper, El Malcriado, for the purpose of fully explaining the origin of CPD, its development into mandatory dues, the reason for the rebate procedure and the complete text of the ALRB settlement. This special issue, dated May 28, 1982, was widely circulated among the UFW membership. A copy is

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attached as Exhibit B. As shown by Exhibit B, mandatory CPD (or Rufino Contreras) dues are not spent for federal campaigns.

12. Since 1977, the UFW has, through its political action committee, made large contributions to state and local political campaigns and activities. The UFW has not, however, made large contributions to federal candidates. Since all federal campaign activities are financed by VPAC, and since VPAC is funded solely through voluntary contributions such as fundraisers, the amount of money available for federal campaign activity is necessarily more limited than that raised through CPD and used for state and local matters.

13. All contributions made to state candidates and state ballot measures must be reported to the Fair Political Practices Commission (FPPC) of the State of California. Attached as Group Exhibit E are copies of the reports sent to the FPPC in 1982. These reports document that the large contributions that were made in the year 1982, to which Mr. Mojica makes reference in his complaint, were all contributions to non-federal campaigns.

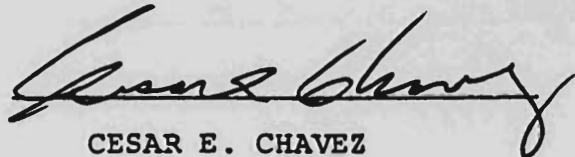
14. In October of 1978, the Federal Election Commission opened up an investigation of the UFW's CPD program and asked questions that were identical to the issues apparently being raised in this current investigation. The UFW fully cooperated with that investigation, answered all questions and as a result was fully exonerated by the FEC. Attached hereto as Group Exhibit F are copies of the correspondence between the UFW and the FEC. As shown by the letter dated




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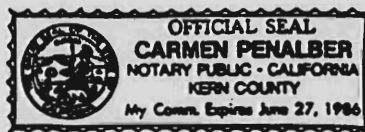
December 14, 1978, the FEC "found no reasonable cause to believe that the [UFW's CPD Fund] violated 2 USC 441b(b) (3) (A)." Since December of 1978 the UFW has not changed its CPD program in any way except to liberalize the objection procedure so that members who object to the use of their dues for CPD political activity which they find objectionable, will be entitled to a proportional rebate. While this new system is more lenient for dissenters, the revision does not change the fact that federal campaigns continue to be funded solely from VPAC - derived from solely voluntary contributions and not from CPD money.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29 day of December, 1983.

  
CESAR E. CHAVEZ

Subscribed and sworn to before  
me, a Notary Public, this 29th  
day of December, 1983.

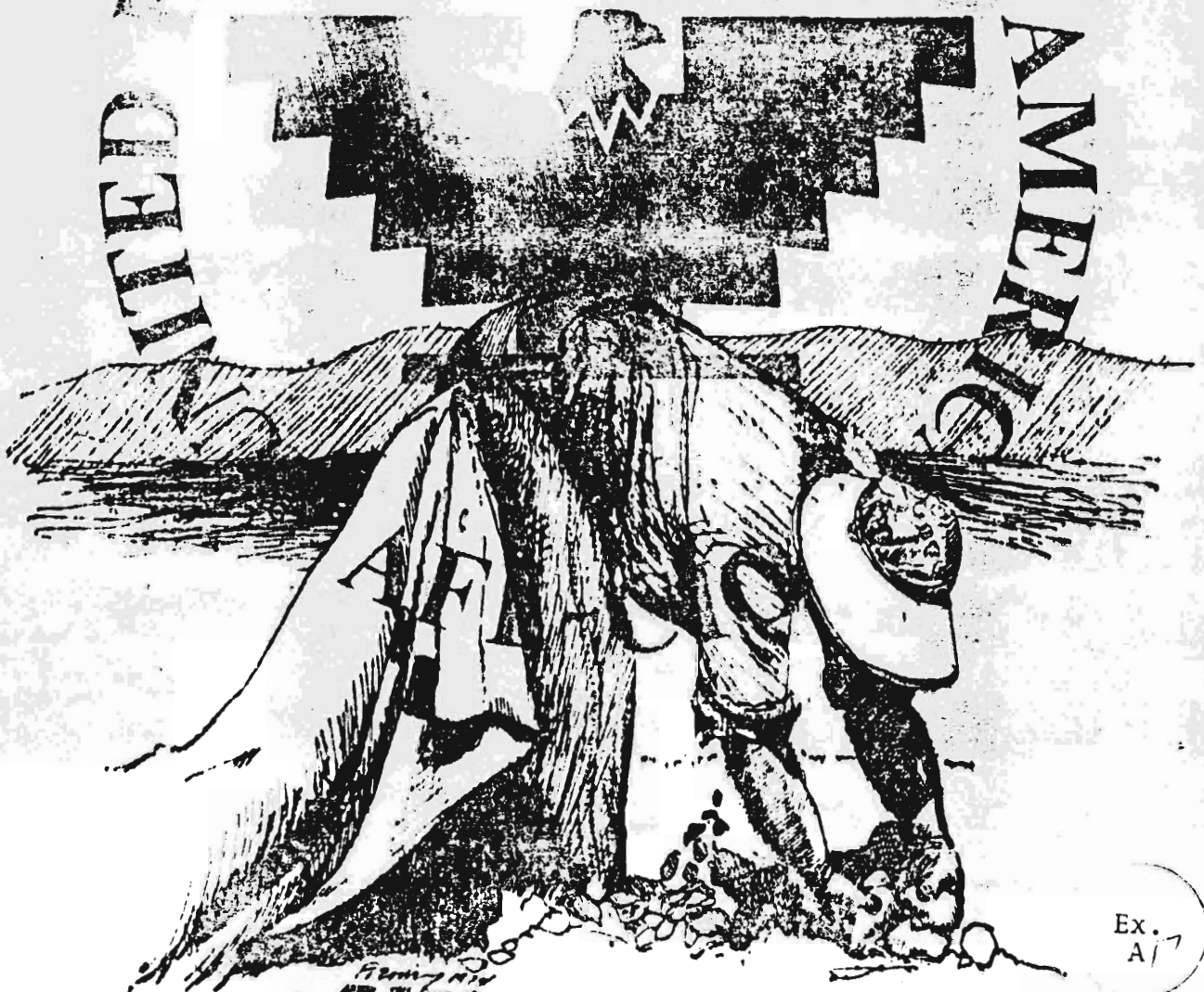




# United Farm Workers of America, AFL-CIO Constitution

(As amended in 1977, 1979 and 1981)

UNITED FARM WORKERS OF AMERICA



From the  
New York Times  
NY State 1945

Ex.  
A/7



# CONSTITUTION

Adopted at the  
First Constitutional Convention  
Fresno, California • September 21-23, 1973



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## PREAMBLE

We, the Farm Workers of America, have tilled the soil, sown the seeds and harvested the crops. We have provided food in abundance for the people in the cities, the nation and the world but have not had sufficient food for our own children.

While industrial workers, living and working in one place, have joined together and grown strong, we have been isolated, scattered and hindered from uniting our forces.

While other workers have overcome economic injustices, we have inherited the exploitation, the suffering, and the poverty of our fathers and their fathers before them.

But despite our isolation, our sufferings, jailings, beatings and killings, we remain undaunted and determined to build our Union as a bulwark against future exploitation.

The right to join a Union is universally recognized, but it is a right those who own the fields have ruthlessly denied us. And as Pope Leo XIII said, "To exercise pressure for the sake of gain upon the indigent and destitute and to make one's profits out of the need of another is condemned by all laws human and divine."

We devoutly believe in the dignity of tilling the soil and tending the crops and reject the notion that



farm labor is but a way station to a job in the factory and life in the city.

And just as work on the land is arduous, so is the task of building a Union. We pledge to struggle as long as it takes to reach our goals.

Above all, we believe that all men must act toward one another in a spirit of brotherhood and that our Union shall guarantee that all are treated equal in dignity and rights.



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**PART ONE — NAME, JURISDICTION, HEADQUARTERS, ORGANIZATIONAL STRUCTURE AND AUTHORITY, INSIGNIA AND SYMBOLS**

**ARTICLE I, NAME**

**SUMMARY:** *The Union shall be known as the United Farm Workers of America, or UFW.*

This labor organization shall be known as the United Farm Workers of America and shall be identified by the initials U.F.W.

**ARTICLE II,<sup>2</sup> JURISDICTION**

**SUMMARY:** *The jurisdiction of the Union shall be all farm workers in the United States.*

Section 1: The territorial jurisdiction of the Union shall be the United States of America and its possessions and territories.

Section 2: The trade jurisdiction of the Union shall be all agricultural laborers.

**ARTICLE III,<sup>3</sup> HEADQUARTERS**

**SUMMARY:** *The headquarters of the Union shall be at La Paz in Keene, California.*

The headquarters of the Union shall be at La Paz in Keene, California, or such other place as the National Executive Board may from time to time select. The National Executive Board shall have authority to designate such regional or other offices as it deems necessary or advisable.

**ARTICLE IV,<sup>4</sup> STRUCTURE OF THE UNION AND GOVERNING AUTHORITY**

**SUMMARY:** *The structure of the Union shall consist of the Convention, the National Executive*

1

the Union, and such power shall be legislative, executive and judicial.

(b) Between Conventions, this supreme authority shall reside in the National Executive Board and its Executive Committee in accordance with the Constitution and the mandates of the Convention, subject to the right of appeal to the Convention, the referendum and the recall.

(c) Between meetings of the National Executive Board, the administrative authority of the Union shall reside in the President, as the Union's chief Executive Officer, who shall be responsible to the Board and who shall have the authority to carry out the policies of the Union in accordance with the Constitution and the mandates of the Convention and the National Executive Board, subject to the right of appeal to the Convention, the referendum and the recall.

(d) The Ranch Communities and Organizing Committees shall have the powers and responsibilities provided in this Constitution or assigned to them by the Convention or the National Executive Board, and shall be governed as provided in this Constitution and by the Uniform Rules and By-Laws ratified by the Ranch Communities and Organizing Committees pursuant to this Constitution.

5

**ARTICLE V, UNION LABEL, UNION SEAL, UNION MEMBERSHIP INSIGNIA AND UNION FLAG**

**SUMMARY:** *The Union shall have a Label, Seal,*

3

*Board, and Ranch Communities and Organizing Committees. The Convention is the highest authority of the Union and between conventions this authority rests with the National Executive Board. Between Executive Board meetings, the administrative authority of the Union rests with the President. Ranch Communities and Organizing Committees shall be governed as provided in this constitution.*

Section 1: The Union shall consist of duly admitted members organized in Ranch Communities, Organizing Committees and Administrative Bodies. The Union shall not be dissolved so long as 100 members in good standing or 5 Ranch Communities object to its dissolution.

Section 2: This Constitution distributes the authority and powers of the Union among the following: the Convention; the National Executive Board and Executive Committee; the President, Secretary-Treasurer and other National Officers; the Board of Auditors, and the Membership acting individually and through their Ranch Communities, Organizing Committees and Administrative Bodies.

Section 3: The affairs of the Union shall be governed by the Membership in the following manner:

(a) The Supreme Authority of the Union shall reside in the Convention. In Convention assembled, the Union shall have the (plenary) power to achieve, regulate and direct the objects, policies, affairs, organization and administration of

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*Membership Insignia and a Flag approved by the Convention.*

Section 1: The Union shall have a Union Label and Stamp. Subject to the review of the Convention, the National Executive Board shall approve and adopt a form or forms of label and stamp for the identification of agricultural products harvested under contractual relations with the Union. The Secretary-Treasurer shall copyright and protect the Union Label and Stamp.

Section 2: Subject to the continuing approval of the National Executive Board, licenses for the use of the Union Label and Stamp may be granted to any employer in contractual relations with the Union, provided such licenses stipulate that the Label and Stamp are and shall remain the sole property of the Union, and provided such licenses shall be revocable by the National Executive Board in its discretion at any time. No producer, shipper or vendor of agricultural products shall be allowed to use the Label and/or Stamp unless such products were harvested by members of this Union pursuant to a collective bargaining agreement approved by the National Executive Board, provided, however, that the Board may waive this requirement where shipping and marketing practices dictate and where such waiver will not serve to mislead or confuse the public.

Section 3: The Seal of the Union shall bear the following words: "United Farm Workers of America, AFL-CIO." The Seal of the Union shall bear the design of the black eagle first registered as the

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membership mark of the United Farm Workers Organizing Committee and since assigned to this Union as its successor. The Seal may also bear the initials "UFW." The Convention shall adopt a Seal appropriate with the above provisions with such other descriptive language or additional design as it deems proper.

Section 4: The Seal shall be held by the Secretary-Treasurer in trust for the use of the membership in their organizational affairs. The Secretary-Treasurer shall prosecute the wrongful use or imitation of the Seal or of the Union's name and initials. The Secretary-Treasurer shall also take such measures as are necessary to register and copyright the Seal.

Section 5: Subject to review by the Convention, the official Membership Mark of the Union shall be the black eagle referred to in Section 3 hereinabove. This mark shall be the official insignia and symbol of the Union and shall appear on all membership cards, Union stationery, Union publications and other Union papers and documents not requiring the Seal. The Secretary-Treasurer shall take all necessary measures to register and copyright this mark and to prevent and prosecute its wrongful use or imitation.

Section 6: There shall be an official Flag of the Union approved by the Convention, which flag shall contain the Union's Membership Mark, the name of the Union, and such additional descriptive language or designs as the Convention deems proper. The Secretary-Treasurer shall take all necessary measure to register and copyright the Union Flag and

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on recalcitrant employers, including the unrestricted right to strike, boycott and engage in other non-violent activities calculated to secure Union recognition by and collective bargaining agreements with such employers;

(e) To promote the development and maintenance of health, welfare and on-the-job safety practices and such educational training programs amongst its members as would best effect a full knowledge of their rights, responsibilities, welfare and interest;

(f) To promote, foster, develop and advance the skills, efficiency and working knowledge necessary, of such workers;

(g) To promote industrial peace and develop a more harmonious relationship between employees and employers;

(h) To work and cooperate with other Unions for the mutual benefit of the respective memberships and the building of solidarity among the entire Labor Movement, and to provide assistance to farmworkers, labor and other organizations, in this country and throughout the world, which have the same or similar purposes and objects as those of this Union;

(i) To strive for effective programs which would improve, advance and increase the opportunity for employment;

(j) To promote a better understanding by government and the public of the purposes and objects of this Union and the Labor Movement as a whole;

to prevent and prosecute its wrongful use or imitation.

## PART TWO — OBJECTS AND COMMITMENT TO NON-VIOLENCE

### ARTICLE VI, <sup>6</sup> OBJECTS AND PURPOSES OF THE UNION

*SUMMARY: The Union was created and exists for these purposes: to unite all farm workers under the Black Eagle, to negotiate contracts to improve the wages and working conditions of farmworkers, to safeguard the right of farmworkers to strike and boycott, to engage in political activity which will advance the welfare of farmworkers, and to guarantee to every farmworker the dignity and freedom which are the right of every human being.*

The objects of the Union shall be:

(a) To unite under its banner all individuals employed as agricultural laborers, regardless of race, creed, sex or nationality;

(b) To negotiate, bargain collectively, contract or otherwise deal with the employers of agricultural laborers concerning wages, hours, working conditions, grievances, labor disputes and all other related matters;

(c) To secure recognition by employers and the public of agricultural laborers' right to organize for their mutual benefit and to engage in collective bargaining;

(d) To protect the moral and legal right of agricultural laborers to exert economic pressure

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(k) To engage in legislative activity to promote, protect and advance the physical, economic and social welfare of the workers;

(l) To promote registration, voting, political education and other citizenship activities, involving the Membership and their families and communities, which will secure the election of candidates and the passage of improved legislation in the interest of all labor and the defeat or repeal of those laws which are unjust to Labor and detrimental to the Membership;

(m) To engage in such research activity as may be appropriate and necessary;

(n) To engage in legal activities appropriate for the defense and advancement of the interests of the Union and its membership;

(o) To promote and protect the trade jurisdiction of this Union;

(p) To distribute information to the members concerning economic, social, political and other matters which affect their well-being;

(q) To protect the civil rights and liberties of its members and all other people and to guarantee to them a powerful voice in the institutions and decisions which govern their lives.

(r) To aid charitable organizations and institutions;

(s) To take all such other action which will conserve and promote the welfare and interests of this Union and its members;

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(t) To promote the full and equal participation by women in all affairs, activities and leadership positions of the Union.

#### ARTICLE VII, COMMITMENT TO NON-VIOLENCE

**SUMMARY:** *These goals and purposes will be achieved by non-violent means only — every member totally rejects the use of violence.*

The above-stated purposes and objects shall be accomplished only by and through totally non-violent means, for every member of this Union is sworn to reject the use of violence in any form for any Union activity.

### PART THREE — MEMBERSHIP

#### ARTICLE VIII, ELIGIBILITY

**SUMMARY:** *All farm workers shall be eligible for membership in this Union. Any person who serves the Union full time without salary for more than 6 months shall be eligible for membership.*

Any person, regardless of race, creed, sex, nationality or political belief, who is employed or actively seeking employment as an agricultural laborer shall be eligible for membership in this Union. Any person having served the Union, or any of its subordinate or affiliated bodies, full time and without salary for a period of 6 months shall be eligible for membership in this Union for the duration of his or her continuous full-time service.

#### \*ARTICLE IX, DISQUALIFICATIONS FROM JOINING THE UNION

**SUMMARY:** *Members disciplined by a Ranch Community or Organizing Committee must meet*

*\*New Article 9-A "Honorary Contributing Members" see Appendix C, Page 1*

*the required initiation fees before being admitted to the Union. As a further condition of membership, every applicant must consent to the Union being his or her sole agent for the purposes of collective bargaining and contract grievances.*

**Section 1:** All applicants for membership shall complete and sign an official application form of the United Farm Workers of America. The application form shall contain the following pledge by the applicant, which pledge shall be read to the applicant in a language he understands: "I promise on my honor to faithfully observe this Constitution and the laws of the United Farm Workers of America and the AFL-CIO. I will protect and exercise the rights which these laws and the Constitution of my Union guarantee. I solemnly promise to pay all my required Union dues and assessments and to carry out all of the other duties and obligations of Union membership. I pledge to respect all authorized strikes and picket lines of this Union. I will never scab on my Union brothers and sisters. I further pledge to do everything in my power to advance the principles of union democracy and the goals of the United Farm Workers of America, AFL-CIO."

**Section 2:** Commencing January 1, 1974, each applicant for membership shall be required to pay an Initiation Fee of \$25.00. An applicant who cannot immediately pay the Initiation Fee may sign an authorization for his employer to deduct the fee from his paycheck within seven days. However, the National Executive Board may waive or decrease the required Initiation Fee for agricultural laborers de-

*the terms of their sentences before being admitted to membership again. No supporter of a competing union shall be eligible for membership. No employer representatives shall be eligible for membership.*

**Section 1:** No person otherwise eligible for membership shall be readmitted to membership in the Union, after having been terminated for lack of dues activity as provided in Section 3 or Article X, if such person has been previously fined, suspended, or expelled by the Union until such person complies fully with the terms of such fine, suspension, or expulsion.

**Section 2:** No person shall be admitted to membership who is an active participant in or proponent of another labor organization in the trade jurisdiction of this Union; provided, further, that a person forced to join or pay dues to such a competing union, as a condition of employment, and who lends no other or further assistance or support to such union, shall not be denied membership in this Union under this Section.

**\*Section 3:** No person acting on behalf of any employer or having the right to hire and/or fire shall be eligible for membership in this Union.

#### ARTICLE X, APPLICATIONS, INITIATION FEES AND CONDITIONS OF MEMBERSHIP

**SUMMARY:** *Those eligible for Union membership must complete and sign an official application form, pledge to meet their Union obligations and obey the laws and rules of the Union, and pay*

*\*Section 3 Amended, see Appendix C, page 1*

siring to join an Organizing Committee in an area where there are no collective bargaining agreements. Persons obtaining Union membership by reason of full-time Union service shall be exempt from any Initiation Fee.

**Section 3:** Any member expelled from the Union for non-payment of dues and/or assessments may be reinstated only upon payment of the \$25 Initiation Fee, together with the payment of all monies due at the time of his expulsion, and such additional dues and/or assessments as became due during the period of his expulsion, unless otherwise ordered by the National Executive Board.

**Section 4:** Non-member agricultural laborers who leave their jobs to join an authorized strike may be admitted to membership without paying the required Initiation Fee or upon payment of a reduced Initiation Fee, if the National Executive Board should so order, subject to the provisions of Article IX and this Article X.

**Section 5:** Every person who accepts membership in this Union shall be deemed thereby to have authorized the Union to act as his or her sole collective bargaining agent for the purpose of executing collective bargaining agreements with reference to wages, hours and other working conditions, and such person shall be bound by the terms and provisions of any such collective bargaining agreements.

**Section 6:** Every person who accepts membership in this Union shall be deemed thereby to have authorized the Union and its subordinate bodies to act



as his or her exclusive agent to represent and bind him or her in the presentation, adjustment and settlement of all grievances, complaints or disputes of any kind arising out of the employment relationship, provided, however, that every member shall have the right to appeal from any action or failure to act of his Ranch Officers in the presentation, adjustment and settlement of any such grievance, complaint or dispute affecting such member. Such appeals shall be governed by the provisions of Articles XX and XXI of this Part.

**\* ARTICLE XI, EFFECTIVE DATE OF MEMBERSHIP, WITHDRAWAL FROM MEMBERSHIP, AND TERMINATION OF MEMBERSHIP**

**SUMMARY:** An applicant becomes a member when his application is accepted. A member in good standing unable to find work or leaving the jurisdiction of the Union may obtain a withdrawal card. Such member may be readmitted without paying an Initiation Fee if he applies within one year of date of withdrawal or upon payment of a \$15 Initiation Fee if he applies within two years of date of withdrawal. Membership shall be terminated by death, by accepting a position which disqualifies a person from membership, by failing to pay dues for a one-year period or by expulsion.

**\*\* Section 1:** An applicant is admitted to membership on the day his completed and signed application is accepted.

**Section 2:** Any member in good standing unable to find work or leaving the jurisdiction of the Union

**\* New Article 10-A "Members in Service to The Union"**  
see Appendix C, Page 2

**\*\* Section 1 Amended, see Appendix C, page 3**

on the condition such member may not hold any office within the Union or participate in any Union election during such period;

(d) by leaving the full-time service of the Union and accepting a position outside of the Union's jurisdiction or failing to make an initial dues payment within 60 days of the last day of Union service, whichever shall first occur.

**Section 4:** Effective January 1, 1974, a member for whom there is no reported dues activity for a continuous 12-month period shall be deemed to have withdrawn from the Union and to have terminated his or her membership. Such terminated member may be readmitted to membership only upon payment of the regular \$25 Initiation Fee, unless such member presents a valid withdrawal card as provided in Section 2 of this Article.

**Section 5:** Members on authorized leaves of absence from their employment or from their service with the Union or its subordinate and affiliated bodies may continue to be active members without regard to their lack of dues activity or the length of their separation from Union service; provided, however, that such leave of absence, if for more than one (1) year, be renewed annually.

**ARTICLE XII, MEMBERSHIP DUES**

**SUMMARY:** Every Union member shall pay the dues established by the Convention. Members serving full time with the Union shall be exempt from dues. The National Executive Board may exempt strikers, boycotters and members of Organizing Committees from dues. The 1973 Convention shall

may apply for a withdrawal card. Upon surrender of his or her membership card, such member shall be issued a withdrawal card. The withdrawing member shall lose all of the rights and privileges of membership and shall be exempt from the payment of dues and assessments falling due during the period of his or her withdrawal. Should the holder of a withdrawal card, otherwise eligible for membership, return to the jurisdiction of the Union and apply for readmission to membership within one year of the date of withdrawal, such person shall be readmitted without being required to pay the Initiation Fee. Should the holder of a withdrawal card, otherwise eligible for membership, return to the jurisdiction of the Union and apply for readmission more than one year but within two years from the date of his withdrawal, such person shall be readmitted upon the payment of a \$15 Initiation Fee. A member who withdraws from the Union and applies for readmission after two years from the date of his withdrawal shall be considered a new applicant and shall pay the required \$25 Initiation Fee.

**\* Section 3:** Membership in this Union shall be terminated:

(a) by death;

(b) by expulsion as provided in this Constitution;

(c) by accepting a position which renders the member ineligible for membership, provided, however, that a member who temporarily assumes such a position may retain membership for a period not to exceed 30 days

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**\* Section 3 Amended, see Appendix C, page 3.**

establish a dues structure based on a fixed percentage of union wages and apportioned between the Union's General Fund and its Strike Fund. Every member shall execute the required dues deduction authorizations and pay any dues owing and not deducted. Between Conventions, dues may be changed only by a referendum or Special Convention. Members exempt from dues shall not vote on dues policies.

**Section 1:** Each member of this Union shall pay the membership dues established by the Convention. Membership dues shall be collected in the manner as determined by the Convention or the National Executive Board.

**\* Section 2:** Members serving full time with the Union, or its subordinates or affiliated bodies, shall be exempt from dues for the duration of their full-time Union service.

**\* Section 3:** The National Executive Board may exempt members of Organizing Committees, strikers and boycotters from the payment of the required membership dues, by reason of their inability to pay dues, their volunteered Union service, and/or their inability to reap the benefits of working under a Union contract.

**\* Section 4:** The 1973 Convention shall adopt a dues structure based on a fixed percentage of each member's Union wages. Union wages are defined as wages earned by a Union member while working for an employer or employers party to a Union collective bargaining agreement. Union wages shall include vacation pay, holiday pay, overtime pay and

**\* Sections 2-4 amended, see Appendix C, page 17-18**

any other form of payment or compensation due a Union member under the provisions of a Union collective bargaining agreement. The Convention shall set the precise percentage of every member's Union wages which shall be payable as membership dues. The Convention shall also establish the apportionment of Union dues between the General Fund of the Union and the Union's Strike Fund, and it shall be the duty of the Secretary-Treasurer to so apportion and deposit all membership dues received by the Union.

Section 5: The percentage of Union wages dues structure shall take effect January 1, 1974, unless the Convention adopts a later date.

\*Section 6: Under the percentage of Union wages dues structure, each member's dues shall be deducted and paid over to the Union each and every week in which the member receives Union wages. It shall be the duty and obligation of every Union member to execute the necessary authorization or authorizations for the percentage deduction from his or her paycheck before earning any Union wages. In the event a Union member receives Union wages from which the proper percentage deduction has not been made, such member shall pay his required membership dues at the nearest Union office within seven (7) days of receipt of such Union wages. Failure to execute the necessary authorization or authorizations or to pay the required dues within seven (7) days, in the event the authorized deduction is not made, shall subject a Union member to suspension and expulsion as provided in Section 9.

\*Section 6 amended, see Appendix C, pages 13-14  
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of ninety (90) days from the date of expulsion. Under the percentage of Union wages dues structure, dues shall become due and payable on the date Union wages are received.

### <sup>13</sup> ARTICLE XIII, ASSESSMENTS

**SUMMARY:** General assessments may only be levied by the Convention. Special assessments, not to exceed one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages, may be voted by a two-thirds ( $\frac{2}{3}$ ) vote of the full National Executive Board for a period not to exceed one year. Special assessments of more than one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages or for a period of more than one year may be adopted only by a Special Convention or by a referendum vote. Failure to pay the required assessments shall subject a Union member to disciplinary proceedings.

Section 1: The Convention shall have the power and authority to levy a general assessment on the membership, in addition to the membership dues, provided the purpose, amount, duration, and method of payment of such assessment are communicated to the membership prior to the election of delegates and such assessment is adopted by a majority of the per-capita vote, or, if not so communicated to the membership prior to the election of delegates, provided such assessment is adopted by a two-thirds ( $\frac{2}{3}$ ) majority of the per-capita vote. On any such vote, the provisions of Section 8 of the preceding Article shall apply.

Section 7: Between regular Conventions, membership dues may be changed or increased only by a referendum or by a Special Convention. Should the National Executive Board desire to change or increase the membership dues established by the Convention, it shall either call a Special Convention for such purpose, as provided in Part Four, or it shall submit the proposed change or increase to a referendum vote, in accordance with Part Nine.

Section 8: Delegates to a regular or special Convention representing Administrative Bodies or Organizing Committees whose memberships pay no dues shall not be entitled to vote on any question or proposal concerning membership dues. The dues structure and the amount of dues shall be established, and any changes in same approved, by a majority of the per-capita vote not so disqualified from voting on such issues. Should the National Executive Board submit a dues change or increase to a referendum vote, only the membership of the Ranch Communities and of those Organizing Committees, if any, whose members pay dues, shall be entitled to vote in such referendum.

\*Section 9: A member in default in the payment of any installment of dues for thirty (30) days from the date such amount becomes due shall be automatically expelled from the Union. A member so expelled shall not be readmitted without payment of all dues owing at the time of expulsion, any assessments accruing during the period of expulsion, and the regular Initiation Fee of \$25; neither shall such expelled member be readmitted until the lapse  
\*Section 9 amended, see Appendix C, page 14  
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Section 2: Special assessments may be levied by the Convention in the manner set forth in Section 1 of this Article. Special assessments may also be levied as provided in this Section. In case of emergency or when income from dues and initiation fees is inadequate to finance necessary Union expenses, the National Executive Board may levy a special assessment, or assessments, not to exceed in aggregate one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages, for a period not to exceed one (1) year or until the next regular Convention, whichever is shorter, by a two-thirds ( $\frac{2}{3}$ ) vote of the full membership of such Board. A special assessment or assessments exceeding in aggregate one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages or for a period exceeding one (1) year may be initiated by the National Executive Board for submission to a referendum vote or a Special Convention; any such levy shall not take effect until approved by a majority of the per-capita vote at a Special Convention or by a majority of the membership voting in a referendum. On any such Special Convention or referendum vote, the provisions of Section 8 of the preceding Article shall apply. The sums collected by assessments under this Section shall be used only for the purposes of the assessments, except that any unexpended surplus shall be allocated to the General Fund of the Union, subject to reallocation by the Convention. The Secretary-Treasurer shall keep a complete record of all monies collected by assessments under this Section, and shall issue a full re-



port to the Convention on the receipt and expenditure of such monies.

**Section 3:** Every member shall pay the required Union assessments and shall have the duty and obligation to execute the necessary authorization or authorizations for the deduction of such assessments from his or her paycheck before earning any Union wages subject to such assessments. In the event a Union member receives Union wages from which the required assessments deduction has not been made, such member shall pay his or her required assessments at the nearest Union office within seven (7) days of receipt of such Union wages. Failure to execute the necessary authorization or authorizations or to pay the required assessments within seven (7) days, in the event the authorized deduction is not made, shall subject a Union member to disciplinary action as provided in this Part.

**Section 4:** Nothing herein shall be construed to prevent the adoption by a regular or special Convention or by a referendum vote of a fixed general or special assessment, not based on a percentage of Union wages, which may be collected by mandatory check-off or as such Convention or referendum may otherwise specify.

#### ARTICLE XIV, INITIATION AND OTHER FEES

**SUMMARY:** Initiation fees may be increased, and other fees imposed, in the same manner as dues.

Between regular Conventions, initiation fees may be increased or other fees imposed by a referendum or by a Special Convention. Should the National Executive Board desire to increase the Initiation Fee

**Section 2:** The Secretary-Treasurer shall prepare a complete list of those dues-paying members less than sixty-one (61) days delinquent on October 1, 1978, and not having worked fifty (50) or more hours under a Union collective bargaining agreement or agreements since January 1, 1971; the members so listed shall be allowed to continue to participate in the Limited Membership and Death Benefit program on the terms and conditions in effect at the time this Constitution was adopted, as set forth in Appendix B, until such time as their membership is terminated by dues delinquency, by working fifty (50) or more hours under a Union collective bargaining agreement or agreements or by death.

#### ARTICLE XVI, BILL OF RIGHTS OF MEMBERS

**SUMMARY:** Every member shall have the right: to participate equally with other members in Union affairs; to exercise freedom of assembly and freedom of speech; to be protected against arbitrary dues and assessments; to enforce his or her legal rights; to be protected against arbitrary discipline; to receive copies of Union contracts; to be informed of their legal rights as Union members and to participate in democratic Union elections.

**Section 1:** All members of this Union shall have equal rights and privileges in nominating candidates for office, voting in elections, and attending and participating in membership meetings; provided, however, that only dues-paying members and delegates representing such members shall be entitled

established by the Convention or impose other fees, it shall either call a Special Convention for such purpose, as provided in Part Four, or it shall submit the proposed increase or additional fee to a referendum vote, in accordance with Part Nine.

#### ARTICLE XV, TERMINATION OF LIMITED MEMBERSHIP AND DEATH BENEFIT PROGRAMS SUBJECT TO EXISTING OBLIGATIONS

**SUMMARY:** The Limited Membership and Death Benefit Program for non-contract workers shall be terminated. Union members shall receive death, medical, hospital and other benefits through the Kennedy Plan. The Union will meet its existing liabilities to non-contract limited members in good standing at the time this Constitution was adopted.

**Section 1:** Effective October 1, 1978, the Union's Limited Membership and Death Benefit program, set forth in full in Appendix B to this Constitution, shall be terminated; provided, however, that the Union honor its existing liabilities under such program as set forth in this Article. Effective said date, all new members and all current members who have worked fifty (50) or more hours under a Union collective bargaining agreement or agreements since January 1, 1971, shall look solely to the Robert F. Kennedy Farm Workers Medical Plan for death benefits, and this Union shall have no liability whatsoever to such members or their survivors to provide death or any other benefits not expressly provided or conferred by this Constitution, the decisions of the Convention, or collective bargaining agreements executed by the Union.

to vote on questions and proposals concerning dues and assessments.

**Section 4:** Every member of this Union shall have the right to meet other members, to express any views, arguments, or opinions, and to express at meetings his views on candidates for office and any other business properly before any and all meetings of this Union.

**Section 8:** Dues and fees may be raised and assessments imposed only as provided in this Constitution. If dues or fees are to be increased, or an assessment imposed, by the action of a regular or special convention, such action shall require approval by a majority of the per-capita vote at such Convention. No special Convention shall be held for the purpose of raising dues or fees or imposing assessment without giving at least thirty (30) days' written notice of the proposed increase or imposition to each Ranch Community and to each Organizing Committee, if any, entitled to vote on such question.

**Section 4:** The right of a member to bring any suit or administrative proceeding or appear as a witness or communicate with legislators, shall not be limited by this Union except as provided in Article XVII, Section 5.

**Section 5:** A member may not be disciplined by the Union except for failure to pay dues, unless he is served with specific written charges, is given a reasonable time to prepare his defense, and receives a full and fair hearing.

**Section 6:** It shall be the policy of this Union to furnish each employee, whether a member or not,

upon request a copy of any and all collective bargaining agreements which directly affect his rights as an employee.

Section 7: It shall be the policy of this Union to inform all members of their rights under the "Labor-Management Reporting and Disclosure Act of 1959," and any other State or Federal laws which guarantee rights of union members.

Section 8: It shall be the policy of this Union to follow these democratic standards for all referenda, recalls and elections of Ranch Community Officers and elections of delegates to regular and special Conventions:

- (a) Use secret ballots in elections;
- (b) Reasonable opportunity for members to nominate candidates;
- (c) Protection of freedom of choice in voting;
- (d) Advance notice of nominations and elections;
- (e) Rights of all candidates, the proponents of referenda and the accusing and accused parties in recalls to have an observer at the polls and at the counting of ballots;
- (f) Publication of voting results;
- (g) Over-all conduct of elections according to the Union's Constitution;
- (h) Preservation of election records and the credentials of delegates for at least one year after the election or Convention;
- (i) Prohibition against the use of the Union's funds to support the candidacy of any person for Union office;

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Section 5: No member shall bring or cause to be brought in any court any action against the Union, its officers, agents, or employees, in any matter arising out of or related to his membership, which is remediable within the framework of the Union, without having first exhausted all of the remedies available under the Constitution. Any member who violates this reasonable obligation may, if found guilty after notice and hearing in accordance with the provisions of the Constitution, be fined, suspended, and expelled. The National Executive Board shall have authority to assess such member in the amount which such litigation caused to be expended by the Union.

Section 6: A member must refrain from conduct that interferes with the performance of the lawful contractual obligations of the Union, or with the proper business of the organization.

Section 7: A member must observe reasonable rules established for the conduct of meetings, and refrain from willfully and intentionally disrupting them.

Section 8: A member must not willfully and intentionally engage in conduct inconsistent with his obligations under this Constitution by slandering the Union, or any officer thereof, by joining or assisting an organization or association antagonistic to the purposes and objectives of the Union, or by committing or inspiring acts injurious to the best interests of the Union.

Section 9: Every member shall faithfully perform each and every other duty and obligation imposed upon him or her by this Constitution, the Uniform

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(j) Election of National Officers at least once every four years and the election of Ranch Community officers at least every two years.

## ARTICLE XVII

### OBLIGATIONS OF MEMBERSHIP

**SUMMARY:** Every member shall abide by the Constitution and laws of the Union and keep his or her membership pledge. Every member shall pay the required dues and assessments as a priority obligation and shall respect all Union strikes and picket lines. No member shall use the courts against the Union without first exercising his rights under this Constitution. A member must not interfere with the conduct of Union business or engage in conduct which will damage the Union.

Section 1: Every member shall abide by the Constitution, laws, rules, regulations, policies and decisions of the Union.

Section 2: Every member shall faithfully keep the pledge which he or she made when joining this Union.

Section 3: Because every member receiving Union benefits must pay his fair share of the costs of collective bargaining and because dues and assessments are the lifeline of a Union, every member shall give priority to the payment of Union dues and assessments over all other financial obligations.

Section 4: Every member shall respect Union picket lines, for there is nothing lower than a strike-breaker.

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Rules and By-Laws governing the Ranch Communities and Organizing Committees, the collective bargaining agreements under which he or she works, and all other lawful acts and decisions of the Convention, the National Executive Board and the National Executive Committee.

## ARTICLE XVIII

### CHARGES AGAINST MEMBERS

**SUMMARY:** Any member in good standing may prefer charges against any other member for the offenses listed below. Charges shall be in writing and sworn to by the accuser. Charges shall be specific and detailed. Charges shall be filed with the president of the Ranch Committee, the director of the Organizing Committee or, if the accused works full-time for the Union, with the Secretary-Treasurer of the Union, who shall set a trial date and serve the accused party.

Section 1: Any member of the Union may prefer charges against any other member of the Union for:

- (a) failing to pay any required dues, assessments or fees when due;
- (b) violating any provision of this Constitution;
- (c) violating any decision, act, law, rule, regulation or official policy of the Convention or of the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the

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Un on for any profit received by him in connection with Union business conducted by him or under his direction;

(f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;

(g) other acts of dishonesty;

(h) conduct detrimental to the welfare of the Union;

(i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;

(j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent;

(k) violating any provision of the Uniform Rules and By-Laws governing Ranch Communities and Organizing Committees;

(l) violating any provision of a Union collective bargaining agreement or failure to observe any such provision;

(m) denying the privileges of membership to any other member;

(n) denying seniority or other contract rights and privileges to any other member;

(o) breach of trust;

(p) working without a dispatch, failing to report to work after being dispatched or recalled without notifying the hiring hall or otherwise violating the hiring hall rules and regulations;

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or membership mark, for any unauthorized purpose;

(bb) furnishing a complete or partial list of the membership of the Union, or of any Ranch Community, Organizing Committee or Administrative Body, to any person or persons other than those whose official position entitles them to such list;

(cc) deliberately interfering with any official of the Union in the discharge of his duties;

(dd) working without Union authorization during the period of an approved strike for a Ranch which is being struck by the Union;

(ee) crossing an authorized Union picket line;

(ff) modifying or attempting to modify a Union contract or otherwise negotiating with an employer, except as provided by Union contract in the case of presentation and adjustment of grievances;

(gg) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

Section 2: A member who fails to pay the required dues in the required manner or at the required times may be charged, tried and sentenced as provided in this Article and the following Article before or in addition to being suspended or expelled without trial as provided in Article XII of this Part. A member who refuses to execute the required authorizations for dues deductions prior to earning Union wages, or who receives Union wages from which the required dues have not been de-

(q) accepting a dispatch or remaining on the job while behind in the payment of required dues, fines or assessments;

(r) intimidating or discriminating against a ranch representative or officer because of actions taken in his or her official capacity;

(s) slandering or libeling the Union or any of its subordinate bodies, officers, officials or representatives;

(t) accusing any body, official, agent, representative or official of any of the offenses listed in this Section without preferring charges or initiating a recall petition against such persons;

(u) obtaining membership through fraudulent means or misrepresentation;

(v) violating established work rules;

(w) instituting or initiating, or urging or advocating that another member institute, any legal action or administrative proceedings against the Union or any of its officers or representatives without first exhausting the remedies and the rights of appeal provided by this Constitution;

(x) maliciously publishing or circulating among the membership false reports or misrepresentations;

(y) willfully wronging any other member of the Union;

(z) charging interest directly or indirectly in excess of the legal rate to fellow members;

(aa) using the name of the Union or any of its officers or agents or the Union label, seal

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ducted and who fails to pay such dues within 7 days, shall be subject to immediate discipline under this Article and the following Article.

Section 3: Such charges shall be in writing and shall be signed by the accuser or accusers. Such charges must state the exact nature of the offense or offenses charged and, if possible, the period of time during which the alleged offense or offenses took place. Official complaint forms shall be available at all Union offices for use by members wishing to prefer charges under this Section. The charges shall be filed with the appropriate officer or official as follows:

(a) If the accused be a member of a Ranch Community, with the President or, if the President is unavailable or be the accused, with the Secretary of such Ranch Community. Such officer shall distribute the charges to all members of the Ranch Committee;

(b) If the accused be a member of an Organizing Committee, with the Director of such Committee, or, if the Director be unavailable, with the Secretary of the Committee. Such official shall distribute the charges to the trial committee created as provided in the following Article;

(c) If the accused be a member of an Administrative Body, with the Secretary-Treasurer of the Union. Such officer shall distribute the charges to the Executive Committee or to a trial panel created by the National Executive Board for such purposes.



**Section 4:** Charges must be preferred within 60 days of the time the accuser becomes aware of the alleged offense or offenses or, if the accused member has withdrawn, within 60 days of the time he or she is readmitted to membership.

**Section 5:** After charges have been filed as provided in this Article, it is mandatory that a trial be held unless the charges are withdrawn by the accuser or are considered improper under this Article. Prior to serving the accused with a copy of the charges and a Notice of the time and place of trial, hereinafter provided, the Ranch Committee, or Trial Committee, or National Executive Committee (or Trial Panel of the National Executive Board) shall review the charges and consider them improper if:

(a) they do not state the exact nature of the alleged offense as required by Section 3 of this Article;

(b) the charges are untimely under Section 4 of this Article, or

(c) the act complained of does not constitute an offense described in Section 1 of this Article.

If the charges are found to be improper, the accuser shall be notified in writing and may appeal such decision to the National Executive Board as provided in Article XX of this Part.

**Section 6:** If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the charges, the officer or official receiving the

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Section 6 amended, see Appendix C, page 6

~~accused shall have the right of cross examination. Members may serve as prosecutors or defense counsel. The committee or panel shall make its recommendations to the membership. It shall take two-thirds of the members voting to find the accused guilty, three-fourths of the members voting to expel or suspend the accused, and a majority to impose a lesser punishment. If convicted, the member shall be informed of his right of appeal within 3 days.~~

**Section 1:** Members shall be tried as provided in this Article.

**Section 2:** Members of Ranch Communities shall be tried by their Ranch Committees in the presence of the membership. The Ranch Committee will take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. It shall require at least three (3) members of the Ranch Committee to conduct the trial. If there are not 3 members available, the Secretary shall appoint one or more members in good standing to serve as trial judges. The accused is disqualified to vote at his or her own trial. Any member appointed to serve as a trial judge, shall be disqualified from serving, if he or she is a party or is related to a party to the case.

**Section 3:** Members of Organizing Committees shall be tried by a Trial Committee in the presence of the Membership. The Director shall appoint at least 3 and no more than 5 members in good standing, not parties or related to any party in the case, to serve as a Trial Committee. The Director will

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charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally or, if served by registered mail, by mailing such copy of the charges and notice of trial, return receipt requested, at least 9 days before the date set for trial.

**Section 7:** The officer or official receiving the charges shall be responsible for such service. If the accused is served in person, the party making service shall sign a declaration setting forth the place and time that service was made. If service is made by certified mail, return receipt requested, the return receipt shall be kept on file.

**Section 8:** All of the time periods stated in this Article may be extended by the President where, in his judgment, justice will be served by such an extension.

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## ARTICLE XIX

### TRIAL AND DISCIPLINE OF MEMBERS

**SUMMARY:** Ranch Community members shall be tried by their Ranch Committees in the presence of the membership. Members of Organizing Committees shall be tried in the presence of the membership by a Trial Committee appointed by the Director. Members of administrative bodies shall be tried by the Executive Committee or by a Trial Panel. The trial shall be fair and impartial. The accuser must be present. The accused will have the right to produce witnesses, present evidence and be heard on his or her own behalf. The ac-

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take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. The accused is disqualified to vote at his or her trial.

**Section 4:** Members of Administrative Bodies shall be tried either by the National Executive Committee or by a Trial Panel, created by the National Executive Board from among the membership of his or her Administrative Body. Whether or not such Trial Panels are created shall be determined by the National Executive Board. Whether or not a Trial Panel is appointed, the Secretary-Treasurer will take every step necessary to inform the membership of the Administrative Body of a special meeting to be held at the time and place specified in the Notice of Trial.

**Section 5:** The trial shall be orderly, fair and impartial. The burden of proof shall be on the accuser. The accuser must be present. If the accused has been properly served and fails to appear, the trial shall proceed without the accused. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his or her own behalf. All witnesses shall testify under oath and the accused shall have the opportunity to cross-examine witnesses. No lawyers are permitted. A prosecutor may be appointed, from among the membership, to assist the accuser in the trial and presentation of evidence and the accused may select a member to act as counsel.

**Section 6:** The National Executive Committee or the President shall have a qualified person available

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Union for any profit received by him in connection with Union business conducted by him or under his direction;

(f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;

(g) other acts of dishonesty;

(h) conduct detrimental to the welfare of the Union;

(i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;

(j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent;

(k) violating any provision of the Uniform Rules and By-Laws governing Ranch Communities and Organizing Committees;

(l) violating any provision of a Union collective bargaining agreement or failure to observe any such provision;

(m) denying the privileges of membership to any other member;

(n) denying seniority or other contract rights and privileges to any other member;

(o) breach of trust;

(p) working without a dispatch, failing to report to work after being dispatched or recalled without notifying the hiring hall or otherwise violating the hiring hall rules and regulations;

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or membership mark, for any unauthorized purpose;

(bb) furnishing a complete or partial list of the membership of the Union, or of any Ranch Community, Organizing Committee or Administrative Body, to any person or persons other than those whose official position entitles them to such list;

(cc) deliberately interfering with any official of the Union in the discharge of his duties;

(dd) working without Union authorization during the period of an approved strike for a Ranch which is being struck by the Union;

(ee) crossing an authorized Union picket line;

(ff) modifying or attempting to modify a Union contract or otherwise negotiating with an employer, except as provided by Union contract in the case of presentation and adjustment of grievances;

(gg) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

Section 2: A member who fails to pay the required dues in the required manner or at the required times may be charged, tried and sentenced as provided in this Article and the following Article before or in addition to being suspended or expelled without trial as provided in Article XII of this Part. A member who refuses to execute the required authorizations for dues deductions prior to earning Union wages, or who receives Union wages from which the required dues have not been de-

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(q) accepting a dispatch or remaining on the job while behind in the payment of required dues, fines or assessments;

(r) intimidating or discriminating against a ranch representative or officer because of actions taken in his or her official capacity;

(s) slandering or libeling the Union or any of its subordinate bodies, officers, officials or representatives;

(t) accusing any body, official, agent, representative or official of any of the offenses listed in this Section without preferring charges or initiating a recall petition against such persons;

(u) obtaining membership through fraudulent means or misrepresentation;

(v) violating established work rules;

(w) instituting or initiating, or urging or advocating that another member institute, any legal action or administrative proceedings against the Union or any of its officers or representatives without first exhausting the remedies and the rights of appeal provided by this Constitution;

(x) maliciously publishing or circulating among the membership false reports or misrepresentations;

(y) willfully wronging any other member of the Union;

(z) charging interest directly or indirectly in excess of the legal rate to fellow members;

(aa) using the name of the Union or any of its officers or agents or the Union label, seal

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ducted and who fails to pay such dues within 7 days, shall be subject to immediate discipline under this Article and the following Article.

Section 3: Such charges shall be in writing and shall be signed by the accuser or accusers. Such charges must state the exact nature of the offense or offenses charged and, if possible, the period of time during which the alleged offense or offenses took place. Official complaint forms shall be available at all Union offices for use by members wishing to prefer charges under this Section. The charges shall be filed with the appropriate officer or official as follows:

(a) If the accused be a member of a Ranch Community, with the President or, if the President is unavailable or be the accused, with the Secretary of such Ranch Community. Such officer shall distribute the charges to all members of the Ranch Committee;

(b) If the accused be a member of an Organizing Committee, with the Director of such Committee, or, if the Director be unavailable, with the Secretary of the Committee. Such official shall distribute the charges to the trial committee created as provided in the following Article;

(c) If the accused be a member of an Administrative Body, with the Secretary-Treasurer of the Union. Such officer shall distribute the charges to the Executive Committee or to a trial panel created by the National Executive Board for such purposes.

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Section 4: Charges must be preferred within 60 days of the time the accuser becomes aware of the alleged offense or offenses or, if the accused member has withdrawn, within 60 days of the time he or she is readmitted to membership.

Section 5: After charges have been filed as provided in this Article, it is mandatory that a trial be held unless the charges are withdrawn by the accuser or are considered improper under this Article. Prior to serving the accused with a copy of the charges and a Notice of the time and place of trial, as hereinafter provided, the Ranch Committee, or Trial Committee, or National Executive Committee (or Trial Panel of the National Executive Board) shall review the charges and consider them improper if:

(a) they do not state the exact nature of the alleged offense as required by Section 3 of this Article;

(b) the charges are untimely under Section 4 of this Article, or

(c) the act complained of does not constitute an offense described in Section 1 of this Article.

If the charges are found to be improper, the accuser shall be notified in writing and may appeal such decision to the National Executive Board as provided in Article XX of this Part.

Section 6: If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the written charges, the officer or official receiving the

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\* Section 6 amended, see Appendix C, page 6

accused shall have the right of cross examination. Members may serve as prosecutors or defense counsel. The committee or panel shall make its recommendations to the membership. It shall take two-thirds of the members voting to find the accused guilty, three-fourths of the members voting to expel or suspend the accused, and a majority to impose a lesser punishment. If convicted, the member shall be informed of his right of appeal within 3 days.

Section 1: Members shall be tried as provided in this Article.

Section 2: Members of Ranch Communities shall be tried by their Ranch Committees in the presence of the membership. The Ranch Committee will take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. It shall require at least three (3) members of the Ranch Committee to conduct the trial. If there are not 3 members available, the Secretary shall appoint one or more members in good standing to serve as trial judges. The accused is disqualified to vote at his or her own trial. Any member appointed to serve as a trial judge, shall be disqualified from serving, if he or she is a party or is related to a party to the case.

Section 3: Members of Organizing Committees shall be tried by a Trial Committee in the presence of the Membership. The Director shall appoint at least 3 and no more than 5 members in good standing, not parties or related to any party in the case, to serve as a Trial Committee. The Director will

charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally or, if served by registered mail, by mailing such copy of the charges and notice of trial, return receipt requested, at least 9 days before the date set for trial.

Section 7: The officer or official receiving the charges shall be responsible for such service. If the accused is served in person, the party making service shall sign a declaration setting forth the place and time that service was made. If service is made by certified mail, return receipt requested, the return receipt shall be kept on file.

Section 8: All of the time periods stated in this Article may be extended by the President where, in his judgment, justice will be served by such an extension.

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## ARTICLE XIX

### TRIAL AND DISCIPLINE OF MEMBERS

SUMMARY: Ranch Community members shall be tried by their Ranch Committees in the presence of the membership. Members of Organizing Committees shall be tried in the presence of the membership by a Trial Committee appointed by the Director. Members of administrative bodies shall be tried by the Executive Committee or by a Trial Panel. The trial shall be fair and impartial. The accuser must be present. The accused will have the right to produce witnesses, present evidence and be heard on his or her own behalf. The ac-

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take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. The accused is disqualified to vote at his or her trial.

Section 4: Members of Administrative Bodies shall be tried either by the National Executive Committee or by a Trial Panel, created by the National Executive Board from among the membership of his or her Administrative Body. Whether or not such Trial Panels are created shall be determined by the National Executive Board. Whether or not a Trial Panel is appointed, the Secretary-Treasurer will take every step necessary to inform the membership of the Administrative Body of a special meeting to be held at the time and place specified in the Notice of Trial.

Section 5: The trial shall be orderly, fair and impartial. The burden of proof shall be on the accuser. The accuser must be present. If the accused has been properly served and fails to appear, the trial shall proceed without the accused. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his or her own behalf. All witnesses shall testify under oath and the accused shall have the opportunity to cross-examine witnesses. No lawyers are permitted. A prosecutor may be appointed, from among the membership, to assist the accuser in the trial and presentation of evidence and the accused may select a member to act as counsel.

Section 6: The National Executive Committee or the President shall have a qualified person available

to serve as a Trial Examiner, if the Ranch Committee should request such expertise, but such Examiner shall not vote or otherwise participate in the deliberation and verdict of the Committee or membership. A faithful and accurate record of the proceedings shall be made, and a complete file of all documents, records and minutes must be preserved for at least 2 years, in the event of appeals.

**Section 7:** The Committee or the Panel shall fully investigate the charges and shall have the power to call for any papers and documents relevant to the case and to demand the presence of witnesses. After hearing all of the evidence submitted by both the accuser and the accused, the Committee or Trial Panel shall go into Executive Session for deliberation and determination of guilt or innocence of the accused. They shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice and based on all of the evidence presented. If it is decided that the charges have not been sustained, the Committee or Panel shall recommend that the case be dismissed. To recommend conviction and disciplinary action, a majority vote is required of the Committee or Panel.

**Section 8:** The recommendation of the Committee or Panel shall be presented to the Ranch Community or Organizing Committee membership. A motion shall be entertained to accept or reject the recommendation. It shall take two-thirds of the members present and voting to declare the accused guilty, three-fourths of the members present and voting to

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in this Section for filing appeals from the decisions of trial courts may be extended at the discretion of the National Executive Board, for a period not to exceed 30 days, when the Board determines that such extension would serve the interests of justice;

**\* (c)** The National Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial. The National Executive Board shall decide such appeal within 30 days of receipt of the written appeal, and shall notify the appellant, by registered mail, addressed to the address shown on the appeal, of the Board's decision and, if the conviction and/or sentence be reaffirmed, of his or her right to appeal to the Convention or the Public Review Board, as provided in this Article;

**(d)** When the appellant has been convicted and reprimanded, censured, suspended or reprimanded or censured or suspended or expelled from membership, such penalty shall not be enforced pending final decision by the National Executive Board on any appeal filed as provided in this Section.

**Section 2:** Any member who has been suspended or expelled from the Union and whose suspension or expulsion is upheld by the National Executive Board, may appeal either to the Public Review Board or to the first Convention following the decision of the National Executive Board, as provided in this Section. A member may not appeal his sus-

expel or suspend the member, and a majority of the members present and voting to impose lesser penalties. The accused shall be informed orally, if he or she be present, and, within 3 days after the close of the trial, shall be served with written notice of the decision and penalty, if any, and of his or her right of appeal.

## 20 ARTICLE XX

**APPEALS TO THE NATIONAL EXECUTIVE BOARD**  
**SUMMARY:** Within 15 days after being tried, a member may file a written appeal with the Secretary-Treasurer. The National Executive Board shall decide the appeal in 30 days. If decision is upheld, member may appeal to Convention. A member suspended or expelled may appeal to Convention or Public Review Board. Members with other complaints and subordinate bodies may appeal to National Executive Board, as provided in Section 4. Certain grievance cases may be taken to Public Review Board.

**Section 1:** Any member tried and disciplined, as provided in the preceding Article, shall have the right to appeal to the National Executive Board, as follows:

**(a)** The appeal to the National Executive Board shall be in writing, shall contain the return address of the appellant, and shall be directed to the Secretary-Treasurer of the Union, who shall obtain the record of the case;

**(b)** Such written appeal must be mailed to the Secretary-Treasurer within 15 days of the date of the trial. The 15-day time limit provided

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pension or expulsion to both the Public Review Board and the Convention. Appeal to the National Convention or the Public Review Board shall not stay the suspension or expulsion. The right of appeal to the Convention or the Public Review Board shall be exercised by filing a notice of appeal within 15 days of receipt of notice of the National Executive Board's decision, with the Secretary-Treasurer of the Union. Notice of appeal shall specify to which body the appeal is being taken.

**Section 3:** Any member tried and disciplined, as provided in the preceding Article, but not suspended or expelled by the decision of the National Executive Board on appeal, shall have the right of appeal only to the Convention, in the manner provided in Section 2 of this Article. Such member may not appeal the decision of the National Executive Board to the Public Review Board. An appeal to the Convention shall not suspend enforcement of the discipline affirmed by the National Executive Board.

**Section 4:** All members of the Union and all subordinate bodies of the Union shall be entitled to the right of appeal to the National Executive Board, in addition to the right of appeal specified in Section 1 of this Article, as follows:

**(a)** Any member of any Community, Organizing Committee or Administrative Body who wishes to challenge any action or decision of that body, or of any official or representative of that body, must initiate the challenge before that body within 30 days of the time he or she first became aware of the action or de-

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cision. The challenge shall be submitted in writing to the President of the Ranch Community, the Director of the Organizing Committee or the Secretary-Treasurer of the Union, within such 30-day period. The challenge shall be brought before the next general membership meeting for consideration;

(b) If the challenged action or decision is passed upon and upheld by the general membership, the aggrieved member shall be entitled to appeal such action or decision to the National Executive Board, by filing a written appeal with the Secretary-Treasurer of the Union within 15 days of the date of the general membership meeting. Such appeal shall be decided within 60 days or at the next regular meeting of the National Executive Board, whichever first occurs;

(c) Any member or subordinate body, wishing to challenge any action or decision of any National officer or official, or any representative agent or employee of a National officer or official, must initiate the challenge within 30 days of the time he or she first became aware of the action or decision. The challenge shall be initiated by filing a written appeal with the Secretary-Treasurer of the Union, or, if the challenge be directed against such Officer, to the President, within such 30-day period. Such appeal shall be decided within 60 days or at the next regular meeting of the National Executive Board, whichever first occurs;

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## 21 ARTICLE XXI PUBLIC REVIEW BOARD

*SUMMARY: A Public Review Board shall be established to decide appeals from the National Executive Board concerning suspension or expulsion from the Union or cases of fraud, discrimination or collusion with the company in handling grievances. The Convention shall ratify the three members of the board proposed by the President and National Executive Board. It shall hold hearings in certain cases and its decisions shall be final. It shall present an annual report to the membership.*

**Section 1:** To further strengthen democracy and appeal procedures within the Union as they affect the vital rights and privileges of members, there shall be established a Public Review Board consisting of impartial persons, dedicated to the welfare and advancement of farm workers, and not working under the jurisdiction of the Union or full-time for the Union.

**Section 2:** The Public Review Board shall consist of 3 members, including the Chairman. Their terms shall be for the period between regular Conventions. At the First Constitutional Convention, the President shall, subject to the approval of the National Executive Board, propose the names of the Chairman and other members of the Public Review Board for ratification by the Convention. Any vacancy on the Public Review Board shall be filled by the National Executive Board, from the list of

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(d) Any member aggrieved by any action or inaction concerning the processing of a collective bargaining grievance may appeal directly to the National Executive Board by filing a written appeal with the Secretary-Treasurer of the Union within 15 days of the time the challenged action or inaction is alleged to have occurred. Such appeal shall be decided within 60 days or at the next regular meeting of the National Executive Board, whichever first occurs;

(e) The National Executive Board, upon deciding any appeal under this Section, shall promptly notify the appellant of its decision and of the right of appeal to the Convention or the Public Review Board, as provided in the following Section. Such notice shall be sent as provided in Section 1 (c) of this Article.

**Section 5:** Any member or subordinate body wishing to appeal any decision of the National Executive Board may, in all cases, take such appeal to the next Convention in the manner described in Section 2 of this Article. In addition to the members described in Section 2 of this Article, any member unsuccessfully appealing to the National Executive Board pursuant to Section 3 (e), and alleging that the grievance was improperly handled because of fraud, discrimination or collusion with management, shall have the alternative and option of appealing such matter to the Public Review Board. Such appeal shall be filed in the manner described in said Section 2 of this Article.

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names submitted by the remaining members of the Public Review Board.

**Section 3:** The Public Review Board shall have the authority and duty to make final and binding decisions on all cases appealed to it in accordance with Sections 2 and 4 of Article XX of this Constitution.

**Section 4:** Upon receipt of the Notice of appeal to the Public Review Board, the Secretary-Treasurer shall forward, to the Chairman, all documents and records in the case. The Public Review Board shall adopt rules and practices to facilitate its proper functioning.

**Section 5:** In the case of a member appealing suspension or expulsion from the Union, the Board may, after studying the documents and records and preliminary consideration or investigation, decide to dismiss the appeal without a hearing, if it determines that the appeal is insubstantial or that no useful purpose would be served by a hearing. Otherwise the Board shall hold a hearing and, upon due consideration, issue its decision which shall be final and binding upon all parties. Such decision shall be issued within 45 days of the date the Notice of Appeal was filed.

**Section 6:** In cases involving the processing of grievances, the Board shall first determine whether the specific allegation upon which the Board's jurisdiction is to be based is or is not true. If the Board finds that there has been no fraud, discrimination, or collusion with management, it must dismiss the appeal. Otherwise, the Board shall proceed to dis-

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pose of all facets of the appeal; provided that in no event shall the Board have the jurisdiction to review an official collective bargaining policy of the Union.

Section 7: The Public Review Board shall prepare and submit to the membership an annual report of its activities, including a summary of all appeals it has handled during the year. The report shall be published to the membership and, during Convention years, it shall be distributed to all delegates.

#### PART FOUR — CONVENTIONS

##### ARTICLE XXII 22

##### BIENNIAL CONVENTIONS

**SUMMARY:** The Union shall have a Convention every two years.

The Union shall meet in regular Conventions every two years on the Friday preceding Labor Day at a place designated by the National Executive Board. The National Executive Board may, for good cause, change the place or defer the opening date of the Convention to a date not later than October 15.

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##### ARTICLE XXIII

##### CONVENTION CALL

**SUMMARY:** Sixty days before the Convention the Secretary-Treasurer shall mail to each delegation a Convention Call stating the place and date of the Convention, the number of each delegation, and the per capita vote of each delegation.

The Secretary-Treasurer shall not later than 60 days prior to the Convention date, mail to each Ranch Community, Organizing Committee, and Ad-

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of Auditors and the legally elected delegates from the Ranch Communities, Organizing Committees, and Administrative Bodies. The members of the National Executive Board and the Board of Auditors shall serve as accredited delegates by virtue of their office, with all privileges of elected delegates, except they shall not be permitted to vote. No delegate shall be entitled to a seat in the Convention unless:

(a) He or she has been a Union member in good standing for at least one year prior to his or her election; and

(b) He or she has been a member of the Delegate Body which he or she represents for at least three months prior to the Convention; and

(c) The delegate is in good standing at the time of the Convention.

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##### ARTICLE XXVI

##### ELECTION & CERTIFICATION OF DELEGATES

**SUMMARY:** The call shall specify the number of delegates to which each body is entitled based on the below formula. The per-capita vote of each delegation shall be determined as of May 31 of the Convention Year. Members will vote at the ranch where they presently are working or last worked, on the first Sunday in August. The elections will be held at the appropriate Union office.

Section 1: The Call shall specify delegation strength. Each Ranch Community and Organizing Committee shall be entitled to the number of delegates indicated in the following scale:

1-50 members = 1 delegate

51-100 members = 2 delegates

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ministrative Body a Convention Call stating the date and place where the Convention is to be held. The Convention Call shall specify the number of delegates each Ranch Community, Organizing Committee and Administrative Body (hereinafter called "delegation") is entitled to elect as its representatives to the Convention and the per capita voting strength of each delegation.

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##### ARTICLE XXIV

##### POWERS OF THE CONVENTION

**SUMMARY:** The Convention shall have the power to decide upon credentials and seating, establish Union policies, interpret and amend this Constitution.

The Convention shall have the power to:

(a) Pass upon the credential and seating of delegates;

(b) Establish the policies to be followed by the Union;

(c) Interpret and amend this Constitution;

(d) Do all things necessary for the proper disposition of any matter which may come before it for consideration.

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##### ARTICLE XXV

##### COMPOSITION OF THE CONVENTION

**SUMMARY:** The National officers and delegates shall constitute the Convention. National officers shall not vote. Delegates must have been Union members for one year and members of the unit they represent for three months.

The Convention shall be comprised of the members of the National Executive Board and the Board

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101-300 members = 3 delegates

301-500 members = 4 delegates

501-700 members = 5 delegates

701-1000 members = 6 delegates

1001-1500 members = 7 delegates

1501-2100 members = 8 delegates

2101-2800 members = 9 delegates

Over 2800 members = 10 delegates

Section 2: Administrative Bodies are administrative units created by the National Executive Board and composed of members serving full-time with the Union as provided in Part Three.

Section 3: Only members in good standing with the Union may participate in delegate elections. During the period of an authorized strike, members working full-time on the boycott shall continue to be members of and vote with their Ranch Community being struck.

Section 4: Each Administrative Body shall be entitled to the following number of delegates:

5-25 members = 1 delegate

26-50 members = 2 delegates

51-100 members = 3 delegates

Over 100 members = 4 delegates

\*Section 5: The membership and per capita vote of each delegation shall be determined and certified by the Secretary-Treasurer and shall be determined as of May 31 of the Convention year, provided, however:

(a) For each Administrative Body not having at least 5 members as of such date, the Secretary-Treasurer shall designate the Administra-

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\*Section 5 Amended, see Appendix C, page 4

tive Body or Bodies with which it is combined for purposes of electing delegates;

(b) The membership of each Ranch Community shall be calculated on the basis of every member having worked at that Ranch during the 12-month period ending May 31; members working at more than one Ranch during the 12-month period shall be assigned for purposes of calculating per-capita vote to the Ranch where they worked the most hours;

(c) Where the subordinate body as determined by the Secretary-Treasurer is not evenly divisible by the number of delegates which such body is entitled to elect pursuant to Sections 1 and 4 above, the Secretary-Treasurer shall allot sufficient additional per capita votes to such body so that each delegate may cast the same number of per-capita votes.

Section 6: Elections for all delegates shall be held on the first Sunday in August of the Convention year. Members of Ranch Communities shall vote for delegates at the Ranch where they are employed on said date or at the Ranch where they were most recently employed. Elections will be held at the office of the Organizing Committee or Administrative Body or at the field office having jurisdiction over the Ranch Community. Each body shall elect an alternate delegate for each delegate elected who shall attend the convention in the event the delegate is unable to attend. The alternate receiving the most votes shall be the first alternate, and so forth.

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attached to this Constitution as Appendix A. A majority of all duly selected delegates present and voting shall constitute a quorum. The delegates shall cast their votes, and the same shall be counted by the Secretary of the Convention who shall keep accurate records of all votes and preserve same for one year after the Convention. The Secretary shall announce the result of each vote.

#### ARTICLE XXVIII

##### CONDUCT AT THE CONVENTION

*SUMMARY: The President shall be the chairman and the Secretary-Treasurer shall be the Secretary of the Convention. The President shall appoint a Sergeant-at-arms.*

Section 1: The President of the Union shall be chairman of the Convention, but may call any delegate to act in his stead.

Section 2: The Secretary-Treasurer of the Union shall serve as Secretary of the Convention and shall maintain an accurate record of the Convention proceedings, and preserve it for one year.

Section 3: The President shall appoint a Sergeant-at-arms who shall arrange for the seating of delegates at the Convention. He shall, under the direction of the President, maintain proper order and decorum within the hall, and shall perform such other duties as the President may require.

#### ARTICLE XXIX

##### COMMITTEES OF THE CONVENTION

*SUMMARY: Prior to the Convention, the President shall appoint five committees and designate*

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Section 7: The Secretary of each Ranch Committee and Organizing Committee and the Secretary-Treasurer of the Union shall certify the names, addresses, and Ranch of each delegate and alternate, to the President at least 21 days before the Convention.

Section 8: Ranch Communities, Organizing Committees and Administrative Bodies created after May 31st shall elect delegates to be assigned a per-capita vote based on the membership on the date of their creation.

Section 9: Delegations without a full complement of delegates may cast the entire per-capita vote to which they are entitled only if so recommended by the Credentials Committee and approved by the Convention. There shall be no proxy voting.

#### ARTICLE XXVII 27

##### VOTING AT THE CONVENTION

*SUMMARY: Every delegate shall have one vote except on roll-call votes required by this Constitution or permitted under the rules.*

Each delegate shall have one vote in the Convention except on a roll-call vote. Voting by roll-call shall be by per-capita vote with each delegate casting the number of votes assigned to him and approved by the Credentials Committee of the Convention. Per-capita votes shall be had in the case of contested elections for National Officers and members of the Board of Auditors, on questions or resolutions concerning dues, assessments or fees, and on amendments to this Constitution. All other voting shall be as provided in the Permanent Rules

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committee chairmen. The National Executive Board shall have the power to appoint additional committees when necessary.

Prior to each Convention, the President shall appoint five committees: Credentials, Rules and Order of Business, Resolutions, Constitution, and Elections. The Resolutions Committee shall be comprised of 25 delegates and all other committees shall be comprised of 5 delegates, provided, however, that no National Executive Board members may serve on the Election Committee.

The President shall designate a member of each committee as chairman. The National Executive Board shall have the authority to appoint those Committees which are not required by this Constitution and which may be necessary to promote the objectives of the Convention. The President of the Union shall ex-officio be a member of every committee, except the Elections Committee.

#### ARTICLE XXX 30

##### CREDENTIALS

*SUMMARY: Credentials shall be forwarded to all delegate bodies within two weeks after the call. After the delegate elections the credentials shall be forwarded to the Secretary-Treasurer of the Union in the time above-specified.*

Credential blanks in duplicate for delegates and alternates shall be forwarded to all delegate bodies. They must be attested as required. Immediately after the election and no later than 21 days before the Convention, the original credentials shall be forwarded to the Secretary-Treasurer. The duplicate

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credentials shall be retained for presentation to the Credentials Committee. The Credentials Committee shall meet prior to the opening of the Convention. The Convention will not be constituted for business until after the Credentials Committee shall have examined and reported on credentials of all delegates present at the scheduled time on the opening date of the Convention. The Credentials Committee shall pass on the validity of all credentials, its decisions being appealable to the Convention.

### ARTICLE XXXI 31 RESOLUTIONS

**SUMMARY:** Any delegate body may submit resolutions prior to the Convention by mailing them to the Secretary-Treasurer 21 days or more before the Convention. During the Convention resolutions must be submitted to the Committee on Resolutions, signed by 10% of the delegates.

\*Any delegate body may submit resolutions prior to the Convention by mailing them to the Secretary-Treasurer at least 21 days before the Convention. The Secretary-Treasurer shall sort and distribute such resolutions to the appropriate committees of the Convention. Protests of delegate elections must be received by the Secretary-Treasurer not more than 7 days after the delegate election in dispute. These protests shall be referred to the Credentials Committee which may waive the foregoing time limitation where the interests of justice would be served. During the Convention, resolutions may be submitted to the Resolutions Committee by 10% or more of the accredited delegates. The President,

\*These sentences amended<sup>53</sup>, see Appendix C, page 4

Section 3: In any case where there is only one nominee for an office or position, the unopposed candidate shall be declared elected. In all other instances, election shall be by roll call vote.

Section 4: A majority of the votes cast shall be required to elect a President and a Secretary-Treasurer. If no candidate receives a majority, a run-off election shall be held between the two candidates receiving the greatest number of votes on the first vote. The same requirements shall apply to the election of the First, Second, and Third Vice Presidents.

Section 5: In the election of Executive Board Members, if there are no more than four nominees, the unopposed candidates shall be declared elected. In all other cases, the election shall be by roll call vote. If there are more than twice as many candidates as there are offices, there shall be a run-off election in which there shall be eight candidates; the candidates in the run-off shall be selected on the basis of their showing on the first roll call vote.

Section 6: The Union shall comply with all reasonable requests by any good-faith candidate for office to distribute campaign literature at the candidate's expense to all members in good standing.

### 33 ARTICLE XXXIII

#### ELECTION OF MEMBERS OF BOARD OF AUDITORS

**SUMMARY:** Members of the Board of Auditors shall be elected for two years. Nominations and elections shall be in open convention. Any eligible members may be nominated with 5% delegate sup-

port. The election shall be conducted in the same manner as for the Executive Board members. The members of the Board of Auditors shall be elected for two year terms beginning with the 1973 Convention. Vacancies shall be filled as provided in the preceding article and elected in the same manner as the Executive Board members, except that the number to be elected shall be five instead of four.

### 32 ARTICLE XXXII

#### ELECTION OF NATIONAL OFFICERS

**SUMMARY:** National officers shall be nominated and elected for four years in open convention.

Section 1: The National Officers — the President, Secretary-Treasurer, First, Second, and Third Vice President, and the four Executive Board Members — shall be elected for four year terms beginning with the 1973 Convention. Vacancies shall be filled, as provided in Part Six, for the period during regular Conventions. The next regular Convention shall elect a successor for a term of two or four years, to coincide with the regular quadriennial election of officers.

Section 2: Nominations for officers shall be in open Convention and no nominating committee shall be used. Any member of the National Executive Board and any delegate may nominate any eligible member for any office or position, provided such nomination is made and seconded by delegates representing at least 5% of the accredited delegations and at least 5% of the total accredited per capita vote at the convention. Following nominations, any nominee may decline. Challenges to the eligibility of any nominee may be made orally or in writing to the Chairman of the Elections Committee.

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port. The election shall be conducted in the same manner as for the Executive Board members.

The members of the Board of Auditors shall be elected for two year terms beginning with the 1973 Convention. Vacancies shall be filled as provided in the preceding article and elected in the same manner as the Executive Board members, except that the number to be elected shall be five instead of four.

### 34 ARTICLE XXXIV

#### INSTALLATION OF NATIONAL OFFICERS AND MEMBERS OF THE BOARD OF AUDITORS

**SUMMARY:** Elected officers and officials shall be installed by an installation officer appointed by the President. They shall each take the required pledge.

Section 1: Incoming elected National Officers and Members of the Board of Auditors shall be installed by such person as the President may designate.

Section 2: The Installing Officer shall administer the following pledge to each such elected officer and official:

"I do hereby solemnly and sincerely pledge my honor, in the presence of the witnesses here assembled, to perform the duties of my office, as provided in the Constitution and laws of the United Farm Workers of America, to the best of my ability, and to bear true allegiance to this National Union. I will, at all times, conduct myself and carry out the duties of my office in a manner which will lend honor to my Union.

I do further pledge to deliver to my successor in office all books, papers and other property of the Union that may be in my possession or under my control at the close of my official term."

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**ARTICLE XXXV**  
**SPECIAL CONVENTIONS**

**SUMMARY:** *The National Executive Board or 20% of the membership may call a Special Convention. The Convention shall be held within 30-40 days as specified in the call, and all members shall be notified of the time and place of delegate elections.*

**Section 1:** Special Conventions may be called by the National Executive Board and shall be called upon the request of twenty percent (20%) of the Ranch Communities and Organizing Committees representing 20% of the membership of the Union.

**Section 2:** Within 20 days of receipt of a sufficient request or direction for a Special Convention, the Secretary-Treasurer shall issue a call for such Convention to be held at least 30 days and not later than 40 days after the date of the Call. The date and place of the Convention shall be specified as well as the per-capita voting strength of each delegation, calculated as of the last day of the fourth month preceding the date of the Convention. Delegates shall be elected pursuant to the scale and rules used in Article XXVI. All members shall be given the notice as required by law as to the place and time of the delegate election. Credentials and Resolutions shall be submitted to the Secretary.

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**Section 2:** It shall have the power to interpret the provisions of this Constitution and to review and pass upon the interpretations of the Constitution made by the President.

**Section 3:** It shall have the power to review and pass upon the Executive and Judicial functions and acts of the Officers of the Union.

**Section 4:** It shall have the power to take such action and steps as may be necessary to organize the unorganized.

**Section 5:** In order to promote and conserve the welfare and interest of the Union, it shall have the power to take such action as in its opinion it may deem necessary and beneficial to carry out the objects and purposes of this Union. It shall be empowered and authorized to make such expenditures and payments out of the funds of the Union as are proper and necessary to carry out the objects, purposes and policies of the Union, as set forth in the Constitution.

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**ARTICLE XXXVIII**  
**EMERGENCY POWERS OF THE NATIONAL EXECUTIVE BOARD**

**SUMMARY:** *It is the responsibility of the Convention to make the Union's laws. Between Conventions, in case of an emergency, the Board may pass laws or amend the Constitution under certain conditions and rules.*

**Section 1:** The Board may exercise emergency legislative power when it is necessary to do so in order to comply with the civil law or when, by a

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Treasurer within two days of the elections. Once convened, a Special Convention shall be governed by the Permanent Rules and the Constitutional provisions set forth in this Part.

**PART FIVE — THE NATIONAL EXECUTIVE BOARD**  
**ARTICLE XXXVI 36**  
**COMPOSITION AND AUTHORITY**

**SUMMARY:** *The 9 National Officers elected by the Convention shall be the members of the National Executive Board. Between Conventions, the Board shall control the Union's affairs.*

**Section 1:** The National Executive Board shall be composed of the President, the Secretary-Treasurer, 3 Vice Presidents and 4 Executive Board members.

**Section 2:** Subject to review of the Convention, it shall have the authority and control over all of the Executive and Judicial powers of the United Farm Workers of America.

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**ARTICLE XXXVII**  
**GENERAL POWERS OF THE NATIONAL EXECUTIVE BOARD**

**SUMMARY:** *The Board shall supervise the affairs and property of the Union. It shall interpret the Constitution, and review the acts of the Union Officers. It shall spend Union money only when necessary to carry out the purposes and policies of the Union.*

**Section 1:** It shall have general supervision over the affairs and property of the Union, and it shall have all powers necessary or appropriate to effectuate the powers granted to it by this Constitution.

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$\frac{2}{3}$  vote, the Board declares an emergency situation requiring legislative action.

**Section 2:** The Board may exercise this emergency power by adopting new legislation not inconsistent with this Constitution, provided, however, that such emergency legislation shall terminate at the following Convention unless approved and extended by the Convention. The Board may also exercise this emergency power by amending the Constitution, provided, however, that any such Constitutional amendment shall lapse 100 days after the date of its adoption unless it has been approved by a Special Convention or a Referendum vote of the membership within such time period.

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**ARTICLE XXXIX**  
**SPECIFIC POWERS OF THE NATIONAL EXECUTIVE BOARD**

**SUMMARY:** *The Board shall have the power to: submit resolutions to the Convention; acquire and dispose of property; bank and invest the Union's funds; borrow money and use the Union's property as security; make guarantees; submit referenda to the membership; charter subordinate bodies and suspend or revoke such charters under certain conditions; levy limited special assessments; publish a newspaper; and delegate its powers to committees or members of the Board.*

**Section 1:** It shall have the power to formulate proposals and resolutions for submission to the Convention.

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Section 2: It shall have the power to authorize the purchase, sale, rental, lease, or other acquisition or disposition of real and personal property.

Section 3: It shall have the power to designate the depositories for the Union's funds and to regulate the method of withdrawal of such funds, subject to the provisions of Article L of this Constitution. It shall have the power to establish the investment policy of the Union's funds and to regulate the manner in which investments shall be made.

Section 4: It shall have the power to borrow money and to pledge the property, real and personal, of the Union as security for such loans.

Section 5: It shall have the power to make guarantees.

Section 6: It shall have the power to submit referenda to the membership, as provided in Part Nine of this Constitution.

Section 7: It shall have the power to issue charters to subordinate bodies, specifying the jurisdiction, powers and authority to be exercised by such subordinate bodies, when, in its opinion, the issuance of such a charter would further the welfare and best interests of the Union and its membership.

Section 8: It shall have the power to suspend or revoke the charter or other authority of, or to reprimand, discipline or reorganize any subordinate body which has been found guilty of failing to comply with this Constitution, or with the laws, policies and decisions adopted by the Convention or the National Executive Board or by referendum vote, or of other misconduct.

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tive Board shall conduct such other audits as it deems necessary.

Section 1: The National Executive Board shall retain the services of a Certified Public Accountant to assist the elected Board of Auditors in the conduct of the annual audit. The National Executive Board shall provide all possible assistance and cooperation to the Board of Auditors in the carrying out of their Constitutional duties.

Section 2: The National Executive Board shall insure that the required annual audit is made and, if it determines that the Board of Auditors has not met its full responsibilities with respect to such audit, the National Executive Board shall have the power and duty to have an independent audit made by a qualified person or persons. The National Executive Board shall insure that the results of the annual audit are published to the membership by the Secretary-Treasurer, or otherwise.

Section 3: Nothing in this Constitution shall be deemed to prevent the National Executive Board from conducting more frequent or such other audits as it deems necessary or advisable.

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#### ARTICLE XLI

##### ADMINISTRATIVE DEPARTMENTS AND OFFICES

*SUMMARY: The President shall direct the Administrative Departments of the Union. The National Executive Board shall create additional departments as needed to be directed by the President. For purposes of administration, the National Executive Board may divide the Union into*

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Section 9: It shall have the power to levy special assessments for necessary revenue in accordance with Part Three, Article 13 of this Constitution.

Section 10: It shall have the power to publish a newspaper, in one or more languages, and to appoint its editor.

Section 11: It shall have the authority to delegate any of its powers, except where prohibited by other provisions of this Constitution, to any Board member or members or Committee of such members, and it may revoke such delegation of powers at any time.

Section 12: It shall have the power to promulgate Uniform Rules and By-Laws governing Ranch Communities and Organizing Committees for submission to and ratification by such Communities and Committees. These Uniform Rules and By-Laws shall become effective immediately upon approval by Ranch Communities representing a majority of the total Ranch Community *per-capita* vote at the 1973 Convention, and by a majority of the total Organizing Committee *per-capita* vote at said Convention.

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#### ARTICLE XL AUDITS

*SUMMARY: The National Executive Board shall retain the services of an accountant and provide all other necessary assistance to the Board of Auditors for the conduct of the annual audit. The National Executive Board shall insure that the annual audit is made and that the results are published to the membership. The National Execu-*

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*regional areas and maintain such field or area offices as the President and the National Executive Board deem necessary. Such offices shall be directed by the President.*

Section 1: The Organizing, Boycott, Strike, Legal, Negotiations, Research, Membership, Administrative and other existing Departments of the Union shall be funded by the National Executive Board and directed by the President. The National Executive Board may create and fund such additional or other Departments of the Union as it may from time to time deem necessary or as the President shall recommend. All such Departments shall be directed by the President.

Section 2: For purposes of administration, the National Executive Board may divide the Union into regional areas and operate and maintain such field or area offices as the President shall recommend or as it deems necessary to service the membership, organize the unorganized, and obtain and enforce collective bargaining agreements or otherwise promote the business of this Union or the welfare of its membership. All such field or area offices shall be directed by the President who may appoint such field or area directors and other staff as he deems necessary and appropriate.

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#### ARTICLE XLII

##### TRUSTEES FOR EMPLOYEE BENEFIT PROGRAMS AND UNION SERVICE PROGRAMS

*SUMMARY: The National Executive Board shall appoint trustees and directors to serve on the ne-*

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gotiated Health and Welfare, Pension and other employee benefit plans. Whenever practicable, the Union shall establish additional service programs.

Section 1: Whenever the Union negotiates a health and welfare, pension, legal services, day care or other employee benefit program which is to be funded by employer contributions and governed by a trust or non-profit corporation composed of employer and Union representatives, it shall be the duty and obligation of the National Executive Board to appoint the Union Trustees, Directors or other representatives to serve without compensation on such Board of Trustees or Non-Profit Corporations.

Section 2: This Union shall establish and maintain, whenever practical, a Credit Union, Group Insurance programs, Social Service programs, educational training, retirement programs, and such other programs, including the ones mentioned in the preceding Section which have not been negotiated, as will promote the objects and purposes of this Union and the welfare of its membership.

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#### ARTICLE XLIII

##### DELEGATES TO AFL-CIO CONVENTIONS

**SUMMARY:** The National Executive Board shall select delegates to represent this Union at the Biennial Conventions of the AFL-CIO

The National Executive Board shall select delegates to represent the United Farm Workers of America, AFL-CIO, at the Biennial Conventions of the American Federation of Labor-Congress of Industrial Organizations.

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wise specified in this Constitution. Only a majority of the National Executive Board can adjourn a Board meeting.

Section 4: In all matters requiring action by the National Executive Board, and when the Board is not in formal session, the Board may act by telegram, letter or long-distance telephone. When the President requires action by the National Executive Board, which action cannot wait until the next scheduled regular meeting of the Board, and which action does not merit the delay or expense of a special meeting in the view of the President, the President may obtain such action by telegraphing, writing or telephoning the members of the National Executive Board, and the members may take action on the matter brought to their attention in the same manner, provided that all members of the Board be polled. Such action taken by a majority of the Members of the Board shall constitute official action of the Board, provided it is confirmed at the next formal session of the Board.

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#### ARTICLE XLV

##### EXECUTIVE AND OTHER COMMITTEES

**SUMMARY:** The President, Secretary-Treasurer and Vice Presidents shall sit on the Executive Committee. The committee shall have the duties and powers assigned to it by the Convention, the National Executive Board and the Constitution. Meetings shall be called by the President and three members shall constitute a quorum. The Executive Committee shall be the highest authority

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#### 44 ARTICLE XLIV

##### MEETINGS, QUORUMS AND POLLING

**SUMMARY:** The National Executive Board shall meet four times a year. Special meetings shall be called at the request of the President or a majority of the Board. A majority of the Board members shall constitute a quorum. In certain circumstances, the Board may act by telegram, telephone or letter.

Section 1: The National Executive Board shall hold regular meetings at least once every ninety days, at such time and place as it may decide. It shall be mandatory for the Board members to attend all meetings. Board members absent because of illness or actual engagement on special Union business shall be excused.

Section 2: Special meetings shall be called by the Secretary-Treasurer at the request of the President. Upon written request of three (3) Board members, the Secretary-Treasurer, within 72 hours of receipt of such request, shall poll the National Executive Board on the question of a special meeting. Upon a majority vote for such a meeting, the President shall convene the Board within 15 days. Only business specified in the Notice of a Special Meeting shall be considered and acted upon, unless a majority of the Board members present decide otherwise.

Section 3: A quorum shall consist of not less than a majority of the Board members, provided that the President and/or the Secretary-Treasurer must be present. All matters to be voted upon shall require approval by a majority of the quorum unless other-

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of the Union between meetings of the National Executive Board. The President may be authorized to appoint other necessary committees.

Section 1: There shall be an Executive Committee of the Union consisting of the President, the Secretary-Treasurer and the three Vice Presidents. The Executive Committee shall be the highest authority of the Union between meetings of the National Executive Board. It shall have such administrative powers, duties and authorities as may be assigned to it by the Convention, the National Executive Board and this Constitution. The Executive Committee shall have the power to act on all matters on which the National Executive Board is empowered to act, subject to the approval of the National Executive Board at its next meeting; provided, however, that it shall not have the power to levy special assessments or to fill vacancies on the National Executive Board.

Section 2: Meetings shall be called by order of the President. At its meetings, three members shall constitute a quorum provided the President and/or Secretary-Treasurer are present. All matters to be voted upon shall require approval by a majority of the quorum.

Section 3: The National Executive Board may authorize the President to appoint, from among its members, such other committees, and delegate to them such functions and powers as it deems desirable.

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**PART SIX — NATIONAL OFFICERS AND REPRESENTATIVES — TITLES, TERMS OF OFFICE, VACANCIES, DISQUALIFICATIONS, DUTIES, LIMITATIONS ON POWER, AND DISCIPLINE AND REMOVAL FROM OFFICE.**

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**ARTICLE XLVI**

**TITLES AND TERMS OF OFFICE**

**SUMMARY:** *The Convention shall elect a President, a Secretary-Treasurer, 3 Vice Presidents and 4 Executive Board Members. National officers shall serve for four years.*

**Section 1:** Beginning with the 1973 Convention, the Convention shall elect 9 National Officers as follows: a President, a Secretary-Treasurer, three Vice Presidents and four Executive Board Members.

**Section 2:** The National Officers so elected shall serve four-year terms of office or until their successors are elected and assume office.

**ARTICLE XLVII 47**

**VACANCIES**

**SUMMARY:** *A vacancy in the office of President or Secretary-Treasurer shall be filled by a member of the National Executive Committee, elected by the Executive Board. A vacancy in any other National office may be filled by any qualified member elected by the National Executive Board. Officers so elected shall serve until the next regular Convention.*

**\* Section 1:** If the office of President or Secretary-Treasurer becomes vacant, the National Executive Board shall designate a successor from among the members of the ~~Executive Committee~~ <sup>National Executive Board</sup>, who shall

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**\* Section 1 Amended, see Appendix C, page 5**

**Section 4:** National Officers may hold no other elected positions or offices in this Union and National Officers may not be engaged in any outside employment. Members nominated and elected to National Office, who hold another position or office in the Union, must resign from such position or office before being sworn into their elected National Office. Members nominated and elected to National Office, who are engaged in other or outside employment, must terminate such employment relationship before being sworn into their elected National Office.

**Section 5:** No member who has been an employer or who, acting on behalf of any employer, has had the right to hire or fire, shall be eligible for any office in this Union, or in any of the Union's subordinate bodies, during the five-year period following the date on which such member last held a position.

**Section 6:** No member disqualified by Federal or State law from holding elective office in this Union shall be nominated or elected to such office during his or her period of disqualification.

**Section 7:** No member who is not physically present at the Convention shall be nominated and elected to National Office, provided, however, that a member unable to attend the Convention because of illness or official Union business may be nominated and elected to such Office if, prior to nominating of officers, such person files with the Secretary of the Convention an affidavit that he is willing and quali-

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serve until the next regular convention at which a successor shall be elected for the balance of the unexpired term, if any.

**Section 2:** If the office of Vice President or Executive Board Member becomes vacant, the National Executive Board shall designate a successor, having the same constitutional qualifications as the officer whose place he takes, who shall serve until the next regular Convention, at which time a successor shall be elected for the balance of the unexpired term, if any.

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**ARTICLE XLVIII**

**DISQUALIFICATIONS FROM NATIONAL OFFICE**

**SUMMARY:** *Only members in good standing for at least three years are eligible for National office. National officers may hold no other office in the Union and may not be engaged in any other employment. Only members willing to serve full time with the Union may be elected to National office. No member who has been an employer or employer representative within the past five years may be elected to National office. No member disqualified by law shall be elected to National office.*

**Section 1:** No person shall be nominated or elected as a National Officer who has not been a member in continuous good standing for a period of three (3) years preceding the date of nomination.

**Section 2:** No member shall be elected to more than one National Office.

**Section 3:** No member shall be elected as a National Officer who is unwilling to serve full time in his elected capacity.

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fied to serve if elected and to take the pledge required of all National Officers. 49

**ARTICLE XLIX**

**DUTIES OF THE PRESIDENT**

**SUMMARY:** *The President shall be the Chief Executive Officer of the Union and shall have full authority to carry out Union policy. The President shall serve as Chairman of the Convention and of National Executive Board and Executive Committee meetings. The President shall be the official Union spokesman. The President may appoint and discharge assistants, administrative personnel and directors of Organizing Committees. The President may appoint committees and representatives and delegate powers and duties. The President shall report his activities to each Convention and to the National Executive Board. The President shall exercise financial responsibility for the Union's property.*

**Section 1:** The President shall be the Chief Executive Officer of the Union and shall have full authority to execute the policies of the Union as established by this Constitution, the Conventions and the National Executive Board.

**Section 2:** Should the President find that the policy of the Union has not been clearly formulated, he shall poll the members of the National Executive Board and the decision of a majority of the Board shall have the force and effect of policy reached in a meeting of the Board, provided the results of the poll are entered in the minutes of the next Board meeting.

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Section 3: The President shall enforce this Constitution and all duly adopted laws, rules, decisions, policies and mandates of the Union. The President shall have full power to carry out all of his duties under this Constitution, and to implement the policies of the Convention and of the National Executive Board. Subject to review by the National Executive Board, the President shall interpret the Constitution whenever the need for interpretation arises.

Section 4: The President shall direct the work of organizing throughout the jurisdiction of the Union. Subject to budgetary control by the National Executive Board, the President shall have the power to appoint and discharge Directors of Organizing Committees and organizers and the duty to take all necessary and reasonable measures to achieve the organizational policies of the Union.

Section 5: The President shall serve as Chairman of and preside over each Convention of the Union.

Section 6: The President shall serve as Chairman of and preside over all meetings of the National Executive Board and of the Executive Committee. The President shall call regular and special meetings of the Executive Committee and of the National Executive Board as required by this Constitution. The President may call and attend meetings of the Branch Communities and their Steering Committees.

Section 7: The President shall be the official spokesman for the Union in all of its external relations and may authorize counsel or other agents

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of legal counsel as may be deemed necessary and proper.

Section 12: The President shall appoint all Committees not otherwise provided for by this Constitution. The President may delegate any of his powers and duties under this Constitution, subject to disapproval by the National Executive Board.

Section 13: The President shall make a report of his activities to each Convention for approval. The President shall also report his activities to each meeting of the National Executive Board and shall bring to the attention of the Board and of the Executive Committee all matters of interest to those bodies.

Section 14: The President shall, with the Secretary-Treasurer, exercise financial responsibility over the Union's property and make all expenditures authorized by the Convention, the National Executive Board or incurred in connection with the duties of his office, subject to the provisions of the following Article.

Section 15: The President shall, upon expiration of his term of office, surrender to the Union all Union property in his possession. 50

#### ARTICLE I

##### DUTIES OF THE SECRETARY-TREASURER

*SUMMARY: The Secretary-Treasurer shall be directed by the President and National Executive Board; serve as Secretary at all Conventions and meetings of the National Executive Board and Committees; be custodian of all Union records, documents, and money; be the custodian of the*

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of the Union to speak for the Union in his place and stead.

Section 8: Subject to budgetary review by the National Executive Board, the President shall appoint and direct such assistants, clerical workers and other personnel as may be necessary to carry out the business of the Union. The President shall have the duty to discharge personnel who are not performing adequately in their assigned responsibilities. The President shall fix the allowances and benefits of all appointed personnel and make reimbursement to such personnel for all necessary, proper and approved expenses incurred in the performance of their Union duties.

Section 9: Where, for purposes of administration, the National Executive Board has approved the creation of regional, field or other areas and offices, the President shall, subject to budgetary review by the National Executive Board, appoint and direct Directors of such offices or areas and such other personnel as may be necessary for their function. The President shall direct the activities of such offices and areas and shall discharge personnel who are not performing adequately in their assigned responsibilities.

Section 10: The President shall appoint representatives of the Union to other unions' and organizations' conventions, meetings and conferences if he determines that it will further the policies and purposes of this Union.

Section 11: The President shall, with the approval of the National Executive Board, retain the services

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*Union Seal and the Union Label; maintain membership lists and collect dues, initiation fees and assessments; be responsible for the financial affairs of the Union and the investment of Union funds; prepare complete monthly financial statements and cooperate with the Board of Auditors; submit a report to each Convention and be responsible for all bonding required by law or the National Executive Board; and file all required governmental returns and reports.*

Section 1: The Secretary-Treasurer shall act under the direction of the President and the National Executive Board, and shall be empowered to issue such instructions to Union personnel as may be necessary to fulfill the duties of the office.

Section 2: The Secretary-Treasurer shall attend all meetings of the Convention, the National Executive Board and the Executive Committee and perform the duties of Secretary at such meetings, including the keeping of a faithful record of the proceedings.

Section 3: The Secretary-Treasurer shall be the custodian of all books, records, documents, contracts, monies, securities and other property of the Union not otherwise given by this Constitution to someone else.

Section 4: The Secretary-Treasurer shall have the custody of the Union Seal and shall cause it to be impressed on such documents as the National Executive Board shall direct, as provided in Part One of this Constitution.

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Section 5: The Secretary-Treasurer shall be the custodian of the Union Label, the Union Membership Mark and the Union Flag as provided in Part One of this Constitution.

Section 6: The Secretary-Treasurer shall supervise the maintenance of such membership lists as may be required by the Union, and shall cause the collection of all dues, initiation fees, assessments, and other monies due and owing to the Union.

Section 7: The Secretary-Treasurer shall keep accurate accounts of all financial transactions of the Union, receive all funds due the Union, and deposit all Union funds in the Union's name in a bank or banks approved by the National Executive Board.

Section 8: The Secretary-Treasurer shall cause the payment of proper bills and expenses of the Union, when evidenced by satisfactory vouchers or statements, by checks countersigned by the President or by such other persons who may be authorized and empowered by the National Executive Board to countersign such checks.

Section 9: The Secretary-Treasurer, with the approval of the National Executive Board, shall make appropriate regulations relating to the reimbursement of expenses or other obligations incurred by officers or representatives of the Union in the performance of their duties.

Section 10: The Secretary-Treasurer shall invest the funds of the Union as instructed by the Convention or, in the absence of such instructions by the Convention, as instructed by the National Executive Board.

agencies in other states when required by law or by other State or Federal agencies.

Section 15: The Secretary-Treasurer shall submit a Financial Report to each Convention of the Union.

Section 16: The Secretary-Treasurer shall give bond, in such amount and executed by such surety company as the National Executive Board shall determine, for the faithful performance of the duties of this office and the trust in him or her reposed. The premium on the bond shall be paid by the Union. The Secretary-Treasurer shall also bond all officers and employees of the Union where required by the provisions of the Labor-Management Disclosure Act of 1959 and any other Federal or State laws.

Section 17: The Secretary-Treasurer shall turn over all funds, books, records, documents, monies and other property of the Union in his or her custody, possession or control to his or her successor in office.

Section 18: The Secretary-Treasurer shall perform all duties imposed upon him or her by this Constitution and such other duties as shall from time to time be assigned to him or her by the Convention, the President or the National Executive Board.

#### ARTICLE LI 51

##### DUTIES OF THE VICE PRESIDENTS

**SUMMARY:** The Vice Presidents shall serve on the Executive Committee and the National Executive Board, and shall perform such duties as may be assigned by the President of the Board.

Section 11: Subject to the approval of the National Executive Board, the Secretary-Treasurer shall have the power to appoint, direct and discharge such personnel as may be necessary to carry out the duties and responsibilities of his or her office, and to purchase and maintain such equipment and supplies as may be necessary for the proper and efficient keeping of accounts and records.

Section 12: The Secretary-Treasurer shall prepare, publish and distribute to the National Executive Board a monthly financial statement which shall list the total assets, liabilities, receipts and disbursements of the Union together with such further data and information as the Board may request.

Section 13: The Secretary-Treasurer shall cooperate with the elected Board of Auditors and any Certified Public Accountant in the annual audit of his or her books and such other audits as may be directed by the National Executive Board. In the event the National Executive Board determines that the Board of Auditors is not meeting its obligations with respect to the required annual audit, the Secretary-Treasurer shall cause his or her books and accounts to be audited by an independent Certified Public Accountant approved by the Board.

Section 14: The Secretary-Treasurer shall establish and maintain the Union's tax-exempt status under Federal and State laws. The Secretary-Treasurer shall file on behalf of the Union all reports and informational returns required by the Department of Labor, the Internal Revenue Service, the California Franchise Tax Board and equivalent a-

Section 1: The three Vice Presidents shall serve on the Executive Committee of the Union and on the National Executive Board.

Section 2: The three Vice Presidents shall act under the direction of the President and shall perform such duties as may be assigned to them by the President or the National Executive Board.

#### ARTICLE LII 52

##### DUTIES OF THE EXECUTIVE BOARD

**SUMMARY:** The 4 Executive Board Members shall serve on the National Executive Board and perform the duties assigned to them by the Board or the President.

Section 1: The 4 Executive Board Members shall serve on the National Executive Board.

Section 2: The 4 Executive Board Members shall perform such duties as may be assigned to them by the President or by the National Executive Board or the Executive Committee.

#### ARTICLE LIII 53

##### LIMITATIONS ON POWER OF NATIONAL OFFICERS AND UNION REPRESENTATIVES

**SUMMARY:** The National Officers shall have only those powers which the Constitution gives them. The power of all other Union representatives and agents shall be limited to the power delegated to them by the National Executive Board, the President, the Secretary-Treasurer or this Constitution.

Section 1: The powers of the National Officers shall be those powers specifically provided for in this Constitution or by subsequent Amendment to

this Constitution approved by the Convention or approved by the Membership in a Referendum.

Section 2: The power and acts of all other representatives, agents and employees of the Union shall be limited to and by the power and authority delegated to them by the National Executive Board, the President, the Secretary-Treasurer or as provided in this Constitution.

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### ARTICLE LIV

#### CHARGES AGAINST AND TRIAL OF NATIONAL OFFICERS AND THEIR AGENTS AND REPRESENTATIVES; DISCIPLINE OF NATIONAL OFFICERS AND THEIR AGENTS AND REPRESENTATIVES AND REMOVAL OF NATIONAL OFFICERS.

*SUMMARY: Any officer or member may prefer charges against National Officers and their agents and representatives for the offenses listed below. Charges shall be in writing and sworn to by the accuser. Charges shall be specific and detailed. Charges shall be filed with the President, who shall set a trial date and serve the accused party. A National Officer may be immediately suspended under certain circumstances. The accused officer, agent or representative shall be tried by the National Executive Board. The accused shall have the right to confront his accusers, to present evidence and to testify on his own behalf. The National Executive Board shall determine guilt or innocence and the appropriate punishment, if any. Should the National Executive Board remove the*

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ties for the purpose of replacing this Union as a collective bargaining agent, or

(k) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

Section 2: No member of the Union shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union.

Section 3: Any member who commits one of the above-enumerated offenses while in the direct full-time service of the Union or its subordinate bodies may, notwithstanding his or her removal from such service and position in the Union by the President or the National Executive Board, be brought up on charges for such offense.

Section 4: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President or, if the President be the accused party, to the Secretary-Treasurer, or if they both be accused, to the First Vice President. The officer receiving the charges shall promptly submit them to the members of the National Executive Board.

\*Section 5: The officers receiving the charges shall, within ten (10) days thereafter, set a time and

\*Section 5 amended, see Appendix C, Page 7

accused from office, it shall appoint a successor. The sole appeal shall be to the Convention.

Section 1: Any officer or member in good standing may prefer charges against any elected or appointed National Officer or against any representative or agent of a National Officer or the National Executive Board, for:

- (a) breach of trust;
- (b) violating any provision of this Constitution;
- (c) violating any decision of the Convention or the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the Union for any profit received by him in connection with Union business conducted by him or under his direction;
- (f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;
- (g) other acts of dishonesty;
- (h) conduct detrimental to the welfare of the Union;
- (i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;
- (j) supporting or assisting any person, group of persons or organization in any act or activi-

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place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the date set for the trial, if served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

Section 6: A National Officer of the Union against whom charges have been filed for conduct set forth in Section 1 (f) of this Article shall forthwith be suspended, pending a final determination by the National Executive Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings. A substitute for such suspended officer shall be appointed to serve in such officer's stead during his or her suspension, as provided in Article LVII of this Part.

Section 7: A National Officer of the Union against whom charges have been filed for any other conduct set forth in Section 1 of this Article may be suspended from office by a two-thirds (2/3) vote of the full National Executive Board, pending a final determination by the Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

Section 8: The trial shall be held before the National Executive Board. The officer or member preferring the charges shall be present. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his

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for her own behalf. All witnesses shall testify under oath and the accused shall have the opportunity to cross examine witnesses. The National Executive Board shall fully investigate the charges and shall have the power to call for any books, papers or other documents relevant to the case and to demand the presence of witnesses, provided it pledges to pay their necessary and proper expenses. A faithful and accurate record of the proceedings shall be made. If the accused be a member of the National Executive Board, the accused shall be disqualified to sit at his or her trial.

**Section 9:** After hearing all of the evidence submitted by both the accuser and the accused, the National Executive Board shall go into Executive Session for deliberation and determination of the guilt or innocence of the accused upon every charge and specification. If, after thorough investigation, presentation of all evidence and deliberation, the Board decides that the charges have not been sustained, the case shall be dismissed, subject to an appeal to the next succeeding Convention.

**Section 10:** If the National Executive Board finds that the charges have been sustained and that the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from

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**Section 1:** Any National Officer charged with one or more of the offenses listed in Section 1 of Article LIV of this Part, or with other misconduct or activities justifying his or her removal from office, may be recalled by the membership as herein provided in lieu of being tried by the National Executive Board as provided in the foregoing Article. The remedies of trial and recall are mutually exclusive. No officer shall be recalled for an offense or offenses of which he or she has been found innocent by the National Executive Board after trial and full deliberation and investigation as provided in this Part. No officer who has survived a recall referendum may be tried or convicted by the National Executive Board for an offense or offenses described in the unsuccessful recall petition.

**Section 2:** A petition for recall of a National Officer of the Union may be preferred by:

(a) a majority of the full membership of the National Executive Board, or

(b) twenty percent (20%) of the Ranch Communities and Organizing Committees representing twenty percent (20%) of the membership of the Union as of the date the petition is filed.

**Section 3:** The petition shall be in writing and signed by the accusing member or members or it may be accompanied by notarized or certified copies of appropriate resolutions adopted by one or more Ranch Communities and/or Organizing Committees. The petition shall contain a description of the offense or offenses charged and the approximate date or dates thereof.

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office and expulsion from the Union merited. In the event a National Officer is removed from office by the Board, the Board shall promptly fill the vacancy as provided in this Constitution. Notice of the decision and punishment, if any, shall be served on or sent by registered mail to the person charged within five (5) days after the close of the trial. Should the accused be found guilty, the sole right of appeal shall be to the next succeeding Convention and such appeal shall not serve to stay any discipline or punishment which the National Executive Board may determine and provide.

#### ARTICLE LV 55

#### RECALL PROCEEDINGS AGAINST ELECTED NATIONAL OFFICERS

**SUMMARY:** National Officers charged with any of the offenses listed in the preceding Article may be recalled by the members instead of being tried by the National Executive Board, at the option of the accusing party. No officers may be recalled after being found innocent by the National Executive Board. A recall petition may be preferred by a majority of the National Executive Board or 20% of the Ranch Communities and Organizing Committees representing 20% of the membership. The recall petition shall be signed by the accusers and shall specify the charges against the accused officer. The petition shall be filed with the Secretary-Treasurer. An officer charged with misappropriation of money shall be immediately suspended. The recall shall be conducted as provided in Part Nine.

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**Section 4:** The petition shall be filed with the Secretary-Treasurer of the Union or, if the Secretary-Treasurer be the accused party, with the President of the Union. If they both be accused parties, the petition shall be filed with the First Vice President and so forth.

**Section 5:** An Officer of the Union, against whom a petition for recall has been filed on grounds of embezzlement, larceny, willful misapplication of Union assets or other misappropriation of Union money or property, shall be immediately suspended from office, pending the determination of the recall proceedings, and the National Executive Board shall cause a substitute to fill the vacancy, as provided in this Constitution, during such officer's suspension.

**Section 6:** There shall be no appeal from the results of a recall proceeding. The proceedings on a petition for recall shall be in accordance with the provisions of Part Nine of this Constitution.

#### PART SEVEN — BOARD OF AUDITORS

#### ARTICLE LVI 56

#### ELECTION, COMPOSITION AND TERM OF OFFICE

**SUMMARY:** The Convention shall elect a five-member Board of Auditors including a Chairman and a Secretary. The Board of Auditors shall serve a two-year term.

**Section 1:** Beginning with the 1973 Convention, the Convention shall elect a Board of Auditors composed of five (5) members in good standing not otherwise disqualified as provided in this Part. The

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elected member receiving the largest number of votes at the Convention shall serve as Chairman of the Board of Auditors. The elected member receiving the second largest number of votes at the Convention shall serve as Secretary of the Board of Auditors. In the event of a tie vote for either or both positions, the Convention shall designate a Chairman, or Secretary, or both from among the elected members to the Board of Auditors.

Section 2: The five (5) members of the Board of Auditors so elected shall serve two-year terms or until their successors are elected and assume office.

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#### ARTICLE LVII

##### DISQUALIFICATION FROM OFFICE

*SUMMARY: Only members in good standing for at least one year may be elected to the Board of Auditors. Board members may not hold any other National Office or position in the Union. Employer representatives and persons disqualified by law may not be elected.*

Section 1: No member shall be nominated or elected as a member of the Board of Auditors who has not been a member in continuous good standing for a period of one (1) year preceding the date of his or her nomination.

Section 2: No member shall be nominated or elected as a member of the Board of Auditors if such member holds another elective or appointive National Office or if such member is an employee, agent or representative of the National Executive Board or of any National Office.

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among the remaining members of such Board, who shall serve until the next regular Convention.

Section 2: Should any other position on the Board of Auditors become vacant, the National Executive Board shall designate a successor, having the same constitutional qualifications as the member whose place he or she takes, who shall serve until the next regular Convention.

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#### ARTICLE LIX

##### DUTIES OF THE BOARD OF AUDITORS

*SUMMARY: The Board of Auditors shall conduct a complete annual audit of the Union's books and finances and submit a report and recommendations to the National Executive Board and to the Convention. The Board's report shall be published to the membership.*

Section 1: Subject to review by the Convention, the Board of Auditors shall audit the financial records and books of the Union and make recommendations to the Convention and the Secretary-Treasurer.

Section 2: The Board of Auditors shall be required to conduct an annual audit of the records, books, financial transactions, income and expenditures and internal control procedures of the Union. The annual audit shall be conducted during the calendar quarter following the close of the Union's fiscal year. The Board of Auditors shall report the results of the annual audit to the National Executive Board, the Secretary-Treasurer, and to the Convention. The Board of Auditors shall cause a summary of each

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Section 3: No member disqualified by law from holding elective office in this Union shall be nominated or elected to the Board of Auditors during his or her period of disqualification.

Section 4: No member who has been an employer, or who, acting on behalf of an employer, has had the right to hire or fire, shall be nominated or elected to the Board of Auditors during the five (5) year period following the date on which such member last held such a position.

Section 5: No member who is not physically present at the Convention shall be nominated and elected to the Board of Auditors, provided, however, that a member unable to attend because of official Union business or illness may be nominated and elected to such position if, prior to the nominating of members for the Board of Auditors, such person files with the Secretary of the Convention an affidavit that he is willing and qualified to serve in such position if elected and to take the pledge required of all members of the Board of Auditors.

#### ARTICLE LVIII 58

##### VACANCIES

*SUMMARY: Should the position of Chairman become vacant, the National Executive Board shall designate a new chairman from among the board members. Should any other position become vacant, the National Executive Board shall designate a qualified successor.*

Section 1: If the position of Chairman of the Board of Auditors becomes vacant, the National Executive Board shall designate a successor from

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annual audit to be published or otherwise reported to the membership.

Section 3: The Board of Auditors shall perform such other or more frequent audits and other duties as the Convention, the President, the Secretary-Treasurer or the National Executive Board may assign to it.

Section 4: The Board of Auditors shall have the power to demand and receive all books, receipts, records, financial statements and other relevant documents necessary to the performance of its duties, in the possession, custody or control of the Union and its National Officers. The Board of Auditors shall also have the power to demand that any officer, agent, representative or employee of the Union appear before it for the purpose of explaining any financial transaction made by the Union or any other activity, procedure or policy relevant to the conduct of a full and complete audit.

Section 5: The Certified Public Accountant retained to assist the Board of Auditors in the preparation of the annual audit shall submit to the Secretary-Treasurer and the National Executive Board such opinions, financial statements and recommendations as said Officer and Board may request or as such accountant deems appropriate or advisable, provided, however, that any such opinions, financial statements, or recommendations submitted by such accountant shall be in addition to the required report of the Board of Auditors, which Body shall bear the primary responsibility for the conduct of the annual audit.

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**ARTICLE LX**  
**LIMITATIONS ON POWER OF BOARD OF**  
**AUDITORS**

**SUMMARY:** *The power and duties of the Board of Auditors shall be limited to those set forth in the Constitution, unless the National Executive Board, President or Secretary-Treasurer delegate additional powers and authority to such Board.*

**Section 1:** The powers and responsibilities of the Board of Auditors shall be those specifically provided for in this Constitution or by any duly adopted and approved amendment to this Constitution.

**Section 2:** The power and acts of the Board of Auditors shall be limited to and by the power and authority delegated to them by the National Executive Board, the President, the Secretary-Treasurer or as provided in this Constitution.

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**ARTICLE LXI**  
**CHARGES AGAINST MEMBERS OF THE**  
**BOARD OF AUDITORS**

**SUMMARY:** *If a member of the Board of Auditors commits any of the offenses listed in Section 1, he may be charged and tried and, if found guilty, punished. Any member may file charges against any member of the Board of Auditors. The charges must be in writing, must be sworn to, and must contain specific facts and dates on each charge. The written charges should be presented to the President who must set a date and time for trial and serve the charges on the accused Board member. The accused Board member may be immedi-*

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(k) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

**Section 2:** No member of the Board of Auditors shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union.

**\*Section 3:** Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President who shall promptly submit them to the National Executive Board. The President, within 10 days after receiving such charges, shall set a time and place for the trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the date set for the trial. If served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

**Section 4:** A member of the Board of Auditors against whom charges have been filed for conduct set forth in Section 1(f) of this Article shall forthwith be suspended, pending a final determination by the National Executive Board sitting as a trial court or any appeal resulting from such trial or

ately suspended from office under certain circumstances.

**Section 1:** Any officer or member in good standing may prefer charges against any member or members of the Board of Auditors for:

- (a) breach of trust;
- (b) violating any provision of this Constitution;
- (c) violating any decision of the Convention or the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the Union for any profit received by him in connection with Union business conducted by him or under his direction;
- (f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;
- (g) other acts of dishonesty;
- (h) conduct detrimental to the welfare of the Union;
- (i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;
- (j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent, or

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pending the determination of any recall proceedings. A substitute for such suspended member shall be appointed to serve in such member's stead during his or her suspension, as provided in Article LVIII of this Part.

**Section 5:** A member of the Board of Auditors against whom charges have been filed for any other conduct set forth in Section 1 of this Article may be suspended from office by a two-thirds (2/3) vote of the full National Executive Board, pending a final determination by the Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

**ARTICLE LXII 62**  
**TRIAL, DISCIPLINE AND REMOVAL FROM**  
**OFFICE**

**SUMMARY:** *The accused Board Member is entitled to a speedy and fair trial before the National Executive Board. If the National Executive Board finds the accused member guilty, it shall decide the appropriate punishment which may include removal from office and expulsion from the Union. The accused member, if found guilty, may appeal to the next Convention.*

**Section 1:** The trial shall be held before the National Executive Board. The officer or member preferring the charges shall be present. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his or her own behalf. All witnesses shall testify under

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oath and the accused shall have the opportunity to cross-examine witnesses. The National Executive Board shall fully investigate the charges and shall have the power to call for any books, papers or other documents relevant to the case and to demand the presence of witnesses, provided it pledges to pay their necessary and proper expenses. A faithful and accurate record of the proceedings shall be made.

Section 2: After hearing all of the evidence submitted by both the accuser and the accused, the National Executive Board shall go into Executive Session for deliberation and determination of the guilt or innocence of the accused upon every charge and specification. If, after thorough investigation, presentation of all evidence and deliberation, the Board decides that the charges have not been sustained, the case shall be dismissed, subject to an appeal to the next succeeding Convention.

Section 3: If the National Executive Board finds that the charges have been sustained and that the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from office and expulsion from the Union merited. In the event a member of the Board of Auditors is removed from his elected position, the National Execu-

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ber of the Board of Auditors shall be recalled for an offense or offenses of which he or she has been found innocent by the National Executive Board after trial and full deliberation and investigation as provided in this Part. No member of the Board of Auditors who has survived a recall referendum may be tried or convicted by the National Executive Board for an offense or offenses described in the unsuccessful recall petition.

Section 2: A petition for the recall of a member of the Board of Auditors may be preferred, at any time prior to January 1st of a Convention year, by

(a) one-third ( $\frac{1}{3}$ ) of the full membership of the National Executive Board, or

(b) twenty percent (20%) of the Ranch Communities and Organizing Committees representing twenty percent (20%) of the membership of the Union as of the date the petition is filed.

Section 3: The petition shall be in writing and signed by the accusing member or members or it may be accompanied by notarized or certified copies of appropriate resolutions adopted by one or more Ranch Communities and/or Organizing Committees. The petition shall contain a description of the offense or offenses charged and the approximate date or dates thereof.

Section 4: The petition shall be filed with the Secretary-Treasurer of the Union. Any such petition filed after January 1st of a Convention year shall be untimely and the charges contained in such petition shall be referred to the National Executive Board for mandatory or discretionary suspension

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tive Board shall promptly fill the vacancy as provided in Article LVIII of this Part. Notice of the decision and punishment, if any, shall be served on or sent by registered mail to the person charged within five (5) days after the close of the trial. Should the accused be found guilty, the sole right of appeal shall be to the next succeeding Convention and such appeal shall not serve to stay any discipline or punishment which the National Executive Board may determine and provide.

#### ARTICLE LXIII 63

##### RECALL OF MEMBER OF BOARD OF AUDITORS

*SUMMARY: A member of this Board charged with offense listed in preceding Article may be recalled rather than tried by the National Executive Board. The National Executive Board or 20% of the Ranch Communities and Organizing Committees representing 20% of the membership may file a petition containing the charges with the Secretary-Treasurer. If the charge is misappropriation of Union money, the accused shall be suspended. No recall after January 1 of a Convention year. No appeal from a recall.*

Section 1: Any member of the Board of Auditors charged with one or more of the offenses listed in Section 1 of the preceding Article, or with other misconduct or activities justifying his or her removal from elected position on such Board, may be recalled by the membership as herein provided in lieu of being tried by the National Executive Board as provided in the foregoing Article. The remedies of trial and recall are mutually exclusive. No mem-

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trial and appropriate discipline and punishment, if any, as provided for in the preceding Article.

Section 5: A member of the Board of Auditors against whom a petition for recall has been filed on grounds of embezzlement, larceny, willful misapplication of Union assets or other misappropriation of Union money or property, shall be immediately suspended from such position, pending the determination of the recall proceedings, and the National Executive Board shall cause a substitute to fill the vacancy, as provided in this Constitution, during such member's suspension.

Section 6: There shall be no appeal from the results of a recall proceeding. The proceedings on a petition for recall shall be in accordance with the provisions of Part IX of this Constitution.

#### PART EIGHT — RANCH COMMUNITIES AND ORGANIZING COMMITTEES

##### ARTICLE LXIV 64

##### CREATION OF RANCH COMMUNITIES

*SUMMARY: Ranch Communities are unchartered subordinate bodies of the Union. Members working under Union contract are members of the Ranch Communities where they work. Ranches too small to have their own Ranch Community shall be combined together or with a larger Ranch Community.*

Section 1: Ranch Communities are unchartered subordinate bodies of the Union created by the National Executive Board. A Union Ranch is an employer party to a United Farm Workers of America collective bargaining agreement.

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Section 2: Members working under Union collective bargaining agreements shall be organized in and members of Ranch Communities. A member working under more than one Union collective bargaining agreement shall be a member of the Ranch Community at each Ranch where he or she works under Union contract.

Section 3: The National Executive Board shall organize and create a Ranch Community at each and every Union Ranch which

(a) employs ten(10) or more Union members in each calendar quarter, or

(b) employs twenty-five (25) or more Union members in each of three (3) calendar quarters out of each year.

A Union Ranch which has more than one farming operation (non-contiguous geographical areas or substantially different work forces) may be divided into more than one Ranch Community by the National Executive Board when the Board determines that each such farming operation meets the requirements of this Section; provided, however, that for purposes of Part Four of this Constitution, there shall be a single Ranch Community at each Union Ranch for purposes of electing delegates to Conventions and for purposes of calculating the per capita vote such single Ranch Community shall be entitled to cast.

Should two or more Union Ranches be consolidated by a change of ownership or otherwise, the National Executive Board shall determine whether or not the existing Ranch Community should be

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\* Rules and By-Laws, <sup>and The local rules</sup> ratified by the Ranch Communities and Organizing Committees.

Section 2: Each Ranch Community shall elect a President, a Secretary, and three Committeemen including one who shall serve as Sergeant at Arms. These five (5) Ranch Officers shall comprise the Ranch Committee. The Ranch Officers and Ranch Committees shall have the powers and duties specified in this Constitution and in the Uniform Rules and By-Laws, and such additional powers and duties as shall be assigned by the Convention, the National Executive Board, or the President. Elections of Ranch Officers and the conduct of Ranch Committee business shall be as provided in the Uniform Rules and By-Laws.

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#### ARTICLE LXVI

#### CHARGES AGAINST RANCH COMMUNITY OFFICERS, TRIAL, DISCIPLINE, AND REMOVAL FROM OFFICE

*SUMMARY: Charges may be preferred against any Ranch Officer for the offenses listed in Part Three and Part Six of this Constitution. Charges shall be in writing, signed, and sworn to by the accuser and shall specify the offenses and dates on which they were committed. The written charges shall be filed with the appropriate officer who shall set a time and place for trial. The accused officer shall be served with the charges. A Ranch Officer so accused may be suspended by the National Executive Board pending trial. The trial shall be held by the Ranch Community in the same man-*

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\* This sentence amended; see Appendix C, page 5

consolidated or merged. It shall be the policy of the Union not to consolidate or merge such Ranch Communities where they represent distinct work forces or non-contiguous farming operations. Provided, however, that for purposes of Part Four of this Constitution there shall be a single Ranch Community at each Union Ranch for purposes of electing delegates to Conventions and for purposes of calculating the per capita vote such single Ranch Community shall be entitled to cast.

Section 4: A Union Ranch, which is too small to be organized into a Ranch Community as provided in Section 3 of this Article, shall either be consolidated with an existing Ranch Community in the same area or shall be combined with one or more similarly small Union Ranches to create a new Ranch Community, as the National Executive Board shall deem best.

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#### ARTICLE LXV

#### AUTHORITY, STRUCTURE AND GOVERNMENT OF RANCH COMMUNITIES

*SUMMARY: Each Ranch Community shall elect a President, a Secretary, and three Committeemen including a Sergeant at Arms. The five Ranch Officers shall be the Ranch Committee. This Constitution and the uniform rules and by-laws ratified by the Ranch Communities and Organizing Committees specify how Ranch Communities are governed and the powers and duties of the Ranch Officers and Committees.*

Section 1: Ranch Communities shall be governed as provided in this Constitution and the Uniform

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*ner as members are tried. If found guilty, the Ranch Community shall provide the appropriate punishment including removal from office for serious offenses. A Ranch Officer who is found guilty may appeal to the National Executive Board and to the Public Review Board in certain cases.*

Section 1: Any member in good standing may prefer charges against any elected Officer of his or her Ranch Community for any offense enumerated in Article XVIII, Section 1 of Part Three or in Article LIV, Section 1 of Part Six of this Constitution.

Section 2: No Ranch Officer shall be immune from penalty for committing any of these offenses by reason of the position or office he or she holds in the Union.

\* Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President or, if the President be the accused party, to the Secretary. If both of these Ranch Officers are charged with such offenses, the charges shall be filed with the Secretary-Treasurer of the Union. The Ranch Officer receiving the charges, or the Secretary-Treasurer shall, within 10 days thereafter, set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the

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\* Section 3 amended, see Appendix C, page 10<sup>48</sup>



date set for the trial, if served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

Section 4: A Ranch Officer against whom charges have been filed may be suspended from office by a two-thirds (⅔) vote of the National Executive Board, pending trial by the Ranch Community and any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

Section 5: The trial shall be held before the Ranch Community in the manner set forth in Part Three, Article XIX. The accused shall be disqualified to sit at his or her trial.

Section 6: If the Ranch Community finds that the charges have been sustained and that the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from office and expulsion from the Union merited. In the event a Ranch Officer is removed from office by the Community, the Community shall promptly fill the vacancy as provided in the Uniform Rules and By-Laws. Should the Ranch Officer be found guilty, he or she may exercise the rights of appeal as provided in Part Three, Articles XX and XXI, provided

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and full deliberation and investigation as provided in this Part.

Section 2: A petition for recall of a Ranch Officer may be preferred by twenty percent (20%) of the members of the Ranch Community.

Section 3: The petition shall be in writing and signed by the accusing member or members. The petition shall contain a description of the offense or offenses charged and the approximate date or dates thereof.

Section 4: The petition shall be filed with the Secretary of the Ranch Community or, if the Secretary be the accused party, with the President of the Ranch Community or, if both be charged, with the Secretary-Treasurer of the Union.

Section 5: A Ranch Officer, against whom a petition for recall has been filed on grounds of embezzlement, larceny, wilful misapplication of Union assets or other misappropriation of Union money or property, shall be immediately suspended from office, pending the determination of the recall proceedings, and the Ranch Community shall cause a substitute to fill the vacancy, as provided in the Uniform Rules and By-Laws, during such Ranch Officer's suspension.

Section 6: There shall be no appeal from the results of a recall proceeding. The proceeding on a petition for recall shall be in accordance with the provisions of Part Nine of this Constitution.

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such appeal shall not serve to stay any discipline or punishment which the Ranch Community may determine and provide.

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#### ARTICLE LXVII

##### RECALL PROCEEDINGS AGAINST RANCH OFFICERS

*SUMMARY: A Ranch Officer may be recalled from office by the Ranch Members for any of the offenses listed in Part Three and Part Six. A Ranch Officer may not be recalled after trial and acquittal by the Community and neither may he be tried by the Community after defeating the recall. Twenty percent (20%) of the members may initiate a recall. The recall petition shall describe the offenses charged and shall be signed by the accusers. The petition shall be filed with an appropriate officer. A Ranch Officer charged with misappropriation of Union money will be immediately suspended, pending the recall referendum. There shall be no appeal from the results of a recall.*

Section 1: Any Ranch Officer charged with one or more of the offenses referred to in Section 1 of the preceding Article, or with other misconduct or activities justifying his or her removal from office, may be recalled by his or her Ranch Community in lieu of being tried as provided in the foregoing Article. The remedies of trial and recall are mutually exclusive. No Ranch Officer shall be recalled for an offense or offenses of which he or she has been found innocent by the Ranch Community after trial

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#### ARTICLE LXVIII

##### CREATION AND AUTHORITY OF ORGANIZING COMMITTEES

*SUMMARY: Organizing Committees are unchartered subordinate bodies of the Union created by the National Executive Board in areas where there are workers who want to work under a Union Contract. The President shall appoint a Director and supervise the activities of each Organizing Committee. Farm workers not members of a Ranch Community and willing to work to build this Union shall be admitted to membership in Organizing Committees. This Constitution and the Uniform Rules and By-Laws ratified by the Ranch Communities and Organizing Committees specify how Organizing Committees are governed and the powers and duties of such committees and their directors.*

Section 1: Organizing Committees are unchartered subordinate bodies of the Union created by the National Executive Board.

Section 2: The National Executive Board may create an Organizing Committee in any area where there are workers within the Union's jurisdiction and not covered by a Union contract. The President shall appoint a Director, define the territorial jurisdiction and supervise the activities of each Organizing Committee created by the Board.

Section 3: In areas where an Organizing Committee exists, agricultural laborers otherwise eligible for membership, and not members of any Ranch Community, shall be admitted to membership in

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th Union and in such Organizing Committee, provided they volunteer a substantial portion of their time to the organizing efforts and activities of the Union in their area.

\*Section 4: Organizing Committees and their Directors shall have the powers and duties specified in this Constitution and in the Uniform Rules and By-Laws ratified by the Ranch Communities and Organizing Committees. Organizing Committees and their directors shall have such additional powers and duties as may be assigned to them by the Convention, the National Executive Board or the President. Organizing Committee business shall be conducted as provided in such Uniform Rules and By-Laws.

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#### ARTICLE LXIX CHARGES AGAINST DIRECTOR OF ORGANIZING COMMITTEES, TRIAL DISCIPLINE, AND REMOVAL FROM OFFICE

*SUMMARY: Any member may prefer charges against the Director of his Organizing Committee for offenses listed in Part Three and Part Six. Such charges shall be in writing, shall specify the offenses and dates on which they were committed and shall be signed by the accusers. The written charges shall be filed with the President who may suspend the Director and who shall set a trial date. The accused Director shall be served with the written charges. The accused Director shall be tried by the National Executive Board and punished, if found guilty, as the Board shall decide.*

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\*Section 4 amended, see Appendix C, page 5

Section 4: The accused shall be tried by the National Executive Board in the manner provided in Part Six, Article LIV.

Section 5: If the National Executive Board finds that the charges have been sustained and the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from office and expulsion from the Union merited. Nothing herein shall be construed to require the President to reappoint a Director whom he has suspended from office and who is later acquitted by the National Executive Board, or, if found guilty by the Board, punished otherwise than by removal from office. In the event a Director is removed from office, the President shall promptly fill the vacancy. Should the Director be suspended or expelled from the Union, he or she may exercise the right of appeal to the Public Review Board as provided in Part Three, Article XXI.

Section 6: As an Official appointed by the President, the Director of an Organizing Committee shall not be subject to recall proceedings.

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*The Director of an Organizing Committee is not subject to recall.*

Section 1: Any member in good standing may prefer charges against the Director of his or her Organizing Committee for any offense enumerated in Article XVIII, Section 1 of Part Three or in Article LIV, Section 1 of Part Six of this Constitution.

Section 2: No Director of an Organizing Committee shall be immune from penalty for committing any of these offenses by reason of the position or office he or she holds in the Union.

\*Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President. The President, as the Chief Executive Officer directly responsible for the appointment of the accused Director, shall determine whether or not such Director should be suspended pending full trial by the National Executive Board. Within 10 days after receiving the charges, the President shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the date set for the trial, if served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

\*Section 3 amended, see Appendix C, page 10

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#### PART NINE — REFERENDUM AND RECALL ARTICLE LXX 70 REFERENDUM

*SUMMARY: The Convention, the National Executive Board or 20% of the Ranch Communities and Organizing Committees, representing 20% of the membership may request a referendum. The National Executive Board shall conduct the referendum. The Secretary-Treasurer shall send ballots to each Ranch Community, Organizing Committee and Administrative Body with a notice of the proposal to be voted upon. The members shall be given 15 days' notice of the referendum election which must be held within 60 days after receipt of the ballots and official notice from the Secretary-Treasurer. The results of the election shall be certified to the Secretary-Treasurer by each voting body. The Secretary-Treasurer shall publish the final results.*

Section 1: The Convention or the National Executive Board may order a referendum with respect to any matter within their jurisdiction or as otherwise provided in or required by this Constitution.

Section 2: A referendum shall also be ordered by the National Executive Board of the Union if 20% or more of the Ranch Communities and Organizing Committees, representing 20% or more of the members of the Union, shall certify in writing to the Secretary-Treasurer of the Union of their desire for a referendum on any particular matter.

Section 3: All referendum elections shall be held under the supervision of the National Executive

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Board, unless the National Executive Board delegates such supervision to Ranch Communities, Administrative Bodies, or Organizing Committees.

Section 4: The Secretary-Treasurer shall prepare referendum ballots and transmit them to each Ranch Community, Organizing Committee, and Administrative Body, together with a Notice of the Referendum Election. The Notice of Referendum shall also be published in the Union newspaper. The Notice of Referendum and the Ballots shall contain the proposition to be voted upon.

Section 5: Within 60 days of the date of Notice of Referendum, each Ranch Community, each Administrative Body, and each Organizing Committee shall conduct a secret vote among its members, on the ballots furnished by the Secretary-Treasurer, after first giving at least 15 days notice to all members of the body electorate of the proposition to be voted upon and of the place and time of the referendum election. Before any member is allowed to vote, he shall be required to identify himself as a member in good standing.

Section 6: The Secretary of each voting body shall be responsible for tabulating and certifying the results of the election. The Secretary of each voting body shall appoint an election board to assist in counting the ballots.

Section 7: The results of each referendum election shall be forwarded to the Secretary-Treasurer by receipted registered mail, within 5 days after the election is held, together with the original ballots. The Secretary-Treasurer shall compile the total vote

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Section 7 amended, see Appendix C, page 11

votes cast in such referendum constitute a majority of the membership eligible to vote in same.

Section 2: Any member of the Board of Auditors may be recalled by a general referendum if two-thirds ( $\frac{2}{3}$ ) of the votes cast in such referendum favor recall, provided the total votes cast in such referendum constitute a majority of the membership eligible to vote in same.

Section 3: Ranch Officers may be recalled by an affirmative vote of two-thirds ( $\frac{2}{3}$ ) of the Ranch Community, provided the total vote cast in such referendum constitutes a majority of the membership eligible to vote in same.

#### PART TEN — COLLECTIVE BARGAINING— NEGOTIATIONS, CONTRACTS, GRIEVANCES

##### ARTICLE LXXII 72

#### NEGOTIATIONS — AUTHORITY AND DIRECTION

*SUMMARY: The Union shall be the sole bargaining agent of its members. Negotiations shall be directed by the President or his representative. The President may create crop divisions for purposes of standardizing contracts.*

Section 1: The United Farm Workers of America shall be the sole collective bargaining agent of the members of the Union.

Section 2: Collective bargaining shall be conducted under the direction of the President and all contracts shall bear the signature of approval of the President or one of his authorized agents or representatives.

Section 3: For purposes of Negotiations, the President may create and organize crop divisions, with

of the membership, announce the vote to the National Executive Board, and forward such final result to the Secretary of each electoral body. The Secretary-Treasurer shall also cause to be published in the Union newspaper the total vote of the membership as well as the vote of each electoral body. These results shall be announced and published by the Secretary-Treasurer within 90 days of the date on which the Notice was issued.

Section 8: Except as otherwise provided in this Constitution, all referendum elections shall be determined by a majority of the votes cast.

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##### ARTICLE LXXI

#### RECALL OF OFFICERS, AND MEMBERS OF BOARD OF AUDITORS

*SUMMARY: Any National Officer may be recalled by a two-thirds ( $\frac{2}{3}$ ) vote of the Convention or by a two-thirds ( $\frac{2}{3}$ ) vote of the membership, provided a majority of members cast votes. Any member of the Board of Auditors may be recalled by a two-thirds vote of the membership, provided a majority of members cast votes. Any Officer of a Ranch Community or Chartered Subordinate Body may be recalled by a two-third vote of the Community or Subordinate Body membership.*

Section 1: Any National Officer and member of the National Executive Board may be recalled by two-thirds ( $\frac{2}{3}$ ) of those voting at the Convention or in a general referendum, conducted as hereinabove provided, if two-thirds ( $\frac{2}{3}$ ) of the votes cast in such a referendum favor recall, provided the total

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in the existing structure and departments of the Union or otherwise, when, in his judgment, such crop division will promote the standardization of Union contracts within such crops or otherwise improve the collective bargaining process.

##### ARTICLE LXXIII 73

#### NEGOTIATIONS — PARTICIPATION BY THE MEMBERSHIP

*SUMMARY: The President shall insure that all members are fairly represented in contract negotiations. Any member may submit proposals and suggestions to the President. Only the President and his authorized agents have the authority to negotiate Union contracts.*

Section 1: Collective bargaining proposals shall reflect the will of the membership. The President shall establish such procedures and committees, including Negotiating Committees, as, in his judgment, will best insure that all segments of the bargaining unit membership are fully consulted and represented in contract negotiations.

Section 2: Subjects for negotiations may be initiated at any time by the membership of the bargaining unit or units affected, by forwarding proposals or suggestions to the President or such agent as he may designate for this purpose. Any such proposals or suggestions must be approved by the President or his authorized agent or representative before submission to any employer.

Section 3: No Ranch Community or Organizing Committee, and no Officer of such Community or Director of such Committee, shall have the author-



it, to negotiate the terms of a contract, or any contract supplement, with any employer, without first obtaining authorization and approval from the President or his designated agent or representative.

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#### ARTICLE LXXIV

#### CONTRACTS — REQUIREMENTS, APPROVAL AND RATIFICATION, PERFORMANCE

**SUMMARY:** No contract shall be valid unless it names the Union and is properly signed, has been approved by the Executive Committee and has been ratified by the members. Ratification shall require approval by a majority of the members voting on the contract. The Union shall insist that all contracts be respected and obeyed. No member or representative of any Ranch Community shall modify any contract without authorization from the President or cause or approve any violation of a Union contract.

Section 1: No agreement, or amendment to any agreement, between this Union and employer shall become effective or be, or be deemed to be, valid, unless such agreement

(a) has been first approved by the National Executive Committee;

(b) has been signed by the President, or his authorized agent or representative, on behalf of the Union which is named as a party to the agreement, and

(c) has been ratified by the vote of the majority of the members covered by the agreement who vote on the question.

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provided in their Union contract and this Constitution.

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#### ARTICLE LXXV GRIEVANCES

**SUMMARY:** Members and Ranch Representatives shall participate in the grievance procedure specified in their contract. Full-time Union Representatives shall process grievances above ranch level. Dissatisfied members and Ranch Communities may appeal.

Section 1: Members and their Ranch officers and representatives shall participate in the presentation, submission and resolution of grievances as provided in their collective bargaining agreements, and in this Constitution.

Section 2: The President shall appoint and direct one or more full-time Union representatives who shall be responsible for the processing and disposing of contract grievances above the Ranch level, for supervising and enforcing collective bargaining agreements, and for coordinating matters of common concern and interest with respect to contract, wages, hours of employment and other working conditions.

Section 3: Any member dissatisfied with the action or inaction of his Ranch representatives, and/or any member or Ranch Community dissatisfied with the action or inaction of the Union representative or representatives, in the processing or disposing of a contract grievance shall have the right to appeal to the National Executive Board and, in the case of alleged fraud, discrimination or collusion with management, the right to further

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Section 2: Any contract entered into through collective bargaining, or otherwise dealing with wages, hours, terms of employment or other conditions of employment, must be ratified by the members covered by such agreement. A majority of the members present and voting must approve and ratify any such contract before it can go into full force and effect.

Section 3: Copies of all duly executed, approved and ratified contracts shall be filed with the Secretary-Treasurer of the Union.

Section 4: It shall be the established policy of this Union to recognize the spirit, intent and terms of all contractual relations existing between the Union and employers. Each Ranch Community, its Officers, Committee and representatives, shall be required to abide by the terms of their Union contracts and to insure that the provisions of such contracts are carried out and honored by all parties concerned.

Section 5: No member, officer, representative or agent of any Ranch Community shall have the authority or power to:

(a) modify or amend any contract without the approval of the President, or one of his authorized agents or representatives, or

(b) counsel, cause, initiate, participate in or ratify any action which constitutes a violation of such contract.

Section 6: Nothing in this Article shall be construed or deemed to prohibit the participation by members and/or their representatives in the presentation, submission and resolution of grievances as

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appeal to the Public Review Board, as provided in Part Three of this Constitution.

#### PART ELEVEN — STRIKES

#### ARTICLE LXXVI 76

#### STRIKE AUTHORIZATION

**SUMMARY:** Union members shall strike as provided by this Constitution. No strike action may be taken without prior approval of the National Executive Committee. No assistance will be given to any unauthorized strike.

Section 1: Union members shall only strike as provided in this Constitution.

Section 2: Authorization and approval of the National Executive Committee must be obtained before any strike action may be taken.

Section 3: Neither the Union, nor any of its Communities, Committees or other subordinate bodies shall have the power or authority to instigate, call, lead, or engage in any strike except as provided in this Constitution. Such power and authority resides solely in the President and the National Executive Committee and may only be exercised by the collective action of such Committee.

Section 4: The Union shall provide no financial or other assistance to any unauthorized strike.

#### ARTICLE LXXVII

#### STRIKE ACTION BY RANCH COMMUNITIES

**SUMMARY:** No Ranch Community shall take strike action without the prior approval of the National Executive Committee. The President shall recommend strike action where necessary to obtain a new contract. Members of the Community

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may approve a strike by majority vote. In case of unauthorized strikes, the National Executive Board can dissolve the Ranch Committee, revoke the authority of the Ranch Community, and discipline the officers and members.

Section 1: Ranch Communities shall strike only as provided in this Article.

Section 2: Before recommending a strike to the National Executive Committee, the President shall try and effect a negotiated settlement of the problem, except where such attempt would, in the judgment of the President, be futile or impossible.

Section 3: In the event the President is unable to reach a negotiated settlement of the outstanding issues or is otherwise convinced that a new contract cannot be negotiated prior to the expiration of the existing contract or that an acceptable contract cannot be obtained without a strike, he shall report to the National Executive Committee on the matters in controversy and give such Committee his recommendation concerning strike action. The National Executive Committee shall either approve or disapprove strike action by the Ranch Communities involved.

Section 4: Should the National Executive Committee approve strike action, all Union members affected shall be called together to decide on a course of action. Only members in good standing shall be entitled to vote on the question of declaring a strike. A majority of those present and voting must approve strike action before a strike may be declared.

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Section 3: Should the National Executive Committee approve strike action, the President or his authorized agent or representative shall consult with the Director of the Committee and the members, if any, involved, before any strike is officially declared.

Section 4: An Organizing Committee which continues to engage in an unauthorized strike, or which refuses to terminate a strike when so ordered by the National Executive Committee or the National Executive Board, may be dissolved by the National Executive Board, its Director suspended by the President, and its Director and members subjected to discipline as provided in this Constitution.

Section 5: An authorized strike by an Organizing Committee may only be called off and terminated by action of the National Executive Committee. The National Executive Committee shall not terminate a strike until the President has consulted with the members affected and made his recommendation to such Committee.

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**ARTICLE LXXIX  
STRIKE BENEFITS**

**SUMMARY:** The National Executive Committee shall authorize such strike benefits as are reasonable and as the Union can afford, subject to the policies of the National Executive Board. Eligibility shall be established by the National Executive Committee.

Section 1: The National Executive Board shall establish a policy concerning the amount and duration

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Section 5: When a Ranch Community continues to engage in a strike that is not authorized as provided in this Constitution, or refuses to terminate a strike when so ordered by the National Executive Board or the National Executive Committee, the National Executive Board may revoke the authority of such Community and dissolve its committee and discipline the officers and members involved as provided in this Constitution.

Section 6: An authorized strike by one or more Ranch Communities may only be called off and terminated by action of the National Executive Committee. The National Executive Committee shall not terminate a strike until the President has consulted with the members affected and made his recommendation to such Committee.

**ARTICLE LXXVIII 78**

**STRIKE ACTION BY ORGANIZING COMMITTEES**

**SUMMARY:** Organizing Committees shall not strike without prior approval of the National Executive Committee. The President shall consult with the members and Director of the Committee before declaring a strike. In case of an unauthorized strike, the Organizing Committee may be dissolved and the director and members disciplined.

Section 1: Organizing Committees and their members shall strike as provided in this Article.

Section 2: The National Executive Committee may authorize strikes by Organizing Committees when the President reports that recognition and/or a contract cannot be obtained without strike action, and recommends such action to the Committee.

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of strike benefits which may be authorized by the National Executive Committee.

Section 2: The National Executive Committee shall authorize strike benefits, in such amounts and for such duration, as shall seem reasonable in light of all the circumstances, including the economic condition of the strikers and the financial condition of the Union. Should the National Executive Committee desire to authorize strike benefits which exceed the limits as to amount or duration established by the National Executive Board, it shall obtain the prior approval of the Board.

Section 3: Eligibility for strike benefits shall be established by the National Executive Committee at the time strike benefits are authorized.

**PART TWELVE — AMENDMENTS TO THE  
CONSTITUTION**

**ARTICLE LXXX 80  
AMENDMENT BY THE CONVENTION OR  
BY REFERENDUM**

**SUMMARY:** This Constitution may be amended by the Convention or by referendum. Amendments by the Convention shall require a majority of the per-capita vote if advance notice was given to the membership; otherwise three-fourths (3/4) of the per-capita vote shall be required. Amendment by referendum shall require a majority vote.

Section 1: This Constitution may be amended by the Convention or by referendum submitted to the members as provided in Part Nine.

Section 2: A proposed amendment of this Constitution, submitted to the Ranch Communities, Or-

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gaizing Committees and Administrative Bodies prior to or concurrent with the Convention Call shall require a majority of the per-capita vote at the Convention to effectuate such proposed amendments.

Section 3: Any amendment proposed at the Convention, and not submitted to the membership prior to or concurrent with the Convention Call as provided in Section 2, shall require approval by three-fourths (3/4) of the per-capita vote on the proposed amendment at the Convention to effectuate such proposed amendment, but in no event shall the three-fourths (3/4) of the per-capita vote favoring such amendment be less than a majority of the approved per-capita vote at the Convention.

Section 4: Any amendment submitted by referendum to the members shall require a majority of those voting thereon to effectuate the proposed amendment.

Section 5: Repeal of any provision of this Constitution shall be by amendment procedure.

#### ARTICLE LXXXI

##### EFFECTIVE DATE OF CONSTITUTION AMENDMENTS

*SUMMARY: Amendments shall become effective thirty (30) days after adoption unless sooner attacked by referendum in which case they shall become effective thirty days after defeat of the referendum.*

\* Amendments or repeals adopted in a Convention shall become effective on the thirtieth (30th) day following the adjournment of the Convention, provided the Convention does not specify a later date.

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\* This sentence amended, see Appendix C, page 5

Convention or Referendum prior to the expiration of such period.

#### APPENDIX A PERMANENT RULES GOVERNING CONDUCT AT UFW CONVENTIONS

##### Rule 1 — Source of Rules

The UFW Convention shall be conducted in accordance with these rules and the UFW Constitution and if these rules and the UFW Constitution do not specifically cover a matter, Roberts' Rules of Order shall apply.

##### Rule 2 — Hours of Convention

The Convention shall be called to order at the hour specified in the Convention Call. The hours of the convention, recesses and other arrangements relating to the Convention shall be established by resolution or motion by each Convention.

##### Rule 3 — Conduct during the Convention

The Chairman shall be responsible for maintaining order in the Convention. He may request the Convention to act on the question of expelling a person for misconduct. A delegate may request the Chairman to have the Convention act on expelling a person for misconduct. A majority of delegates voting shall decide the question of expulsion for misconduct.

##### Rule 4 — Order of Business

The Order of Business at a Convention shall be as follows:

1. Call to Order;
2. Report on Credentials;
3. Reading of Convention Rules;

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or unless within 30 days a referendum vote on the amendment or repeal is initiated, in which event the amendment or repeal shall not become effective unless it is sustained by such referendum. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified.

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#### ARTICLE LXXXII EMERGENCY AMENDMENT BY THE NATIONAL EXECUTIVE BOARD

*SUMMARY: The National Executive Board may only amend the Constitution if required by law or in a declared emergency. Any emergency amendment must be approved within 100 days by a referendum.*

Section 1: The National Executive Board may not amend the Constitution except where necessary to comply with the law or in a declared emergency as provided in Section 1 and 2 of Article XXXVIII of Part Five.

Section 2: In the event the National Executive Board amends the Constitution in the exercise of its emergency legislative power, such amendment shall immediately be published to all Ranch Communities, Organizing Committees and Administrative Bodies.

Section 3: Any such emergency amendment to the Constitution not required by law shall only be effective for a period of 100 days from the date of adoption by the Board, unless approved by a Special

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4. Reports of the President, Secretary-Treasurer, and National Executive Board of the Union and the Board of Auditors;
5. Report of Committees;
6. Unfinished Business;
7. Nomination and Election of Officers;
8. Installation of Officers;
9. New Business;
10. Adjournment.

The order of business may be suspended by a two-thirds (2/3) vote of the delegates present.

##### Rule 5 — Delegates to the Convention

###### Section 1 — Election and Certification

Delegates shall be elected and certified as provided in Part Four of the Constitution.

###### Section 2 — Seating of Delegates

Delegates shall be seated by acting on the Credentials Committee Report. In the case of a credentials challenge, the delegates under dispute shall not vote on the question of their seating.

##### Rule 6 — Procedures for Delegates Wishing to Speak

(a) Delegates desiring the floor must announce their names and the unit they represent in order to be recognized by the chair. If a delegate, while speaking, has to be called to order, he shall, at the request of the Chair, take his seat until the question of order is decided.

(b) No delegate shall speak more than once on the same question, until all who desire to speak on that question shall have been heard, nor more than twice on the same question, except by consent of

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the majority. Nominating speeches for officers shall be limited to two (2) minutes. Speeches of delegates on the debate of any question shall be limited to three (3) minutes, but the time of speaking may be extended by majority vote of the Convention.

(c) Should two (2) or more delegates rise at the same time to speak, the Chair shall decide who is entitled to the floor.

(d) Any delegate may appeal from a decision of the Chairman, without waiting for recognition by the Chairman, even though another delegate has the floor. No appeal is in order when another is pending or when other business has been transacted by the Convention prior to the appeal being taken.

#### **Rule 7 — Motions and Debate**

(a) When a motion to table is made, the motion shall not be put until the Introducer of the original motion is given an opportunity to speak on the question.

(b) No delegate shall interrupt another in his remarks, except to raise a point of order.

(c) A motion shall not be open to discussion until it has been seconded and stated from the Chair.

(d) A motion to lay on the Table shall not be debatable except as limited by Roberts' Rules of Order. When such a motion is made and amendments are pending to the original motions before the Convention, the motion to table shall apply to the amendments, and it shall require a new motion to table the original motion.

(e) A motion to reconsider shall not be entertained unless made by a delegate who voted with the

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(c) A roll-call vote may be had on any question before the Convention at the request of 10% of the delegates present.

(d) Voting by roll call shall be by per-capita vote with each delegate casting the number of votes assigned to him and approved by the Credentials Committee and the Convention.

(e) When a roll call has been taken and all delegates present have had an opportunity to record their votes, the ballot shall be declared closed.

(f) When a roll call has been ordered, no adjournment shall take place until the result has been announced.

#### **Rule 10 — Convention Committees, Reports and Resolutions**

(a) A majority of the Committee members shall constitute a quorum for the transaction of its business.

(b) At least a majority of all members present and voting shall be required to adopt a recommendation, a report or a resolution.

(c) All resolutions shall bear the signature of the introducer and the title of the unit he represents and shall be submitted in triplicate form.

(d) All Committees shall report on all resolutions submitted to them.

(e) A majority of the delegates present and voting shall be required to act on a Committee Report or a Resolution, except a Constitutional amendment which must be approved by a roll-call vote as provided in Part Twelve of the Constitution.

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majority on the original question and shall require a majority vote.

(f) No motion or resolution shall be voted upon until the mover or introducer has had an opportunity to speak upon it if he or she so desires.

#### **Rule 8 — Precedence of Motions During Debate**

When a question is under debate or before the Convention, no motion shall be received but the following, which shall take precedence in the order named:

First: To adjourn;

Second: To recess to a given time;

Third: To raise a point of order;

Fourth: For the previous question;

Fifth: To postpone to a definite time;

Sixth: To postpone indefinitely;

Seventh: To refer to committee;

Eighth: To divide or amend;

Ninth: To set a special order of business.

#### **Rule 9 — Voting at Conventions**

A delegate in the Convention shall vote as follows:

(a) Each delegate shall have 1 vote in the Convention, except on a roll-call vote.

(b) A roll-call vote must be had

i. On the election of National Officers or members of the Board of Auditors, provided such elections are contested;

ii. On any resolution or proposal concerning dues, assessments or fees;

iii. On any Constitutional amendment as provided in the Constitution.

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(f) The reports of Committees shall be subject to amendments and substitutes from the floor of the Convention, the same as other motions and resolutions.

(g) The five regular Committees of the Convention established under the Constitution and any other Committee established by the Convention shall make themselves available between the hours of 2:00 p.m. and 6:00 p.m. on the day preceding the Convention for the purpose of establishing a schedule for delegates wishing to appear before such committees. All Committees shall notify delegates who appear before them as to the results of the Committees' action upon any suggestion or request the delegate made of the Committee. This shall be done as expeditiously as possible by the Committee.

#### **Rule 11 — Visitors to the Convention**

All persons, other than delegates certified by the Credentials Committee and approved by the Convention, shall be permitted to attend the Convention upon the following conditions:

(a) They present themselves to the Credentials Committee and secure approval of the Committee;

(b) They not be permitted in the section of the Convention reserved for voting delegates.

#### **Rule 12 — General Information and Committee Booth**

There shall be a booth established in a convenient place within or on the premises of the Convention building to be known as "General Information and Committee Booth" which shall be utilized by all

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delegates to seek information or ask questions with regard to any matter before the Convention. Each Committee of the Convention shall have a representative in the Booth, or available to come to the Booth immediately upon request. The Booth shall be open during the convention hours and also one hour before and after regular established Convention sessions where feasible.

#### Rule 13 — Suspension of Rules

Any one or all of these rules may be temporarily suspended for any subject before the Convention by a majority of the delegates voting on the question.

#### Rule 14 — Amendment of Permanent Rules

No Permanent Rule of the Convention, upon adoption, shall be amended except by an affirmative vote of a majority of the duly qualified delegates to the Convention, present and voting. No such amendment shall be considered until it shall have been referred to and reported by the Committee on Rules.

Amendments shall be effective immediately upon their adoption. In case of any conflict between these rules and the Constitution, the Constitution shall govern.

### APPENDIX B

#### DEATH BENEFIT PROGRAM FOR MEMBERS

COVERED PRIOR TO OCTOBER 1, 1973

##### COVERAGE

Initial coverage under this program shall go into effect for each member qualified on the first day of the month following of initial dues payment, if made after the 15th of the month. If the payment

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the event of the death of one of the family dependents, only one dependent benefit will be paid.

##### LIMITATIONS ON PAYMENT

In the event the Union has insufficient money with which to pay benefits due at any particular time, highest priority shall be given to the benefit for the earliest person to die and next priority shall be given to the next person who died thereafter, when there are pending claims for more than one person.

This program and the United Farm Workers of America shall have no liability to pay any amount of claims in excess of funds on hand through this program at the time the benefits become due.

However, claims may be paid from funds collected after the date of death, or accruing after the date of death of any particular person covered under this program. Provided, however, that the Union may terminate the program without liability to unpaid claimants on the part of the United Farm Workers of America.

##### BENEFITS

#### MEMBERS WHO JOINED BEFORE THEIR FIFTY-FIRST BIRTHDAY

The following is the schedule of benefits for members who joined the Union and became covered by this program before reaching their 51st birthday. The higher benefits are paid to those members who pay their dues no later than midnight of the 30th day after their dues become due and payable. The lower benefits are payable to members who pay their dues after midnight of the 30th day and be-

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for dues is made before the 15th of the month coverage shall begin on the 1st of the same month.

A member covered under this program shall continue to be eligible for the benefits hereunder, even though he has completed more than sixty-one years of age, subject to the termination provisions as explained below.

##### EXCLUSIONS

Union members (and their dependents) who do not pay their dues for a period of sixty days, are automatically disqualified from this death benefit program on midnight of the 60th day of delinquency. Members and dependents who are on active duty in the Armed Forces are excluded from coverage under this program immediately when they obtain active duty status. Members and dependents serving a sentence in jail are excluded from the benefits of this program immediately upon the commencement of service of the sentence. Dependents who marry, whether or not with a marriage ceremony, are excluded from the benefits of this program immediately upon the celebration of the marriage, or, if there is no ceremony, upon their living together as man and wife.

##### EXPLANATIONS

If a husband and wife are both members then both qualify for the member benefit, but in the event of the death of one of their dependents, only one benefit shall be paid for that dependent.

A family dependent who is a member qualifies for the member benefit. In such case, however, in

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fore midnight of the 60th day after their dues become due and payable. After sixty days delinquency no claim will be honored.

##### Higher Lower Explanation

\$1000	\$750	Member
\$ 500	\$400	Dependent spouse
\$ 500	\$400	Dependent child who is aged 6 mos. to 18 years.
\$ 100	\$ 75	Dependent child aged fifteen days to 6 months

No coverage for dependent child under fifteen days or newborn child not yet discharged from hospital after birth or born with a fatal defect at birth.

#### MEMBERS WHO JOINED AFTER THEIR 51ST AND BEFORE THEIR 61ST BIRTHDAY

##### Higher Lower Explanation

\$500	\$250	Member
\$250	\$150	Dependent spouse
\$500	\$400	Dependent child who is aged 6 mos. to 18 years
\$100	\$ 50	Dependent child, aged 15 days to 6 mos.

##### TERMINATION

A member who has reached his or her 61st birthday is permanently terminated from this program at midnight of the 60th day of delinquency in dues payment, and such member may not thereafter enter into coverage under this program.

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APPENDIX C - CONSTITUTIONAL AMENDMENTS

(changes are in italics)

1977 Amendments

NEW ARTICLE '8-A

HONORARY AND CONTRIBUTING MEMBERS

Section 1. *Honorary members. Any person, who because of his or her highly meritorious service to the Union, may be elected as a life-time honorary member of the Union upon nomination by the President and approval by the National Executive Board.*

Section 2. *Contributing Members. Any person, who, while making a monthly contribution to the Union in a sum designated by the National Executive Board, so petitions the National Executive Board, may be elected as a contributing member of the Union by the Board.*

Section 3. *Honorary and contributing members, because of their particular assistance to the Union, have an honored place within the Union. All other provisions of this Constitution are inapplicable to honorary and contributing members.*

ARTICLE 9

SUPERVISORS

Section 3 (p. 10) is amended to read:

No person acting on behalf of any employer or having the right to hire and/or fire shall be eligible for membership in this Union; *provided; however, that with regard to persons otherwise eligible for membership who during part of the year act on behalf of any employer or have the right to hire and/or fire pursuant to a collective bargaining agreement with the Union.*

*the National Executive Board may on its behalf, or upon petition by the Ranch Community, suspend as to such persons the ineligibility established by this section upon such terms and conditions as the Board may deem appropriate and just. Any attempt by such person to undermine the Union's activity, welfare, or interest shall subject such person to expulsion.*

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 2)

NEW ARTICLE 10-A

MEMBERS IN SERVICE TO THE UNION

The following sections, which presently deal with members in service would be deleted:

- A. The last sentence in Article 8 (p.0), beginning with the word Any and ending with Service.
- B. The last sentence in Section 2, of Article 10 (p.9), beginning with the word Persons and ending with fee.
- C. Subsection (d) of Section 3 of Article 11 (p.15), beginning with the word by and ending with occur.
- D. Section 2 of Article 12 (pp. 16-17), beginning with the word Members and ending with service.

The following new Proposed Article 10-A dealing with Members in Service to the Union would read as follows:

Section 1. Any person, having served the Union, or any of its subordinates or affiliated bodies, full time and without salary for an uninterrupted period of one (1) year shall be eligible for membership in this Union for the duration of his or her continuous full-time service.

Section 2. Any person eligible under Section 1 of this Article and not ineligible under Article 9 shall be admitted to membership on the day a completed and signed application is accepted by the President, and the oath, as set forth in Article 10, Section 1, is administered in a manner approved by the President.

Section 3. Persons obtaining Union membership by reason of full-time Union service shall be exempt from any initiation fee. Members serving full-time with the Union, or its subordinates or affiliated bodies, shall be exempt from dues and assessments for the duration of their full-time Union service.

Section 4. Members in service to the Union shall terminate their membership by leaving the full-time service of the Union and accepting a position outside of the Union's jurisdiction without first securing a leave of absence from the President.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 3)

NEW ARTICLE 10-A (continued)

MEMBERS IN SERVICE TO THE UNION

Section 5. *Members on authorized leaves of absence from their service with the Union or its subordinates or affiliated bodies may continue to be active Union members without regard to their separation from Union services, provided such leaves of absence are approved by the President, and renewed upon such terms and conditions as are required by the President.*

ARTICLE 11

ADMISSION OF NEW MEMBERS

Section 1 is amended to read:

An applicant is admitted to membership on the day his completed and signed application is accepted by the Ranch Community in a manner approved by the National Executive Board, and the oath, as set forth in Article 10, Section 1, is administered in a manner approved by the President.

Section 3 (pp. 14-15) is amended to read:

Membership in this Union shall be terminated:

- (a) by death;
- (b) by expulsion as provided in this Constitution;
- (c) by accepting a position which renders the member ineligible for membership, provided, however, that
  - (i) a member who temporarily assumes such a position may retain membership for a period not to exceed thirty (30) days, or
  - (ii) a member who would be ineligible under Article 9, Section 3 may retain membership if his or her ineligibility is suspended under the provisions of Article 9, Section 3,

on the condition such member may not hold any office within the Union or participate in any Union elections during such period.



APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 4)

ARTICLE 26

NUMBER OF DELEGATES

Section 5 is amended by adding new subsections (c) and (d) and renumbering former subsection (c) as (e), as follows:

- (c) *The membership of each Organizing Committee shall be calculated on the basis of peak agricultural employment during the 12 month period ending May 31;*
- (d) *The membership of each Administrative Body shall be composed of those members in service assigned to a particular Administrative Body at the time of the delegate election.*

ARTICLE 31

RESOLUTIONS

The first sentence in Article 31 (pp. 53-54) is amended to read as follows:

*Any Ranch Community, Organizing Committee, or Administrative Body may submit resolutions prior to the Convention by mailing them to the Secretary-Treasurer at least 21 days before the Convention. Protests of delegate elections must be received by the Secretary-Treasurer not more than 7 days after the delegate election in dispute. These protests shall be referred to the Credentials Committee which may waive the foregoing time limitations where the interests of justice would be served.*

The fourth sentence of Article 31 (pp. 53-54) is amended to read as follows:

*Beginning with the Fourth Constitutional Convention, in 1979, resolutions may be submitted to the Resolutions Committee by 30% or more of the accredited delegates. The President, Secretary-Treasurer, and members of the National Executive Board may also submit resolutions. Whenever there is a Majority and Minority Report from the Resolutions Committee, the Minority Report from the Resolutions Committee. the Minority Report shall be presented to the Convention first for adoption or rejection.*

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 5)

ARTICLE 47

SUCCESSORS IN OFFICE

Section 1 (pp. 69-70) is amended to read:

If the office of President or Secretary-Treasurer becomes vacant, the National Executive Board shall designate a successor from among the members of the *National Executive Board*, who shall serve until the next regular convention at which a successor shall be elected for the balance of the unexpired term, if any.

ARTICLE 65

RANCH COMMITTEE AND ORGANIZING COMMITTEES

Section 1 (pp. 102-103) is amended to read:

Ranch Communities shall be governed as provided in this Constitution, the Uniform By-Laws, and the *Local Rules* ratified by the Ranch Communities.

ARTICLE 68

Section 4 (p. 109) is amended to read:

Organizing Committees shall have the powers and duties specified in this Constitution and the *Local Rules* ratified by the Organizing Committees. Organizing Committees and their directors shall have such additional powers and duties as may be assigned to them by the Convention, the National Executive Board, or the President. Organizing Committee business shall be conducted as provided in such *Local Rules*.

ARTICLE 81

EFFECTIVE DATE OF AMENDMENTS

Article 81 is amended to read:

Amendments or repeals adopted in a Convention shall become effective *immediately, unless otherwise specified in the amendment or repeal*. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified.

1979 Amendments

ARTICLE 18

CHARGES AGAINST MEMBERS

(SECTIONS 1 - 5 SAME)

Section 6: If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the written charges, the officer of official receiving the charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally, or, if served by *certified mail, Return Receipt Requested*, by mailing such copy of the charges and notice of trial, *Return Receipt Requested*, at least 9 days before the date set for trial.

(SECTIONS 7 - 8 SAME)

ARTICLE 20

APPEALS TO THE NATIONAL EXECUTIVE BOARD

Section 1: Any member tried and disciplined, as provided in the preceding Article, shall have the right to appeal to the National Executive Board, as follows:

(a) the appeal to the National Executive Board shall be in writing, shall contain the return address of the appellant, and shall be directed to the Secretary-Treasurer of the Union, who shall obtain the record of the case;

(b) such written appeal must be mailed to the Secretary-Treasurer within 15 days of the date of the trial. The 15-day time limit provided in this Section for filing appeals from the decisions of trial courts may be extended at the discretion of the National Executive Board, for a period not to exceed thirty (30) days, when the Board determines that such extension would serve the interest of justice;

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 5)

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1979 Amendments

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(SECTIONS 1 - 5 SAME)

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(b) such written appeal must be mailed to the Secretary-Treasurer within 15 days of the date of the trial. The 15-day time limit provided in this Section for filing appeals from the decisions of trial courts may be extended at the discretion of the National Executive Board, for a period not to exceed thirty (30) days, when the Board determines that such extension would serve the interest of justice;

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 7)

ARTICLE 20

APPEALS TO THE NATIONAL EXECUTIVE BOARD  
(continued)

(c) The National Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial. The National Executive Board shall decide such appeal within thirty (30) days of receipt of the written appeal, and shall notify the appellant, by *Certified Mail, Return Receipt Requested*, addressed to the address shown on the appeal, of the Board's decision and, if the conviction and/or sentence be reaffirmed, of his or her right to appeal to the Convention or the Public Review Board, as provided in this Article;

(d) When the appellant has been convicted and reprimanded, censured, suspended or expelled from membership, such penalty shall not be enforced pending final decision by the National Executive Board on any appeal filed as provided in this Section.

(SECTIONS 2 - 5 SAME)

ARTICLE 54

CHARGES AGAINST AND TRIAL OF NATIONAL OFFICERS AND THEIR  
AGENTS AND REPRESENTATIVES: DISCIPLINE OF NATIONAL  
OFFICERS AND THEIR AGENTS AND REPRESENTATIVES AND REMOVAL  
OF NATIONAL OFFICERS

*Section 5:* The officers receiving the charges shall, within ten (10) days thereafter, set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if served personally, or, if served by *Certified Mail, Return Receipt Requested*, by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

(SECTIONS 6 - 10 SAME)

ARTICLE 61

CHARGES AGAINST MEMBERS OF THE BOARD OF AUDITORS

*Section 1:* Any officer or member in good standing may prefer charges against any member or member of the Board of Auditors for:

- (a) breach of trust;
- (b) violating any provision of this Constitution;
- (c) violating any decision of the Convention or the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the Union for any profit received by him in connection with Union business conducted by him or under his direction;
- (f) misappropriate money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;
- (g) other acts of dishonesty;
- (h) conduct detrimental to the welfare of the Union;
- (i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;
- (j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent, or;
- (k) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

*Section 2:* No member of the Board of Auditors shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 9)

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ARTICLE 61  
CHARGES AGAINST MEMBERS OF THE BOARD OF AUDITORS

Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President who shall promptly submit them to the National Executive Board. The President, within ten (10) days after receiving such charges, shall set a time and place for the trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if served personally, or, if served by Certified Mail, Return Receipt Requested, by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

Section 4: A member of the Board of Auditors against whom charges have been filed for conduct set forth in Section 1 (f) of this Article shall forthwith be suspended, pending a final determination by the National Executive Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings. A substitute for such suspended member shall be appointed to serve in such member's stead during his or her suspension, as provided in Article 60 of this Part.

Section 5: A member of the Board of Auditors against whom charges have been filed for any other conduct set forth in Section 1 of this Article may be suspended from office by a two-thirds (2/3) vote of the full National Executive Board, pending a final determination by the Board sitting as a trial court of any appeal resulting from such trial or pending the determination of any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

ARTICLE 66

CHARGES AGAINST RANCH COMMUNITY OFFICERS, TRIAL, DISCIPLINE AND REMOVAL FROM OFFICE

(SECTIONS 1 - 2 SAME)



ARTICLE 66

CHARGES AGAINST RANCH COMMUNITY OFFICERS, TRIAL,  
DISCIPLINE AND REMOVAL FROM OFFICE  
(continued)

Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President or, if the President be the accused party, to the Secretary. If both of these Ranch officers are charged with such offenses, the charges shall be filed with the Secretary-Treasurer of the Union. The Ranch Officer receiving the charges, or the Secretary-Treasurer shall, within ten (10) days thereafter, set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if *Certified Mail, Return Receipt Requested*, by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

(SECTIONS 4 - 6 SAME)

ARTICLE 69

CHARGES AGAINST DIRECTOR OF ORGANIZING COMMITTEES, TRIAL,  
DISCIPLINE AND REMOVAL FROM OFFICE

(SECTIONS 1 - 2 SAME)

Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President. The President, as the Chief Executive Officer directly responsible for the appointment of the Accused Director, shall determine whether or not such Director shall be suspended pending full trial by the National Executive Board. Within ten (10) days after receiving the charges, the President shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if served personally, or, if served by *Certified Mail, Return Receipt Requested* by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 11)

ARTICLE 69

CHARGES AGAINST DIRECTOR OF ORGANIZING COMMITTEES, TRIAL,  
DISCIPLINE AND REMOVAL FROM OFFICE

(SECTIONS 4 - 6 SAME)

ARTICLE 70

REFERENDUM

(SECTIONS 1 - 6 SAME)

*Section 7:* The results of each referendum election shall be forwarded to the Secretary-Treasurer by *Certified Mail, Return Receipt Requested*, within five (5) days after the election is held, together with the original ballots. The Secretary-Treasurer shall compile the total vote of the membership, announce the vote to the National Executive Board and forward such final results to the Secretary of each electoral body. The Secretary-Treasurer shall also cause to be published in the Union newspaper the total vote of the membership as well as the vote of each electoral body. These results shall be announced and published by the Secretary-Treasurer within ninety (90) days of the date on which the Notice was issued.

(SECTION 8 SAME)

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1981 Amendments

ARTICLE 12

MEMBERSHIP DUES

*Section 1:* Each member of this Union shall pay the membership dues established by the Convention. Membership dues shall be collected in the manner as determined by the Convention or the National Executive Board.

*Section 2:* The National Executive Board may exempt members of Organizing Committees, strikers and boycotters from the payment of the required membership dues, by reason of their inability to pay dues, their volunteered Union service, and/or their inability to reap the benefits of working under a Union contract.

*Section 3:* Dues structure;

(a) The 1973 Convention shall adopt a dues structure based on a fixed percentage of each members' Union wages. Union wages are defined as wages earned by a Union member while working for an employer or employers party to a Union collective bargaining agreement. Union wages shall include vacation pay, holiday pay, overtime pay and any other form of payment or compensation due a Union member under the provisions of a Union collective bargaining agreement. The Convention shall set the precise percentage of every member's Union wages which shall be payable as membership dues. The Convention shall also establish the apportionment of Union dues between the General Fund of the Union and the Union's STRIKE Fund, and it shall be the duty of the Secretary-Treasurer to so apportion and deposit all membership dues received by the Union.

(b) The Union shall set aside each year's Rufino Contreras dues payment as a civic and political fund to be used for the purpose of strengthening democracy by encouraging members, and citizens generally, to register and vote in community, state, and national elections and to carry on organizational and educational programs directed toward the achievement of an even higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 13)

ARTICLE 12

MEMBERSHIP DUES  
(continued)

*Section 4:* Right to object to the expenditure of dues for causes primarily political in nature:

(a) Any member shall have the right to object to the expenditure of a portion of *her/his* dues money for activities or causes primarily political in nature. The approximate proportion of dues spent for such political purposes shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member may perfect *her/his* objection by individually notifying the National Secretary-Treasurer of the objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of Union membership and during the fourteen (14) days following each anniversary of Union membership. An objection may be continued from year-to-year by individual notifications given during each annual fourteen (14) day period.

(b) If an objecting member is dissatisfied with the approximate proportional allocation made by the committee of the National Executive Board or the disposition of *her/his* objection by the National Secretary-Treasurer, *s/he* may appeal directly to the full National Executive Board and the decision of the National Executive Board shall be appealable to the Public Review Board or the Convention Appeals Committee at the option of said member.

*Section 5:* The percentage of Union wages dues structure shall take effect January 1, 1974, unless the Convention adopts a later date.

*Section 6:* Dues payment structure:

(a) Under the percentage of Union wages dues structure, each member's dues shall be deducted and paid over to the Union each and every week in which the member receives Union wages.

(b) Under the Rufino Contreras dues payment structure each member's dues shall be deducted and paid over to the Union each and every year.



ARTICLE 12

MEMBERSHIP DUES  
(continued)

Section 6 (continued)

(c) It shall be the duty and obligation of every Union member to execute the necessary authorization or authorizations for the dues deduction from his or her paycheck before earning any Union wages. In the event a Union member receives Union wages from which the dues deduction has not been made, such member shall pay his required membership dues at the nearest Union office within seven (7) days of receipt of such Union wages. Failure to execute the necessary authorization or authorizations or to pay the required dues within seven (7) days, in the event the authorized deduction is not made, shall subject a Union member to suspension and expulsion as provided in Section 8.

Section 7: Between regular Conventions, membership dues may be changed or increased only by a referendum or by a Special Convention. Should the National Executive Board desire to change or increase the membership dues established by the Convention, it shall either call a Special Convention for such purpose, as provided in PART FOUR, or it shall submit the proposed change or increase to a referendum vote, in accordance with PART NINE.

Section 8: Delegates to a regular Special Convention representing Administrative Bodies or Organizing Committees whose memberships pay no dues shall not be entitled to vote on any question or proposal concerning membership dues. The dues structure and the amount of dues shall be established, and any changes in same approved, by a majority of the per-capita vote not so disqualified from voting on such issues. Should the National Executive Board submit a dues change or increase to a referendum vote, only the membership of the Ranch Communities and of those Organizing Committees, if any, whose members pay dues, shall be entitled to vote in such referendum.

Section 9: A member in default in the payment of any installment of dues for thirty (30) days from the date such amount becomes due shall be automatically expelled from the Union. A member so expelled shall not be readmitted without payment of all dues owing at the time of expulsion, any assessments accruing during the period of expulsion, and the regular Initiation Fee of \$25; neither shall such expelled member be readmitted until the lapse of ninety (90) days from the date of expulsion. Under the Union dues structure, dues shall become due any payable on the date Union wages are received.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

December 14, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marco E. Lopez, Esquire  
House Counsel  
United Farm Workers of America,  
AFL-CIO  
P.O. Box 62, La Paz  
Keene, California 93531

Re: MUR 705

Dear Mr. Lopez:

This will acknowledge receipt of your letter, dated November 13, 1978, and also will serve to advise you that the Commission has found no reasonable cause to believe that the Citizens Participation Day Fund of the United Farm Workers of America, AFL-CIO, has violated 2 U.S.C. §441b(b)(3)(A). Accordingly, the Commission has voted to close its file in this matter.

Should you have any questions, please contact Vincent J. Convery, Jr., the attorney assigned to this matter, at 202-523-4060.

Sincerely,

William C. Oldaker  
General Counsel

Group  
Ex.  
F 73



# UNITED FARM WORKERS of AMERICA AFL-CIO

National Headquarters: La Paz, Keene, California 93531

(805) 822-5571

RECEIVED NOV 16 1978

November 13, 1978

William C. Oldaker,  
General Counsel  
Vincent J. Convery, Jr.  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sirs:

Cesar E. Chavez, President of the United Farm Workers of America, AFL-CIO referred your letter of October 6, 1978, to me. I believe that by this letter, your office will be able to terminate its investigation with a finding that the Citizenship Participation Day (CPD) Fund does not violate the Federal Election Campaign Act of 1971.

First, responses to the specific questions listed in your October 6, 1978, letter are given below in numerical order corresponding to the numbered questions in the letter. Second, I have included an explanation of how the Citizenship Participation Day Fund (which, as is explained below, is entirely separate from the fund from which federal campaign expenditures may be made) is set up. This description will more fully answer your questions and will provide the background as to precisely why the CPD Fund does not violate the provisions of the federal Act.

1. The Citizenship Participation Day Fund was established with the signing of the contract between the United Farm Workers Organizing Committee and the Interharvest Company on September 14, 1972. The first payments for this company were made in June 1973. The United Farm Workers Organizing Committee contract with the Freedman Company (signed April 14, 1973) was the company with the first payments: May 14, 1973.

2. The Fund's purposes are to develop, promote, and implement policies and programs which will improve and enrich the quality of farm worker life; to engage in community, civic, welfare, educational, environmental, cultural, citizenship-legislative, consumer protection, community service and other activities designed to improve the economic and social conditions of the United Farm Workers members and their families; to make

34045393

William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Two

political expenditures and contributions to influence the nomination and election of individuals to state, local, and/or party office, and to influence the passage or defeat of ballot questions; and to promote the general welfare and democratic way of life for all people. The CPD Fund does not expend any monies in connection with any federal election campaign.

3. The Citizenship Participation Day Fund is governed by a Board composed of the members of the National Executive Board of the Union.

4. In the past, the Farm Workers Political Education Fund, now the National United Farm Workers Volunteer Political Action Committee (see Gilbert Padilla's letter of October 18, 1978, to William Oldaker), has provided financial support to federal candidates. Contributions and/or expenditures made for such purposes have been reported to the Federal Election Commission. This fund is a separate, segregated fund within the meaning of 2 U.S.C. 441b(b) (2)(C), and has at all times been maintained separate from the CPD Fund, which does not expend monies for federal campaigns.

5. No expenditures have been made for the purpose of expressly advocating the defeat of any Federal candidate from the Citizenship Participation Day Fund.

6. The Fund has never sponsored any forums or other events at which Federal candidates have appeared and spoken. Money from the Citizenship Participation Day Fund has been used to finance political conferences at which only members of the United Farm Workers have endorsed both state and federal candidates.

7. Yes. For particulars please see Attachment A.

8. As is set forth in the responses above, the National United Farm Workers Volunteer Political Action Committee maintains a separate, segregated fund of voluntarily-contributed monies for use in federal campaigns; and the separate Citizenship Participation Day Fund is used for state and local political campaigns and for community and civic causes. As such, the Citizenship Participation Day Fund has given financial support to state and local (but not federal) candidates. Contributions for state and local political purposes by the CPD Fund are contained in reports filed pursuant to the California Political Reform Act of 1974, as amended, California Government Code Section 81000 et seq.

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William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Three

More specifically, the Citizenship Participation Day is a day negotiated as a paid holiday for agricultural workers represented by the UFW under collective bargaining agreements between the Union and agricultural employers. UFW members who receive this paid holiday under collective bargaining agreements authorize the contribution of their holiday pay to a Citizenship Participation Day Fund.

The Third Constitutional Convention of the UFW in August 1977 adopted Resolution 45, which makes contribution of the CPD holiday pay by members working under contract mandatory. Funds have been collected under Resolution 45 since August 28, 1977, and have been maintained by the Union in a separate, segregated account.

On September 18, 1978, the National Executive Board of the UFW passed two resolutions relating to CPD. The first resolution empowers a Board, composed of the members of the National Executive Board of the Union, to allocate money in the Citizenship Participation Day Fund. The second resolution establishes a procedure to afford members an opportunity to object to expenditure of money contributed by them to the CPD fund for purposes to which they are politically or ideologically opposed. The procedure adopted by the National Executive Board is as follows:

... (A)ny member shall have the right to object to the expenditure of a portion of his Citizenship Participation Day contribution for political candidates or specific programs. The member may perfect his objection by individually notifying the National Secretary-Treasurer of his objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of Union membership and during the fourteen (14) days following each anniversary of Union membership. An objection may be continued from year to year by individual notifications given during each annual fourteen (14) day period. The approximate proportion of the member's total Citizenship Participation Day contribution spent for such political candidates or specific programs to which he objects shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member shall have the option of contributing said portion of his CPD contribution to one of three charitable funds designated by the National Executive Board.

William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Four

If an objection member is dissatisfied with the approximate proportional allocation made by the committee of the National Executive Board or the disposition of his objection by the National Secretary-Treasurer, he may appeal directly to the full National Executive Board, and the decision of the National Executive Board shall be appealable to the Public Review Board or to the Convention, at the option of said member.

Also on September 18, 1978, the Board of the Citizenship Participation Day Fund, in accordance with its function to allocate money in the CPD Fund, passed a resolution creating the National United Farm Workers Civic Action Program to improve the quality of farm worker life and to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families and to promote the general welfare and democratic way of life for all people. Money allocated to the Civic Action Program (hereinafter "CAP") must be segregated from other funds and may not be expended for any activities regulated by any state or federal election or campaign reporting laws, except that CAP money may be used for non-partisan voter registration and get-out-the-vote activities.

The CPD Fund Board also passed a resolution creating the National United Farm Workers Political Action Committee for the purpose of making political expenditures and contributions to influence the nomination and election of state, local, and/or party officials and the passage or defeat of ballot questions. Money allocated to the Political Action Committee (hereinafter "PAC") must be kept in a separate and segregated fund.

By further resolution, the Board of the CPD Fund allocated all contributions to the CPD Fund collected since August 28, 1977, pursuant to Resolution 45 of the UFW Third Constitutional Convention to the Civic Action Program for the purpose of implementing the objective of the CAP Program, up to and including December 31, 1978. All contributions to the CPD Fund collected since August 31, 1977, pursuant to Resolution 45, to date, have been maintained in a segregated account, and none of these contributions have been spent for any purpose.

The above resolutions were adopted after an examination by the National Executive Board of the Union of the procedures followed by the United Auto Workers Union with respect to expenditures of contributions from members for political and civic purposes. I am informed that the United Auto Workers collects

William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Five

8 4 0 3 0 4 5 3 0 3 1

funds from which expenditures for political and civic purposes are made by imposing a mandatory tax amounting to a percentage of each member's monthly dues and that the money so collected is allocated in part to a political action committee and in part to a community action program. I am also informed that the United Auto Workers has a procedure whereby members may object to expenditure of this dues money for activities or causes to which he is politically or ideologically opposed which is similar to the procedure adopted by the National Executive Board of the UFW.

The procedure adopted by the National Executive Board of the UFW for objecting to expenditures to which a member is politically or ideologically opposed applies to all contributions to the CPD Fund pursuant to Resolution 45, that is, both to funds allocated to the Civic Action Program and to funds allocated to the Political Action Committee in the future. To date no expenditure of any of the money in the CPD Fund collected pursuant to Resolution 45 has been made, and no decision as to how the money which has been allocated to the Civic Action Program will be spent have been made. When such decisions are made, members subject to Resolution 45 will be given notice of intended expenditures and full opportunity to invoke the procedure adopted by the National Executive Board for objecting to such expenditures.

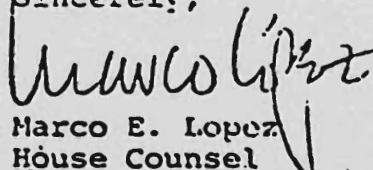
9. The Citizenship Participation Day Fund has never made any contributions to federal candidates. The National United Farm Workers Voluntary Political Action Committee is established to expend funds to federal candidates. Its account is with the United California Bank, 5191 Whittier Blvd., Los Angeles, California 90022: checking account # 148945611 and savings account # 1480434214.

10. The Citizenship Participation Day Fund has never accepted contributions, or received loans or other transfers of monies from the general treasury of the United Farm Workers of America, AFL-CIO.

11. The Citizenship Participation Day Fund has never provided financial support to the United Farm Workers Federal Political Action Committee.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

  
Marco E. Lopez  
House Counsel

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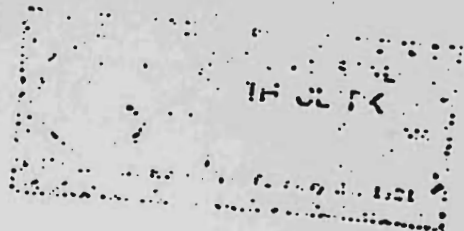
William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Six

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on November 13, 1978, at Keene, California.

William Oldaker

Subscribed and sworn to before me this 13 day of November, 1978 at Keene, California.

Ruth Clark



84010450131



Attachment A

FEDERAL CANDIDATES ENDORSED BY  
CITIZENS PARTICIPATION DAY FUND

September 5, 1976

President of the United States

Jimmy Carter

United States Senate

John V. Tunney

United States Congress:

District 4  
District 5  
District 6  
District 8  
District 10  
District 12  
District 13  
District 25  
District 27  
District 28  
District 33  
District 37  
District 39

Robert L. Leggett  
John L. Burton  
Phillip Burton  
Ronald Dellums  
Don Edwards  
David Harris  
Norman Mineta  
Edward R. Roybal  
Gary Familian  
Yvonne Brathwaite Burke  
Ted Snyder  
Douglas C. Nilson Jr.  
William E. Farris

September 19-20, 1976

United States Congress

District 9  
District 22  
District 24  
District 35  
District 36  
District 38  
District 40

Fortney Stark  
Salley  
Henry A. Waxman  
Jim Lloyd  
George E. Brown, Jr.  
Jerry Patterson  
Hall

December 7, 1977

United States Congress

District 6

Phillip Burton

July 30, 1978

United States Congress

District 4  
District 5  
District 6  
District 7  
District 8  
District 9

Dick Fazio  
John Burton  
Phillip Burton  
George Miller  
Ronald V. Dellums  
Fortney Stark

Attachment A  
Page 2

July 30, 1978

United States Congress

District 10  
District 12  
District 21  
District 23  
District 24  
District 25  
District 28  
District 29  
District 32  
District 36  
District 37  
District 38  
District 39  
District 41  
District 42

Don Edwards  
Kirsten Olsen  
James Corman  
Anthony Beilenson  
Henry A. Waxman  
Edward R. Roybal  
Dixon  
Augustus Hawkins  
Glenn M. Anderson  
George E. Brown, Jr.  
Dan Corcoran  
Jerry Patterson  
William E. Farris  
King Golden, Jr.  
Lionel Van Deerlin

September 17, 1978

United States Congress

District 1  
District 2  
District 13  
District 14  
District 15  
District 18  
District 19  
District 30  
District 31  
District 34  
District 35  
District 40

Harold T. Johnson  
Norma Bork  
Norman Y. Mineta  
John J. McFall  
Tony Coelho  
Bob Sogge  
Jerry Zamos  
George E. Danielson  
Charles H. Wilson  
Mark W. Hannaford  
Jim Lloyd  
Jim McGuy



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

October 5, 1978

Cesar E. Chavez, President  
United Farm Workers of  
America, AFL-CIO  
P.O. Box 62, La Paz  
Keene, California 93531

Re: NUR 705

Dear Mr. Chavez:

On September 6, 1978, the Commission received a complaint which alleged that the United Farm Workers of America may have violated the Federal Election Campaign Act of 1971, as amended. Essentially, the complaint alleged that two members of the United Farm Workers of America had been expelled from union membership for their refusal to contribute to the UFW's political action committee. A copy of the complaint is at Attachment 1.

On October 5, 1978, the Commission found reason to believe that the Citizens Participation Day Fund of the UFW violated Section 441b(b)(3)(A) of the Act. This finding is based on evidence that the UFW has compelled its members to make contributions to the Fund, and on indications that part of the monies thus realized were expended in connection with elections for Federal office.

You are invited to provide the Commission with any information which will demonstrate that no further action should be taken against the Fund under the Act. Such information should be forwarded to the Commission, in notarized form, within ten days of your receipt of this letter.

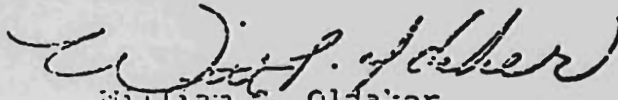
Additionally, you are requested to provide answers to the questions at Attachment 2. These answers also should be in notarized form and should be forwarded to the Commission within ten days of your receipt of this letter.

Pursuant to 2 U.S.C. §437g(a)(3)(B), this matter will remain confidential unless you advise the Commission in writing of your desire that it be made public.

The Fund may be represented by an attorney in this matter. Should an attorney be retained, please advise us so that we may communicate directly with him/her.

If you have any questions or desire additional information, please contact Vincent J. Convery, Jr., the attorney assigned to this matter, at 202-523-4058.

504-4061  
Sincerely,



William C. Oldaker  
General Counsel

04010456002



LEON E. PANETTA  
15th DISTRICT, CALIFORNIA

COMMITTEES:  
AGRICULTURE  
HOUSE ADMINISTRATION

407 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(402) 225-2151

## Congress of the United States

House of Representatives

Washington, D.C. 20515

September 6, 1978

Rec# 478

DISTRICT OFFICES

310 ALVARADO STREET  
MONTREY, CALIFORNIA 93940  
(408) 849-2333

MILLISTER, CALIFORNIA  
(425) 837-0500

SALINAS, CALIFORNIA  
(408) 424-2220

SAN LUIS OBISPO, CALIFORNIA  
(805) 843-0124

SANTA CRUZ, CALIFORNIA  
(408) 429-1376

Chairman John D. Aikens  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Chairman Aikens:

Pursuant to a request by two members of the United Farm Workers Union, I am forwarding to your attention information presented to me concerning their allegations of possible violations of federal election laws.

According to these members, the UFW adopted a resolution in 1977 requiring members to make contributions to the union's political action committee or political action fund. This year, the union is apparently enforcing that provision. Those members who are unwilling to contribute are being "ried" by the union locals, with a penalty of expulsion from the union and subsequent dismissal from employment, upon request of the union local. At this point, from the allegations presented to me, it is not clear whether or not the fund is used to support candidates for federal office.

The members of the Union who presented this information have requested that the Federal Election Commission investigate their allegations regarding involuntary political contributions, and whether or not such funds are being used in federal elections and therefore are within the jurisdiction of federal law.

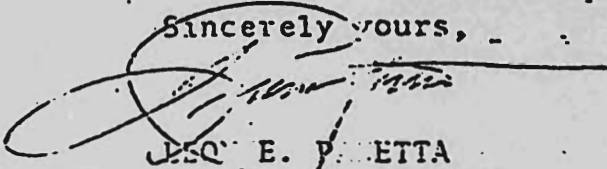
I am enclosing a variety of materials pertinent to the case, including letters to me from the two members of the union who first informed me of the situation. In addition, I am including a copy of one of the workers' pay slip from the week in which he was required to contribute to the political fund. The \$77.19 the union sought from him is listed on the pay schedule under the category of "Miscellaneous" deductions.

Attachment 1

Chairman Joan D. Aikens  
September 6, 1978  
Page Two

Please keep me informed regarding your determinations in this matter. I believe it is in the best interest of the farmworkers, the UFW and the public to have the matter clarified as soon as possible.

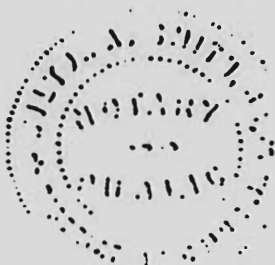
Sincerely yours,

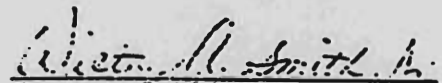
  
LEO E. PANETTA  
Member of Congress

LEP:mfd

Enclosures: letter to Congressman Panetta from Mr. Giles Breaux;  
letter to Congressman Panetta from Richard Krencicki;  
copy of UFW resolution requiring mandatory political contributions;  
copy of pay schedule of Giles Breaux and  
correspondence between the union and Mr. Breaux  
on this matter;  
copies of newspaper articles on the case.

Subscribed and sworn to before me this 6th day of September 1978 in the District of Columbia.



  
Notary Public  
William A. Smith, II.  
Notary Public, District of Columbia  
Commission Expires October 14, 1982

FEDERAL ELECTION COMMISSION

Attachment 2 to letter to  
cesar E. Chavez  
MUR 705

1. When was the Citizens Participation Day Fund created?
2. For what purpose(s) was the Fund created?
3. Please list the officers of the Fund and the office held by each.
4. Please list all Federal candidates who have been provided with financial support by the Fund since its inception. (For the purposes of this question, such support includes contributions, loans and transfers made to a candidate or to his committee, and also includes expenditures made for the purpose of expressly advocating the election of a candidate). Please provide particulars as to dates and amounts.
5. Has the Fund ever made expenditures for the purpose of expressly advocating the defeat of any Federal candidate? If so, give particulars as to candidates, dates and amounts involved.
6. Has the Fund ever sponsored forums or other events at which Federal candidates have appeared and spoken? If so, please provide particulars as to the dates, the names of such candidates and the costs to the Fund.
7. Has the Fund ever endorsed a Federal candidate? If so, who and when?
8. What non-Federal candidates have been supported by the Fund since its inception.

- 1 -  
What is the name and address of the financial institution in which Fund monies are kept on deposit? What is the account number?

10. Has the Fund ever accepted contributions, or received loans or other transfers of monies, from the general treasury of the United Farm Workers of America? If so, state when the funds were received and the amounts involved.
11. Has the Fund ever provided financial support to the United Farm Workers Federal Political Action Committee? If so, give particulars. (For the purposes of this question, the term "support" means loans, contributions, expenditures and transfers).

34040453076



**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)



Form 450  
1992

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 1/1/82 through 3/17/82

**A OFFICIAL USE ONLY**

<b>NAME OF COMMITTEE:</b> National UFW Political Action Committee						<b>I.D. NUMBER</b> 782630	
<b>ADDRESS OF COMMITTEE:</b>		<b>NO. AND STREET</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	<b>AREA CODE</b>	<b>PHONE NUMBER</b>
P. O. Box 62		La Paz	Keene	Ca.	93531	805/822-5571	
<b>NAME OF TREASURER:</b> Peter G. Velasco							
<b>PERMANENT ADDRESS OF TREASURER:</b>		<b>NO. AND STREET</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	<b>AREA CODE</b>	<b>PHONE NUMBER</b>
P. O. Box 62		La Paz	Keene	Ca.	93531	805/822-5571	
<b>DATE OF ELECTION (MO., DAY, YR.): (if applicable)</b>			<b>TOTAL PAGES</b>		<b>SPONSORING ORGANIZATION (if applicable)</b>		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sub-Ord-Other	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Californians for Mario Obledo, ID# 811622 Box 1026 Sacramento, Ca. 95805	Contribution	Mario Obledo Governor	X	2620.	2620.
	Friends of Tom Hayden ID#810577 2506 Santa Monica Santa Monica, Ca. 90404	Contribution	Tom Hayden State Assembly	X	4000.	4000.
	Californians for Brown ID#781372 1125 W. 6th St., 3rd Fl. L.A. Ca. 90017	Contribution	Aldermant State Committee for Brown's Gubernatorial race. Now used to support state races +	X	2000.	2000.
	Accounting Services UFW/La Paz P. O. Box 62 Keene, California 93531				200.	200.

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV):** \$ 8820.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F	
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaigns of the Political Reform Act," Part X.

\* For further information you may contact

Group  
Ex. 88  
E

**LOANS MADE TO: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one				
N/A		Support	Oppose		0
					0
Attach additional information on appropriately labeled continuation sheets.					
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) \$				0	

**III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
N/A	0	
	0	
Attach additional information on appropriately labeled continuation sheets.		
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) \$		0

**IV SUMMARY**

**EXPENDITURES**

1. Expenditures of \$100 or more this period (Part II) .....	\$ 8820.
2. Expenditures under \$100 (Not itemized) .....	0.
3. Loans made this period (Part II) .....	0.
4. Subtotal (Line 1 + 2 + 3) .....	\$ 8820.
5. Loans repaid this period (Part III) .....	0.
5. Net expenditures this period (Line 4 - 5 may be negative amount) .....	\$ 8820.
7. Cumulative expenditures from prior statement .....	0.
8. Cumulative expenditures to date (Line 6 + 7) .....	\$ 8820.

**RECEIPTS**

9. Monetary contributions received this period .....	\$ 20,000.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	0.
12. Cumulative contributions received to date (Line 9 + 10 + 11) .....	\$ 20,000.

**CASH FLOW STATEMENT**

13. Cash on hand at beginning of period .....	\$ 904.
14. Cash receipts this period (Line 5 + 9) .....	20,000.
15. Cash expenditures this period (Line 4) .....	8,820.
16. Cash on hand at end of period (Line 13 + 14 - 15) .....	\$ 12,084.

**VERIFICATION**

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 9/22/82 at Keene, Calif - by Peter M. [Signature]  
 Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-24217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.

A OFFICIAL USE ONLY

NAME OF COMMITTEE OR CANDIDATE:

National UFW Political Action Committee

I.D. NO. (IF APPLICABLE)

782630

ADDRESS OF COMMITTEE OR CANDIDATE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P.O. Box 62

La Paz Keene, Ca.

93531

(805) 822-5571

NAME OF TREASURER (IF APPLICABLE):

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER (IF APPLICABLE):

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P.O. Box 62

La Paz

Keene

Ca.

93531

(805) 822-5571

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82 for the period Jan. 1, 1982 to March 17, 1982.

III. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

added complete addresses where previously omitted

V. Reason for amendment: Per request in letter to NUFW-PAC from Political Reform Div. dated Oct. 21, 1982.

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached     )

## VERIFICATION

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

Executed on Nov. 12, 1982 at Keene, Ca.

by

*[Signature]*

(SIGNATURE OF TREASURER)

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on                      at                      by                     

(DATE)

(CITY AND STATE)

(SIGNATURE OF CANDIDATE OR OFFICEHOLDER)

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

96



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-84217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.

A OFFICIAL USE ONLY

NAME OF COMMITTEE OR CANDIDATE:

National UFW Political Action Committee

I.D. NO. (IF APPLICABLE)  
782630

ADDRESS OF COMMITTEE OR CANDIDATE:

P.O. Box 62

NO. AND STREET

La Paz

CITY

Keene

STATE

Ca.

ZIP CODE

93531

AREA CODE PHONE NUMBER

(805) 822-5571

NAME OF TREASURER (IF APPLICABLE):

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER (IF APPLICABLE):

P.O. Box 62

NO. AND STREET

La Paz

CITY

Keene

STATE

Ca.

ZIP CODE

93531

AREA CODE PHONE NUMBER

(805) 822-5571

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82 for the period March 18, 1982 to May 22, 1982.

III. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

added complete addresses where previously omitted

V. Reason for amendment: Per request in letter to NUFW-PAC from Political Reform Div. dated Oct. 21, 1982

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached     )

## VERIFICATION

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

Executed on 11-12-82 at Keene, Ca. by Peter G. Velasco

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on            at            by



**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 3/18/82 through 5/22/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

**National UFW Political Action Committee**

I.D. NUMBER

**782630**

ADDRESS OF COMMITTEE:

**P. O. Box 62 La Paz**

**Keene**

STATE

**Ca. 93531**

ZIP CODE

AREA CODE

**805/822-5571**

PHONE NUMBER

NAME OF TREASURER:

**Peter G. Velasco**

PERMANENT ADDRESS OF TREASURER:

**P. O. Box 62 La Paz**

**Keene**

**Ca. 93531**

**805/822-5571**

DATE OF ELECTION (MO., DAY, YR.) (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup. Co- Sponsor	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
C	Jansco Inc. 4670 No. Elston Chicago, Ill. 60630	Buttons	Mario Obledo Governor	X	1854.	1854.
D	Arturo Rio Seco P. O. Box 1940 Calexico, Ca.	Contribution	Calexico City Council	X	500.	500.
C	Frank Valenzuela ID#742891 1544 E. Fedora Ave. Fresno, Ca.	Contribution	Fresno Board of Supervisors	X	1000.	1000.
C	Accounting Services UFW/La Paz P. O. Box 62 Keene, Ca. 93531	Fees			200.	400.
	Jim Hightower Millie Bruner, Treas. P. O. Box 13516 Austin, Tx. 78711	Contribution	Jim Hightower Agriculture Commissioner, Tx	X	500.	500.
	Antonio Tirado 809 Beach Avenue Calexico, Ca. 92231	Contribution	Calexico City Council	X	500.	500.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) **\$ 4554.**

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1972, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 430.

(Type or Print in Ink)

Statement covers period from 3/18/82 through 5/22/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER

ADDRESS OF COMMITTEE: NO. AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER: NO. AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sponsor or Self	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
100	Obledo Campaign ID# 813622 Box 1026 Sacramento, Ca. 95805	Contribution	Mario Obledo Governor	X	50,000.	52,620.
433	Garcia Campaign ID# 743451 P. O. Box 3092 L. A. Ca 90051	Contribution	Alex Garcia State Senate	X	40,000.	40,000.
100	Wilson Riles ID# 810332 1030 K. Street Sacramento, Ca 95814	Contribution	Wilson Riles State Superint. Public Instr.	X	5,000.	5,000.
400	Support our Senate ID# 810665 Shirley Wechsler, Treas 11783 Laurel Crest Drive, Studio City, Ca. 91604	Contribution			1,500.	1,500.
340	Friends of Roberti ID# 744789 11783 Laurelcrest Drive Studio City, Calif 91604	Contribution			9,500.	9,500.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 106,000.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions" under "Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 220.

(Type or Print in Ink)

Statement covers period from 3/18/82 through 5/22/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:						I.D. NUMBER	
ADDRESS OF COMMITTEE:		NO. AND STREET	CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
NAME OF TREASURER:							
PERMANENT ADDRESS OF TREASURER:		NO. AND STREET	CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
DATE OF ELECTION (MO., DAY, YR.): (if applicable)			TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Solely On Solely Off	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
101	Richard Polanco Campaign ID# 820208 5417 E. Whittier Road L. A. Ca. 9022	Contribution	Richar Polanco State Assembly	X	5,000	5,000.
102	Manuel Arrendondo Campaign ID# 821208 52-681 Avenida Mendoza La Puente, Ca 92253	Contribution	Manuel Arredondo State Assembly	X	1,000	1,000.
103						
104						
105						
106						
107						
108						
109						
110						

**SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 6,000**

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F	
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

(Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT <small>(Committee enter I.D. Number or Treasurer's name and address)</small>	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER	Check one		AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
		SUPPORT	OPPOSE		
Richard Polanco Campaign #820208 5417 E. Whittier Road L. A. Ca. 90022	Richard Polanco Assembly	X		10,000.	10,000.
Alex Garcia Campaign #743451 P. O. Box 3092 L. A. Ca. 90051	Alex Garcia State Assembly	X		10,000.	10,000.
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S				20,000.	

**LOANS REPAID BY: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT <small>(If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)</small>	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

**SUMMARY**

**EXPENDITURES**

Expenditures of \$100 or more this period  
(Part I) .....\$  
Expenditures under \$100 (Not itemized) .....  
Loans made this period (Part II) .....  
Subtotal (Line 1 - 2 - 3) .....\$  
Loans repaid this period (Part III) .....  
Net expenditures this period (Line 4 - 5 may  
be negative amount) .....\$  
Cumulative expenditures from  
prior statement .....  
Cumulative expenditures to date  
(Line 5 - 7) .....\$

**RECEIPTS**

9. Monetary contributions received this period .....\$  
10. Non-monetary contributions received this  
period .....  
11. Cumulative total from previous period .....  
12. Cumulative contributions received to date  
(Line 9 - 10 - 11) .....\$

**CASH FLOW STATEMENT**

13. Cash on hand at beginning of period .....\$  
14. Cash received this period (Line 9 - 11) .....  
15. Cash expenditures this period (Line 4) .....  
16. Cash on hand at end of period  
(Line 13 - 14 - 15) .....\$

**VERIFICATION**

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Prepared on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
                    DATE                    CITY AND STATE                    SIGNATURE OF TREASURER  
Prepared on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
                    DATE                    CITY AND STATE                    SIGNATURE OF CANDIDATE OR OFFICE-HOLDER



NOTE TO: (Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT (Committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER	Check one		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
		Support	Oppose			
Montoya Campaign #743451 1001 E. Valley Mall #204 El Monte, Ca. 91731	Joe Montoya	X			10,000.	10,000.
Paul Carpenter Campaign #742891 5851 Karen Avenue Cyprus, Ca. 90630	Paul Carpenter	X			10,000.	10,000.
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S					40,000.	

Additional information on appropriately labeled continuation sheets.

### III: LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DESTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

Additional information on appropriately labeled continuation sheets.

### IV SUMMARY

#### EXPENDITURES

Expenditures of \$100 or more this period (Part II) .....	\$ 116,554.
Expenditures under \$100 (Not itemized) .....	0
Loans made this period (Part III) .....	40,000.
Subtotal Line 1 + 2 + 3 .....	\$ 156,554.
Loans repaid this period (Part III) .....	0.
Net expenditures this period (Line 4 - 5 may be negative amount) .....	\$ 156,554
Cumulative expenditures from prior periods .....	8,820.
Cumulative expenditures to date (Line 5 + 6) .....	\$ 165,374.

#### RECEIPTS

9. Monetary contributions received this period .....	\$ 200,000.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	20,000.
12. Cumulative contributions received to date (Line 9 + 10 + 11) .....	\$ 220,000.
CASH FLOW STATEMENT	
13. Cash on hand at beginning of period .....	\$ 12,084.
14. Cash received this period (Line 9 + 10) .....	200,000.
15. Cash expenditures this period (Line 4) .....	156,554.
16. Cash on hand at end of period (Line 13 - 14 + 15) .....	\$ 55,530.

#### VERIFICATION

I, the committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Witness on 9-22-82 at Keene, Ca.

by [Signature] Signature of Treasurer



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-84217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.						A OFFICIAL USE ONLY	
NAME OF COMMITTEE OR CANDIDATE: National UFW Political Action Committee						I.D. NO. (if applicable) 782630	
ADDRESS OF COMMITTEE OR CANDIDATE:		NO. AND STREET	CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
P.O. Box 62		La Paz	Keene	Ca.	93531	(805)	822-5571
NAME OF TREASURER (if applicable): Peter G. Velasco							
PERMANENT ADDRESS OF TREASURER (if applicable):		NO. AND STREET	CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
P.O. Box 62		La Paz	Keene	Ca.	93531	(805)	822-5571

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82  
for the period May 23, 1982 to June 30, 1982

III. The amended information affects items on the:  
☒ Front Page      ☐ Summary      ☐ Schedule(s) \_\_\_\_\_

Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.  
 Added complete addresses where previously omitted

Reason for amendment: Per request in letter to NUFW-PAC from  
 Political Reform Div. dated Oct. 21, 1982

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached \_\_\_\_\_)

C		VERIFICATION	
D		I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.	
E		Executed on <u>11-12-82</u> at <u>Keene, Ca.</u> by <u>Peter G. Velasco</u> <small>(date)</small> <small>(city and state)</small> <small>(signature of treasurer)</small>	
F		A candidate or officeholder who controls a committee must also verify the campaign statement. I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.	

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(date) (city and state) (signature of candidate or officeholder)

# RECIPIENT COMMITTEE CAMPAIGN

## STATEMENT - SHORT FORM

(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 5/23/82 through 6/30/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE:

National UFW Political Action Committee

I.D. NUMBER

782630

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca. 93531

805/822-5571

NAME OF TREASURER:

Dorothy G. Velasco

PERMANENT ADDRESS OF TREASURER:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca. 93531

805/822-5571

DATE OF ELECTION (MO., DAY, YR.) (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

### I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT
100100	Cal Coastal/Charter Bus 2557 Cortez Avenue Oxnard, Ca. 93030	Bus Rental	Alex Garcia State Senate Richard Polanco Assembly	5140.	5140.
100100	Committee for Better Education, Rosa Maria Ybarra Fillon, Treas. 1639 Cherokee Drive Salinas, Ca. 93906	Contribution	Salinas School Board Candidates	2000.	2000.
100100	Jose Rodriguez UFW Field Office 917 E. Cooper Oxnard, Ca. 93030	Billboards	Alex Garcia State Senate Richard Polanco Assembly	170.	170.
100100	Pico Produce 9535 E. Whittier Blvd. Pico Rivera, Ca. 90660	Food	Alex Garcia State Senate Richard Polanco Assembly	379.	379.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$

7689.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE ONLY

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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions" and "Political Reform Act" Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM  
(Government Code Section 84200-84217)**

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

Form 420  
1982

(Type or Print in Ink)

Statement covers period from 5/23/82 through 6/30/82

**A OFFICIAL USE ONLY**

<b>NAME OF COMMITTEE:</b> National UFW Political Action Committee						<b>I.D. NUMBER</b> 782630	
<b>ADDRESS OF COMMITTEE:</b>		<b>NO. AND STREET</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	<b>AREA CODE</b>	<b>PHONE NUMBER</b>
P. O. Box 62		La Paz	Keene,	Ca.	93531	805/822-	5571
<b>NAME OF TREASURER:</b> Peter G. Velasco							
<b>PERMANENT ADDRESS OF TREASURER:</b>		<b>NO. AND STREET</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	<b>AREA CODE</b>	<b>PHONE NUMBER</b>
P. O. Box 62		La Paz	Keene,	Ca.	93531	805/822-	5571
<b>DATE OF ELECTION (MO., DAY, YR.): (if applicable)</b>			<b>TOTAL PAGES</b>		<b>SPONSORING ORGANIZATION (if applicable)</b>		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
3401043100	Alicia Hernandez La Paz P. O. Box #62 Keene, Ca. 93531	Travel	Alex Garcia State Senate Richard Polanco Assembly X	160.	160.
	Casa Ganzalez 3687 San Frando Rd. Glendale, Ca. 91204	Food	Alex Garcia X State Senate Richard Polanco Assembly	2933.	2933.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) S

3093.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
ONLY

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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



MADE TO: (Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER <i>Check one</i>	INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
German Campaign Committee I.D.# 742083 360 So. Kenmore Avenue #306 L.A. Ca 90020	Former Assembly Committee - used only for State races. Support <input checked="" type="checkbox"/> Oppose <input type="checkbox"/>		10,000	10,000
Alex Garcia Campaign I.D.#743451 P. O. Box 3092 L.A. Ca 90051	Alex Garcia State Senate Support <input checked="" type="checkbox"/> Oppose <input type="checkbox"/>		20,000	20,000
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) \$				

III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) \$		

IV SUMMARY

EXPENDITURES

- Expenditures of \$100 or more this period (Part II) \$
- Expenditures under \$100 (Not itemized) \$
- Cash made this period (Part II) \$
- Subtotal (Line 1 - 2 - 3) \$
- Loans repaid this period (Part III) \$
- Net expenditures this period (Line 4 - 5 may be negative amount) \$
- Cumulative expenditures from prior statements \$
- Cumulative expenditures to date (Line 6 - 7) \$

RECEIPTS

- Monetary contributions received this period \$
- Non-monetary contributions received this period \$
- Cumulative total from previous periods \$
- Cumulative contributions received to date (Line 9 - 10 - 11) \$

CASH FLOW STATEMENT

- Cash on hand at beginning of period \$
- Cash received this period (Line 5 - 9) \$
- Cash expenditures this period (Line 4) \$
- Cash on hand at end of period (Line 13 - 14 - 15) \$

VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF TREASURER)  
Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF CANDIDATE OR OFFICEHOLDER)

ANS MADE TO: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER	Check one		AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
		Support	Oppose		
Central Labor Council, COPS ID #744711 2102 Almaden Road #102 San Jose, California 95125	Jerry Estruth Assembly	X		10,000.	10,000.
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S				40,000.	40,000.

Additional information on appropriately labeled continuation sheet.

III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
N/A	0	
	0	
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		0

Additional information on appropriately labeled continuation sheet.

IV SUMMARY

EXPENDITURES

1. Expenditures of \$100 or more this period (Part II) .....	10,782.
2. Expenditures under \$100 (Not itemized) .....	2,193.
3. Loans made this period (Part III) .....	40,000.
4. Subtotal (Line 1 + 2 + 3) .....	52,975.
5. Loans repaid this period (Part III) .....	0
6. Net expenditures this period (Line 4 - 5 may be negative amount) .....	52,975.
7. Cumulative expenditures from prior statement .....	165,374.
8. Cumulative expenditures to date (Line 6 + 7) .....	218,349.

RECEIPTS

9. Monetary contributions received this period .....	0.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	220,000.
12. Cumulative contributions received to date (Line 9 + 10 + 11) .....	220,000.

CASH FLOW STATEMENT

13. Cash on hand at beginning of period .....	55,530.
14. Cash receipts this period (Line 9 + 10) .....	0.
15. Cash expenditures this period (Line 6) .....	52,975.
16. Cash on hand at end of period (Line 13 + 14 - 15) .....	2,555.

VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 9-22-82 at Keene, Ca.

by

P.D. [Signature]

101



Form 405  
1982

AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT  
For use by persons sending statements filed pursuant to Government Code  
Section 24200-24217. This form must be filed with all filing officers who  
received the statement being amended.

(Type or Print in Ink)

i. The information required in Section I must correspond to the information provided on the campaign statement. A OFFICIAL USE ONLY

NAME OF COMMITTEE OR CANDIDATE: <b>National UFW Political Action Committee</b>						I.D. NO. (if applicable) <b>782630</b>	
ADDRESS OF COMMITTEE OR CANDIDATE:		NO. AND STREET	CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
P.O. Box 62		La Paz	Keene	Ca.	93531	(805)	822-5571
NAME OF TREASURER (if applicable): <b>Peter G. Velasco</b>							
PERMANENT ADDRESS OF TREASURER (if applicable):		NO. AND STREET	CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
P.O. Box		La Paz	Keene	Ca.	(3531)	(805)	822-5571

ii. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82  
for the period July 1, 1982 to Sept. 17, 1982

iii. The amended information affects items on the:

☒ Front Page      ☐ Summary      ☐ Schedule(s) \_\_\_\_\_

Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.  
**Added complete addresses where previously omitted**

Reason for amendment:

**To conform with other amended reports**

include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached     )

### VERIFICATION

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

Executed on 11-12-82 at Keene, Ca. by Peter G. Velasco  
(DATE) (CITY AND STATE) (SIGNATURE OF TREASURER)

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF CANDIDATE OR OFFICEHOLDER)

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

# RECIPIENT COMMITTEE CAMPAIGN

## STATEMENT - SHORT FORM

(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

A OFFICIAL USE ONLY

Statement covers period from 7/1/82 through 9/17/82

NAME OF COMMITTEE:

National UFW Political Action Committee

I.D. NUMBER

782630

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca.

93531

805/822/5571

NAME OF TREASURER:

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca.

93531

805/822-5571

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

### I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	CHECK ONE Supp. Op. Ballot Measure	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT
	Cal Coastal Charter 2557 Cortez Avenue Oxnard, Ca. 93030	Bus Rental	Alex Garcia State Senate Richard Polanco Assembly	X	968.	6,108.
	Gloria Saldana 972 So. Goodrich L. A. 90022	Car Repair	Alex Garcia State Senate Richard Polanco Assembly	X	130.	130
	Pacific Telephone C/O. S. Minn 2445 Daly, L. A. 90031	Phone Calls	Alex Garcia State Senate Richard Polanco Assembly	X	141.	141.
	Friends of Fernando Sanga 690 No. 5th Ave. Berkeley, Ca. 94707	Contribution	Fernando Sanga Assembly	X	2,600.	2,600.
	Accounting Service La Paz/UFW P. O. Box 62 Keene, Ca. 93531	Fees			400.	800.
	United Democratic Campaign Task Force ID#741666 1731 I. Street Sacramento, Ca. 95814			X	50,000.	50,000.

54,239.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) S

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE ONLY

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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions," State Political Reform Act, Part X.



**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 7/1/82 through 9/17/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:					I.D. NUMBER	
ADDRESS OF COMMITTEE: NO. AND STREET					CITY	STATE
					ZIP CODE	AREA CODE
					PHONE NUMBER	
NAME OF TREASURER:						
PERMANENT ADDRESS OF TREASURER: NO. AND STREET					CITY	STATE
					ZIP CODE	AREA CODE
					PHONE NUMBER	
DATE OF ELECTION (MO., DAY, YR.): (if applicable)				TOTAL PAGES	SPONSORING ORGANIZATION (if applicable)	

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sponsor Opponent	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
113	Willie Brown Campaign Committee ID#741757 1515 Vallejo San Francisco, Ca. 94109	Contribution		X	150,000.	150,000.
045						
040						
040						
040						
040						
040						
040						

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV):** \$ 150,000.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F	
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

MADE TO: (Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT (Committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one				
N/A	Support	Oppose		0	
				0	
Attach additional information on appropriately labeled continuation sheets.				0	
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV)			S	0	

### III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
N/A	0	
	0	
Attach additional information on appropriately labeled continuation sheets.		0
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		0

### IV SUMMARY

#### EXPENDITURES

1. Expenditures of \$100 or more this period (Part I) .....	204,239.
2. Expenditures under \$100 (Not itemized) .....	24.
3. Loans made this period (Part III) .....	0.
4. Subtotal (Line 1 - 2 - 3) .....	204,263.
5. Loans repaid this period (Part III) .....	0.
6. Net expenditures this period (Line 4 - 5 may be negative amount) .....	204,263.
7. Cumulative expenditures from prior statement .....	218,349.
8. Cumulative expenditures to date (Line 6 - 7) .....	422,612.

#### RECEIPTS

9. Monetary contributions received this period .....	320,000.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	220,000.
12. Cumulative contributions received to date (Line 9 - 10 - 11) .....	540,000.

#### CASH FLOW STATEMENT

13. Cash on hand at beginning of period .....	2,555.
14. Cash receipts this period (Line 9 - 10) .....	320,000.
15. Cash expenditures this period (Line 4) .....	204,263.
16. Cash on hand at end of period (Line 13 - 14 - 15) .....	118,292.

#### VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 9/22/82 at Keene, Calif.

by [Signature]

Executed on \_\_\_\_\_ at \_\_\_\_\_

by \_\_\_\_\_



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-84217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.						A. OFFICIAL USE ONLY	
NAME OF COMMITTEE OR CANDIDATE: National UFW Political Action Committee						F.P. NO. (if applicable) 782630	
ADDRESS OF COMMITTEE OR CANDIDATE: P.O. Box 62,		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571	
NAME OF TREASURER (if applicable): Peter G. Velasco							
PERMANENT ADDRESS OF TREASURER (if applicable): P.O. Box 62		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571	

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 10-21-82 for the period Sept. 18, 1982 to Oct. 16, 1982

III. The amended information affects items on the:

☒ Front Page ☐ Summary ☐ Schedule(s) \_\_\_\_\_

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

Added complete addresses where previously omitted

V. Reason for amendment: To conform with other amended reports

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached \_\_\_\_\_)

C		VERIFICATION	
D		I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.	
E		Executed on <u>11-12-82</u> at <u>Keene, Ca.</u> by <u>Peter G. Velasco</u>	
F		A candidate or officeholder who controls a committee must also verify the campaign statement.	
G		I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.	
H		Executed on _____ at _____ by _____	

**RECIPIENT COMMITTEE OF AMOUNT**  
**STATEMENT - SHORT FORM**  
 (Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 520.

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE: <b>National UFW Political Action Committee</b>						I.D. NUMBER <b>782630</b>	
ADDRESS OF COMMITTEE: NO. AND STREET <b>P. O. Box 62 La Paz</b>		CITY <b>Keene</b>		STATE <b>Ca.</b>	ZIP CODE <b>93531</b>	AREA CODE <b>805</b>	PHONE NUMBER <b>822/5571</b>
NAME OF TREASURER: <b>Peter G. Velasco</b>							
PERMANENT ADDRESS OF TREASURER: NO. AND STREET <b>P. O. Box 62 La Paz</b>		CITY <b>Keene,</b>		STATE <b>Ca.</b>	ZIP CODE <b>93531</b>	AREA CODE <b>805</b>	PHONE NUMBER <b>822-5571</b>
DATE OF ELECTION (MO., DAY, YR.): (If Applicable)				TOTAL PAGES		SPONSORING ORGANIZATION (If Applicable)	

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup. Or Me. Ballot	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
11	Friends of Pete Chacon ID#741730 P. O. Box 1328 San Diego, Ca. 92112	Contribution	Pete Chacon Assembly	X	6,000.	6,000.
12	Support Our Senate ID#810665 11783 Laurelcrest Drive Studio City, Ca 91604	Contribution			110,000.	111,500.
13	Friends of Tom Hayden ID# 810557 2506 Santa Monica Blvd. Santa Monica, Ca. 90404	Contribution	Tom Hayden Assembly	X	10,000.	14,000.
14	Floyd Campaign Committee ID# 791816 4141 W. Rosecrans, #116 Hawthorne, Ca. 90250	Contribution			20,000.	20,000.
15	Lockyer for Senate ID# 741735 1213 A. Street Hayward, Ca. 94541	Contribution	Lockyer California Senate	X	40,000.	40,000.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) **\$**

**186,000.**

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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Information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM  
(Government Code Section 84200-84217)**

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER  
**782630**

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER:

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sub Op Not Sub	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	Committee to Re-Elect Harry Britt ID# 800123 542 A. Castro Street San Francisco, Ca. 94114	Contribution	Harry Britt San Francisco Supervisor	X	750.	750.
2	COPE FUND - SEIU Local 250 ID#747285 240 Golden Gate Avenue San Francisco, Ca. 94102	Contribution			750.	750.
3	PEI FUND-SEIU Local 390, ID#743917 522 Grand Avenue Oakland, Ca. 94610	Contribution		X	750.	750.
4	Democrats United Treas Tony Fazio 1212 Fair Oaks	Contribution		X	750.	750.
5	San Francisco, Ca. 94110 PEA FUND- SEIU Local 390, ID#743917 522 Grand Avenue Oakland, Ca. 94610	Contributions		X	750.	750.

Subtotal (Carry with any additional subtotals to Line 1, Part IV)

**3750.**

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV)

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions" and "Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

**A OFFICIAL USE ONLY**

<b>NAME OF COMMITTEE:</b>						<b>I.D. NUMBER</b>
<b>ADDRESS OF COMMITTEE:</b>		<b>NO. AND STREET</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	<b>AREA CODE PHONE NUMBER</b>
<b>NAME OF TREASURER:</b>						
<b>PERMANENT ADDRESS OF TREASURER:</b>		<b>NO. AND STREET</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	<b>AREA CODE PHONE NUMBER</b>
<b>DATE OF ELECTION (MO., DAY, YR.): (If applicable)</b>			<b>TOTAL PAGES</b>	<b>SPONSORING ORGANIZATION (If applicable)</b>		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF SALLOT MEASURE & SALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	United Democrats '82 ID# 822041 542 A. Castro Street San Francisco, Ca. 94114	Contribution		500.	500.
10	Friends of Bill Maher ID# 760348 220 Diamond Street San Francisco, Ca. 94114	Contribution	Bill Maher San Francisco Supervisor	750.	750.
0	Willie Brown Committee ID# 741757 1515 Vallejo San Francisco, Ca. 94109	Contribution		100,000.	250,000.
0	Accounting Services UFW/La Pax P. O. Box 62 Hayward, Ca. 94521	Fees		100.	900.
	Alwan's Shell Service 2925 Brooklyn L. A., Ca.	Travel	Alex Garcia Ca. Senate Richard Polanco Assembly	1,747.	1,747.
	Friends of Tony Estremara ID# 810471 275 E. Taylor Street San Jose, Ca. 95122	Contribution	Tony Estremara San Jose City Council	250.	250.
SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV):				103,347.	

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F	G	H
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Practices," Federal Election Act, Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER

782630

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number of Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	Friends of Van De Camp ID# 746447 1010 Westwood Blvd. Suite 200 Los Angeles, Ca. 90024	Contribution	John Van De. Ca. Attorney General	10,000.	10,000.
2	Californians for Bilateral Nuclear Freeze ID #810912 7265 Franklin Avenue Los Angeles, Ca. 90046	Contribution	Proposition 12	3,000.	3,000.
3					
4					
5					
6					
7					
8					
9					

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$

13,000.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
ONLY

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MADE TO: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one Support Oppose				
Attach additional information on appropriately labeled continuation sheets.					
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S					

III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
Attach additional information on appropriately labeled continuation sheets.		
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

IV SUMMARY

EXPENDITURES

1. Expenditures of \$100 or more this period (Part I) .....	\$ 306,097
2. Expenditures under \$100 (Not itemized) .....	0
3. Loans made this period (Part III) .....	0
4. Subtotal (Line 1 + 2 + 3) .....	\$ 306,097
5. Loans repaid this period (Part III) .....	0
6. Net expenditures this period (Line 4 - 5 may be negative amount) .....	\$ 306,097
7. Cumulative expenditures from prior statement .....	472,612
8. Cumulative expenditures to date (Line 6 + 7) .....	\$ 728,709

RECEIPTS

9. Monetary contributions received this period .....	\$ 250,000
10. Nonmonetary contributions received this period .....	0
11. Cumulative total from previous period .....	540,000
12. Cumulative contributions received to date (Line 9 + 10 + 11) .....	\$ 790,000

CASH FLOW STATEMENT

13. Cash on hand at beginning of period .....	\$ 118,292
14. Cash received this period (Line 9 + 10) .....	250,000
15. Cash expenditures this period (Line 4) .....	306,097
16. Cash on hand at end of period (Line 13 + 14 - 15) .....	\$ 62,195

VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 10-21-82 at Keene, Ca.

by [Signature]

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_





Form 450  
1982

RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Chris

Statement covers period from 10/17/82 through 12/31/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE: <b>National UFW Political Action Committee</b>				I.D. NUMBER <b>782 630</b>	
ADDRESS OF COMMITTEE: NO. AND STREET <b>P.O. Box 62</b>		CITY <b>Keene,</b>	STATE <b>CA</b>	ZIP CODE <b>93531</b>	AREA CODE PHONE NUMBER <b>(805) 822-5571</b>
NAME OF TREASURER: <b>Peter G. Velasco</b>					
PERMANENT ADDRESS OF TREASURER: NO. AND STREET <b>P.O. Box 62</b>		CITY <b>Keene,</b>	STATE <b>CA</b>	ZIP CODE <b>93531</b>	AREA CODE PHONE NUMBER <b>(805) 822-5571</b>
DATE OF ELECTION (MO., DAY, YR.): (if applicable)		TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)	

I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sub-Op- port-Post	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Tony Garcia Campaign c/o Tony Garcia, Treas. 414 S. Gage Pharr, TX 78577	contribution			500.00	500.00
	Alex Moreno Campaign c/o Albino Rodriguez, Treas. 121 E. Park Pharr, TX 78577	contribution			500.00	500.00
	Juan Hinojosa Campaign c/o Dr. Bill Bicker, Treas. 5921 N. 23rd St. McAllen, TX 78501	contribution			500.00	500.00
	Carlos Truan Campaign c/o Jake Sanchez, Treas. P.O. Box 5445 Corpus Christi, TX 78405	contribution			500.00	500.00
	Jim Hightower Campaign c/o Millie Bruner, Treas. P.O. Box 13516 Austin, TX 78711	contribution			500.00	1,000.00
	Bill Hobby Campaign c/o Searcy Bracewell, Treas. P.O. Box 567 Austin, TX 78767	contribution			500.00	500.00

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 3,000.00

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE ONLY	C	D	E	F
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

Form 450  
1982

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

A OFFICIAL USE ONLY

Statement covers period from 10/17/82 through 12/31/82

NAME OF COMMITTEE:					I.D. NUMBER	
National UFW Political Action Committee					782 630	
ADDRESS OF COMMITTEE: NO. AND STREET		CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
P.O. Box 62		Keene,	CA	93531	(805)	822-5571
NAME OF TREASURER:						
Peter G. Velasco						
PERMANENT ADDRESS OF TREASURER: NO. AND STREET		CITY	STATE	ZIP CODE	AREA CODE	PHONE NUMBER
P.O. Box 62		Keene,	CA	93531	(805)	822-5571
DATE OF ELECTION (MO., DAY, YR.): (if applicable)		TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup- port	Op- pose	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	Calif. for Demo Represent 1435 So La Crenaga Bl. Los Angeles, CA 90035 #821685	contribution				10,000.00	10,000.00
2	Senate Victory Fund 1731 I St. Sacramento, CA 95814 #741-666	contribution				6,582.00	56,582.00
3	Friends of Joseph Montoya 11001 E. Valley Mall #204 El Monte, CA 91731 #741-818	contribution				5,000.00	5,000.00
4	Friends of Ralph Dills 16921 Southwestern Ave. #201 Gardena, CA 90247 #741-684	contribution				2,000.00	2,000.00
5	Hart for Senate Committee 3917 State St. B Santa Barbara, CA 93105 #742-255	contribution				9,000.00	9,000.00
6	Leroy Greene Camp. Comm. 5925 Fair Oaks #4 Carmichael, CA 95608 #743-543	contribution				2,000.00	2,000.00

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 34,582.00

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F
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**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

Form 450  
1982

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 10/17/82 through 12/31/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE: <b>National UFW Political Action Committee</b>				I.D. NUMBER <b>782 630</b>	
ADDRESS OF COMMITTEE: NO. AND STREET <b>P.O. Box 62</b>	CITY <b>Keene,</b>	STATE <b>CA</b>	ZIP CODE <b>93531</b>	AREA CODE <b>(805)</b>	PHONE NUMBER <b>822-5571</b>
NAME OF TREASURER: <b>Peter G. Velasco</b>					
PERMANENT ADDRESS OF TREASURER: NO. AND STREET <b>P.O. Box 62</b>	CITY <b>Keene,</b>	STATE <b>CA</b>	ZIP CODE <b>93531</b>	AREA CODE <b>(805)</b>	PHONE NUMBER <b>822-5571</b>
DATE OF ELECTION (MO., DAY, YR.): (if applicable)		TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)	

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sub- Port Op- Pose	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	Friends of Frank Barbero 826 N. Broadway Santa Ana, CA 92701 #820-774	contribution			9,000.00	9,000.00
2						
3	Accounting Services	fees			200.00	1,100.00
4						
5	Secretary of State	fine			1,710.00	1,710.00
6						
7						
8						
9						
10						

Enter additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 10,910.00

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

## LOANS MADE TO: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one Support Oppose				
Friends of Wilson Riles 1030 K St. Sacramento, CA 95814 #P10-332	Wilson Riles State Superinten. of Public Instr'n	X		5,000.00	5,000.00
Attach additional information on appropriately labeled continuation sheets. SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) \$				5,000.00	

## III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
Attach additional information on appropriately labeled continuation sheets. SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) \$		

## IV SUMMARY

## EXPENDITURES

1. Expenditures of \$100 or more this period (Part I) . . . . .	\$ 48,492
2. Expenditures under \$100 (Not itemized) . . . . .	(-172) *
3. Loans made this period (Part II) . . . . .	5,000
4. Subtotal (Line 1 + 2 + 3) . . . . .	\$ 53,320
5. Loans repaid this period (Part III) . . . . .	0
6. Net expenditures this period (Line 4 - 5 may be negative amount) . . . . .	\$ 53,320
7. Cumulative expenditures from prior statement . . . . .	728,709
8. Cumulative expenditures to date (Line 6 + 7) . . . . .	\$ 782,029

## RECEIPTS

9. Monetary contributions received this period. . . \$	6005 **
10. Non-monetary contributions received this period . . . . .	0
11. Cumulative total from previous period . . . . .	790,000
12. Cumulative contributions received to date (Line 9 + 10 + 11) . . . . .	\$ 796,005

## CASH FLOW STATEMENT

13. Cash on hand at beginning of period . . . . .	\$ 62,195
14. Cash receipts this period (Line 5 + 9) . . . . .	6,005
15. Cash expenditures this period (Line 4) . . . . .	53,320
16. Cash on hand at end of period (Line 13 + 14 - 15) . . . . .	\$ 14,880

## VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 1/31/83 at Kearney, California

Executed on \_\_\_\_\_ at \_\_\_\_\_

by [Signature]  
(SIGNATURE OF TREASURER)

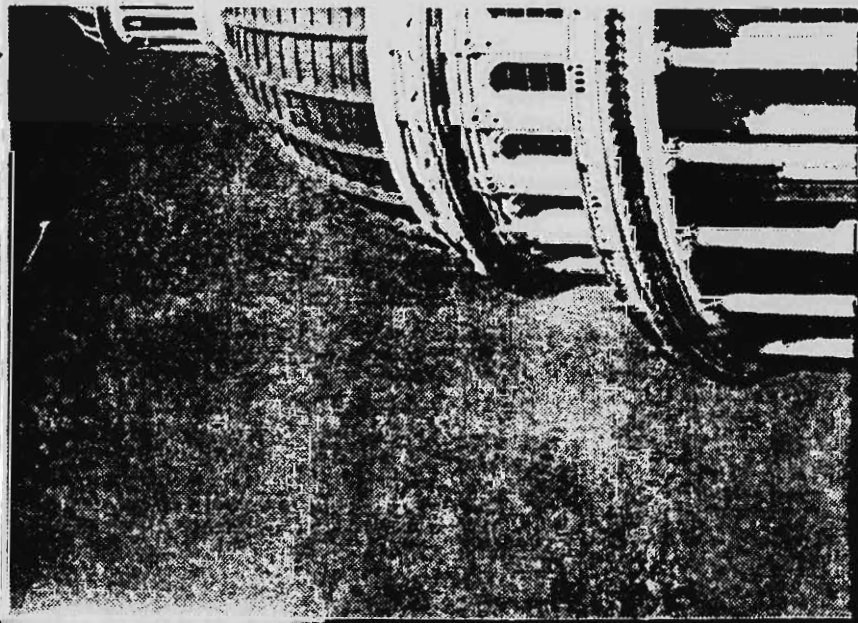
by \_\_\_\_\_  
(SIGNATURE OF CANDIDATE OR OFFICEHOLDER)



**EL ESTADALCERANO**

SEMIANAL

**SPECIAL  
ISSUE**



**C.P.D.  
RUFINO CONTRERAS  
POLITICAL ACTION  
FUND**

# MANDATORY PAYMENT FOR CITIZEN PARTICIPATION DAY: NOW APPROVED BY LAW IN SETTLEMENT AGREEMENT

ment. This collection of dues for political action was challenged by the Agriculture Labor Relations Board. In a recent decision, the Board decided that the union can legally do this, guarding the member's freedom of choice and their settlement agreement which recognizes as a matter of law the right of the union to demand the payment of the contributions as mandatory dues. The Board's decision, its legal precedents, the fundamentals of political action, what the Rufino Contreras funds have already made possible and what must be done in the future will all be explained in this special issue.

In the year 1972, a fund for political action was established by the Union declaring any holiday, a Sunday for example, as "Citizenship Participation Day". Although union members do not work on this day, the employer is required to pay that full day wages to the fund. This contribution enables the Union to move forward in the extremely important area of political action.

The procedure of collecting contributions for the political action fund has been followed since the passage of the Agricultural Labor Relations Act, the union's most important political achieve-

Ex.  
B

# ON THE RUFINO STATEMENT

We believe that it is a normal and traditional trade union function essential to the proper realization of the UFW's basic goals, to support programs and political candidates dedicated to the improvement of the economic, social and political conditions of life for workers and their families and to promote the general welfare and the democratic way of life for all people.

Indeed, sections j, k, l, p and q of Article 6 of the National Constitution specifically require the UFW to act in these areas.  
Those sections read as follows:

Article 6, section (j): To promote a better understanding by government and the public of the purposes and objects of this Union and the labor movement as a whole.

Article 6, section (k): To engage in legislative activity to promote, protect and advance the physical, economic and social welfare of the workers.

Article 6, section (l): To promote registration, voting, political education and other citizenship activities involving the membership and their families and communities, which will secure the election of candidates and the passage of improved legislation in the interest of all labor and the defeat or repeal of those laws which are unjust to labor and detrimental to the membership.

Article 6, section (p): To distribute information to the membership concerning economic, social, political and other matters which affect their well being.

Article 6, section (q): To protect the civil rights and liberties of its members and all other people and to guarantee to them a powerful voice in the institutions and decisions which govern their lives.

## Legislative History

In 1970, the National Executive Board of the National Union ordered the establishment of a Citizen Participation Day Fund to be supported by voluntary member contributions through Collective Bargaining Agreements which provide for a holiday known as Citizen Participation Day. The employer is required to pay the employees for that day, although they do not work. If the employee executes an authorization, however, his or her holiday pay is remitted by the employer directly to the Citizen Participation Committee.

At the Union's National Convention held on August 26 - 28, 1977, the NEB submitted Resolution No. 45 asking that CPD contributions be made mandatory dues. Resolution 45 reads as follows:

## RESOLUTION 45

### MANDATORY CONTRIBUTIONS TO CITIZEN PARTICIPATION DAY FUND

#### *Submitted by the National Executive Board*

WHEREAS, Farm workers face abuse and discrimination every day, both on the job and in the community, and

WHEREAS, Through good union contracts farm workers can stop the abuses and discrimination on the job, and

WHEREAS, The fight for justice and dignity does not stop at the end of the work day, but extends into the community, and

WHEREAS, Farm workers must build active political power to protect the gains won on the job through contracts and fight the problems of the community, and

WHEREAS, Active political power means that farm workers can lobby to pass good laws, that will benefit farm workers, and fight to block the passage of bad laws, which are sponsored by the rich lobby of growers, and



# CONTRERAS FUND DUES PROGRAM ENT OF THE NATIONAL

WHEREAS, Active political power means voter registration and campaigns to elect good public officials, who know and understand the problems of farm workers, and

WHEREAS, Active political power means civic action in the community to stop discrimination, bad housing, police brutality, and other problems that must be changed, and

WHEREAS, A crucial element to building active political power is financial support,

THEREFORE BE IT RESOLVED THAT the Third Constitutional Convention of the United Farm Workers of America, AFL-CIO, in an effort to provide the financial support that is crucial to building active political power to better the lives of all farm workers, does hereby vote to provide that contributions to the Participation Day Fund shall be mandatory.

Resolution No. 45 was adopted on August 28, 1977. The purpose of Resolution 45 was to provide the financial base needed for the achievement of active political power for farm workers. The goals of the CPD Fund include helping to improve farm workers' lives off the job, ensuring that benefits won through collective bargaining are not lost by action of the legislature, and financing civic activities of union members.

The manner of financing activities through the CPD Fund is the subject of resolutions passed by the UFW's National Executive Board in September, 1978. A CPD Board, composed of the members of the NEB, is empowered to allocate money in the Fund consistent with UFW policies and resolutions. The NEB created two different programs through which CPD money would be expended. The National UFW Civic Action Program (CAP), was designated to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families, and to promote the "general welfare" and "democratic way of life" for all people. The money which is allocated to CAP cannot be spent for activities regulated by state or federal election laws. CAP is empowered to endorse candidates and to recommend contributions to the other CPD program, the National UFW Political Action Committee (PAC). PAC was created to make political expenditures and contributions to influence the nomination and election of state, local, and party officials, and the passage or defeat of ballot propositions.

In 1978, in Case No. 78-CL-21-M, Cervando Perez and the General Counsel of the Agricultural Labor Relations Board, through the ALRB - Salinas Regional Office, challenged the validity of the Union's CPD program. The objection was based on the contention that mandatory dues money was being used for political activities with which the members did not agree. To meet this objection the NEB passed a resolution in September 1978 establishing a procedure whereby members could object to the expenditures of money contributed to CPD for political or ideological purposes which they oppose. In accordance with this resolution a member may object to the portion of his or her contributed funds which is spent for particular candidates or programs. To do so, the member must notify the UFW's National Secretary-Treasurer within the first fourteen (14) days of union membership, or during fourteen (14) days of each anniversary of membership. A NEB Committee then determines the proportion of the individual's deduction which goes to such candidate or program. The individual has the option of contributing that portion of the deduction to one of three charitable funds designated by the NEB. The member may appeal aspects of this procedure to the full NEB, and then to the UFW's Public Review Board (PRB) or to the UFW Convention.

The three charitable funds to which a dissenting employee may choose to contribute are the Martin Luther King Farm Workers Fund (King Fund), the National Farm Workers Health Group (Health Group) and the National Farm Workers Service Center (Service Center).

The ALRB, however, objected to this method (using the three charitable funds) and ordered that a rebate system be established. Article 14, Section 4 (a) and (b) was added to the Constitution in order to conform with the ALRB rebate order.

## CONSTITUTIONAL AMENDMENT

### ARTICLE 14

#### MEMBERSHIP DUES

Section 4: Right to object to the expenditure of dues for causes primarily



# UNITED FARM WORKERS OF AMERICA EXECUTIVE BOARD

political in nature:

(a) Any member shall have the right to object to the expenditure of a portion of *her/his* dues money for activities or causes primarily political in nature. The approximate proportion of dues spent for such political purposes shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member may perfect *her/his* objection by individually notifying the National Secretary-Treasurer of the objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of Union membership and during the fourteen (14) days following each anniversary of Union membership. An objection may be continued from year-to-year by individual notifications given during each annual fourteen (14) day period.

(b) If an objecting member is dissatisfied with the approximate proportional allocation made by the committee of the National Executive Board or the disposition of *her/his* objection by the National Secretary-Treasurer, *s/he* may appeal directly to the full National Executive Board and the decision of the National Executive Board shall be appealable to the Public Review Board or the Convention Appeals Committee at the option of said member.

The UFW has a deep and abiding obligation to engage in activities designed to promote a better life for workers and their families and to help achieve economic and social justice for all people both at home and in the world. We recognize, however, that reasonable men might differ as to programs and methods in achieving these worthy goals. Therefore, the UFW has striven at all times to be sensitive to the need for full freedom of belief and the preservation of the delicate balance between institutional rights and individual rights.

In construing the term expenditures "for activities or causes primarily political in nature" the Committee has, of course, deliberated within the framework of the language of Article 14, Section 4. The Committee has, moreover, been directed by the legislative history of this constitutional amendment.

Statement on Article 14, Section 4  
*[Presented to the NEB on May 23, 1981 by the  
Committee on Political Expenditures]*

"The tradition of the UFW is to afford all members the widest possible right of individual democratic dissent. As to certain matters affecting the interest of the Union as an institution or the basic principles of the labor movement, the decision democratically arrived at by majority vote must control and apply to all. Decisions relating instead to candidates for public office and partisan political matters are different in kind, and, therefore, the individual member, as a matter of conscience, should have the right of choice not to be bound by majority will.

"We believe that the support of programs and candidates dedicated to the improvement of the quality of American life, in general, and the economic, political and social conditions of workers in particular, is a solemn obligation of an enlightened and responsible labor movement. The UFW must, in the opinion of the Committee, continue and, indeed, expand all of its activities to promote a better life for all working people.

"Nevertheless, because we recognize that reasonable men might differ on programs, parties and methods, and because we are fully sensitive to the need for full freedom of conscience and to the delicate balance of institutional rights and individual rights, we propose to provide machinery to permit those few members, whose conscience so directs them, individually to object to the expenditure of that part of their dues money approximated to be spent for partisan political purposes.

"The proposed amendment permits 'members' to object. Moreover, the amendment provides for the President to appoint a Committee of the National Executive Board to set the approximate proportion of income spent for partisan political purposes. We intend that the Committee arrive at its approximate allocation by common sense, reasonable judgement and evaluation, rather than by detailed accounting and precise calculation.

"The UFW has been in the forefront of the labor movement in protecting individual members within the framework of the institutional needs of the total Union. The amendment proposed now can also be a source of the strength of the UFW, for it will enable us to further refine and protect the delicate balance of institutional rights and individual rights."

#### Construction of Terms

##### *"Activities or Causes Primarily Political In Nature" - "Political Purposes"*

Section 4 of Article 14 speaks of "activities or causes primarily political in nature" and of "political purposes." The legislative history further teaches that the expenditures for activities, causes or purposes we are to consider are those which are partisan political in nature. We have included contributions to political candidates, to partisan political organizations and to social, economic and ideological groups, unrelated to traditional union activities to which reasonable objection might be made.

(It should be noted that contributions to candidates for national office are not made from funds of the National Union or other subordinate bodies. Such contributions are made only from funds collected by the voluntary donations of members of the Union or citizens at large.)

Excluded from consideration as political expenditures, of course, are expenditures for such activities as collective bargaining, strike activity, organizing, housekeeping and administration, minimizing or eliminating competition to members from foreign unions by helping to improve such workers' pay and conditions, inter-union support and relationships, education and training, general community relations, support for programs of social and economic importance to the membership and the community and the nation at large, recreation and conservation, charity, workers' unemployment compensation and safety work, public relations and information and all membership services.

##### *Civic Action Program and Legislative Activity*

Monies are spent from the Civic Action Program for the purpose of strengthening democracy by encouraging members and citizens generally to register and vote in community, state and national elections and to carry on organizational and educational programs directed toward the achievement of an ever higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.

The Civic Action Program spends the greatest share of time and money in educational and civic activities encouraging maximum citizenship responsibility and participation. It engages also in efforts with other civic minded organizations to encourage registration and citizen participation.

##### *General Election Year Activity*

Because of the concern of the UFW for the kind of society in which we live and its dedication to the improvement of general social and economic conditions, the UFW does not limit its activities in the area of political action tightly within the confines of a particular department of the Union. From time to time, segments of the UFW other than those we are able to pinpoint engage in some political activity with members.

The UFW engages in political and citizenship action before primary and general elections. Most of this activity is directed toward the non-partisan activities of registration and voting and encouraging good citizenship through the broadest participation of the membership. However, the Union may be involved in activities, some of which may be considered partisan political in nature.

##### *Legislative - Sacramento and Washington D.C./Offices*

The Legislative Offices - Legislative maintains an important contact with other unions, performs necessary public relations and educational work and serves as the headquarters of officers and staff. The primary activity, however, is legislative. That activity is directly related to institutional interests and the interests of working people, and is therefore not of a character to be regarded as "partisan political". Some of its activities, however, are partisan political in nature, especially during major election campaigns.

Based on the Union's action on amending the Constitution so as to implement a rebate procedure, the Gilles Breaux case (formerly Cervando Perez) No. 78-CL-21-M was settled and approved by the Agricultural Labor Relations Board in May of 1982.

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of: )

UNITED FARM WORKERS OF )  
AMERICA, AFL-CIO, )

Respondent, )

and )

CERVANDO PEREZ, et al., )

Charging Parties. )

Case No. 78-CL-21-M

STIPULATED SETTLEMENT AGREEMENT

The United Farm Workers of America, AFL-CIO (hereinafter called Respondent), and the General Counsel of the Agricultural Labor Relations Board (hereinafter ALRB or Board), by and through the ALRB Regional Director for the Salinas Regional Office, hereby STIPULATE AS FOLLOWS:

A. Upon charges filed by the Charging Parties in case number 78-CL-21-M, receipt of which charges is hereby acknowledge by Respondent, the General Counsel of the ALRB, by the Regional Director of the Salinas office, acting pursuant to authority granted in California Labor Code section 1140 through section 1166.3 of the Agricultural Labor Relations Act (hereinafter the Act) and section 20220 of the Board' Regulations, contained in Part II of Title 8 of the California Administrative Code, issued a complaint against the Respondent on April 16, 1979 together with a Notice of Hearing thereon and a First Amended Complaint on July 4, 1979 with Notice of Hearing thereon. True copies of the aforesaid complaints were served on Respondent and Charging Parties on April 16,



1979 and July 4, 1979, respectively, receipt of which copies is hereby acknowledge by all parties.

B. Respondent is now and has been at all times material herein, a labor organization within the meaning of Labor Code section 1140.4(f).

C. Charging Parties are agricultural employees employed by West Coast Farms and J.J. Crosetti, agricultural employers within the meaning of Labor Code section 1140.4(c).

D. For the purposes of this case, all parties hereto waive the hearing, Administrative Law Officer's decision, the filing of exceptions and briefs, oral arguments before the Board and all further findings of fact and conclusions of law by the Board, and all further and other proceedings to which the parties may be entitled under the Act and the Regulations of the Board except that the Board's power to apply to the court for enforcement under the final paragraph of Labor Code section 1160.8 is not waived.

E. The entire record herein shall consist of the following documents: this Stipulated Settlement Agreement and the Notice to Employees; the charges, the complaint and Notice of Hearing, and amendments thereto, copies of which pleadings are attached hereto as exhibits A through D and incorporated herein by reference; the order dismissing portion of First Amended Complaint, dated November 2, 1979 and attached hereto as exhibit E; the order dismissing portion of First Amended Complaint dated January 15, 1982 and attached hereto as exhibit





c) causing or attempting to cause an agricultural employer to discriminate against an employee or to discriminate or attempt to discriminate against an employee by imposing as a membership requirement an unreasonable term and condition. In any other manner interfering with, restraining, or coercing employees in the exercise of their California Labor Code section 1152 rights to self-organization and to engage in concerted activities or to refrain from engaging in any and all such activities.

2) Take the following affirmative action which will effectuate the policies and purposes of the Act:

a) Respondent shall immediately reinstate to good standing without the necessity to make any payment for back dues for the period of expulsion, if any, or without the necessity to make any back payment for CPD monies, if any, all Charging Parties herein and so notify each Charging Party's respective employer;

b) Respondent shall cease and desist from conducting any trial or utilizing any internal union procedure currently pending against any of the Charging Parties that arise from the charges underlying the complaint being resolved by this settlement agreement;

c) Respondent shall see to it that Charging Party, Cervando Perez, if he has not already been reinstated or declined reinstatement, is reinstated to his same or substantially equivalent job with West Coast Farms without prejudice to his

seniority and other benefits and at the hourly wage rate he would have been entitled to had he continued to work in his previous job. The agreement to reinstate shall terminate upon Charging Party's declining reinstatement or upon Charging Party's failure to respond to recall, whichever comes first. The offer of reinstatement shall not be extended or revived;

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d) Respondent will make Cervando Perez whole for any lost wages since the date it caused his discharge. Respondent will make whole any other Charging Party who has lost wages as the result of any actions taken by the Respondent with respect to CPD. The backpay period for Cervando Perez shall be calculated from the date of discharge, July 26, 1978, to ten (10) days following receipt of the Respondent's offer of reinstatement, November 10, 1980. This agreement shall not waive any appropriate defense to backpay, including but not limited to failure to mitigate damages. Additionally, backpay shall be calculated according to ALRB precedent and shall include the Respondent's right to set off any and all income as defined by the Internal Revenue Code, received during the backpay period. If Respondent and Charging Parties fail to reach an agreement on backpay, the backpay owing any Charging Party shall be determined by backpay proceedings pursuant to section 20290 of the Board Regulations.

e) Respondent shall cause the attached Notice to Employees to be signed by an authorized representative. Upon its translation by a board agent into appropriate languages as determined by the Regional Director, Respondent shall cause

the translation to be signed by an authorized representative.

f) Respondent shall post copies of the attached notice for sixty (60) consecutive days on Respondent's premises at places to be determined by the Regional Director. Respondent shall inspect each posted notice at least every other day, replace forthwith any altered or defaced notice with a fresh notice and uncover forthwith any posted notice that has become covered.

g) Respondent shall mail copies of the attached Notice to Employees of J.J. Crosetti and West Coast Farms in all appropriate languages, within thirty (30) days from Board approval of the settlement or upon receipt of the notices and employee addresses from the Regional Director. In the event that J.J. Crosetti Company is out of the row crop business, no notice will be required to J.J. Crosetti Company employees.

h) At times and places to be determined by the Regional Director, who is to strive for maximum exposure of the notice to the Respondent's members, permit board agents or Respondent's representative chosen by the Regional Director to distribute and read the attached notice in appropriate languages to the assembled members of Respondent of J.J. Crosetti and West Coast Farms. Following the reading, allow the board agent the opportunity, outside the presence of Respondent, to answer any questions employees may have concerning the notice of their rights under the Act.

i) (1) Respondent will institute the procedure described in this paragraph and in the attached Notice to



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Employees by which a union member may object to the use of any dues for activities or causes primarily political in nature. The member may perfect his objection by individually notifying the National Secretary-Treasurer of his objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of union membership and during the fourteen (14) days following each anniversary of union membership. An objection may be continued from year to year by individual notification given during each annual fourteen (14) day period. The approximate proportion of the member's dues spent for such activities or causes primarily political in nature to which the member objects shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of the National Executive Board. The member will be refunded this proportion of his/her dues. If an objecting member is dissatisfied with the approximate proportional allocation made by the committee of the Board or the disposition of his objection by the National Secretary-Treasurer, the member may appeal directly to the full National Executive Board and the decision of the Board shall be appealable to the Public Review Board or the United Farm Workers constitutional convention at the option of the member. The determination made by the committee of the Board shall be sufficiently detailed and substantiated by documentation so as to allow a member to process a meaningful appeal, should he desire.

(2) CPD funds collected subsequent to the date of this agreement from objecting members will be placed in an

escrow account pending determination of the proportionate refund by the Committee of the National Executive Board.

(3) This procedure is substantially identical to that employed by the United Auto Workers Union as described in its administrative letter no. 2 volume 27, dated June 5, 1978 and attached hereto as exhibit H.

(4) Consistent with the ALRB's analysis in J. Jesus R. Conchola (1980) 6 ALRB No. 16, the parties agree the CPD constitutes dues which may be collected in full, subject to a proportional rebate as outlined in this paragraph.

(5) Availability of the rebate procedure outlined in this paragraph shall be communicated by administrative letter to all Union Ranch Committees who shall notify their respective Ranch Communities at regular membership meetings.

G. This agreement, together with the other documents constituting the record as described above, shall be filed with the Board. This settlement is subject to the approval of the Board, and it shall be of no force or effect until the Board has granted such approval. Upon the Board's approval, the Respondent shall comply with the provisions of the order as set forth above immediately, or as otherwise stated, except to the extent that compliance has already occurred.

H. Notify the Regional Director of the Salinas Region, in writing, with thirty (30) days after the date of approval by the Board of this settlement agreement, of the steps it has taken to comply herewith, and continue to report periodically thereafter at the Regional Director's request, until full

compliance is achieved.

I. The superior court for the appropriate county may, upon petition and motion of the Board, immediately and summarily enter judgment pursuant to Labor Code section 1160.8 enforcing the order of the Board in the form set forth in paragraph F hereof. The time for review of the order of the Board may be deemed to have lapsed immediately upon issuance thereof, and Respondent expressly waives and all defenses and objections to the immediate entry of a judgment of enforcement, including compliance with the Board's order and notice of the filing of a petition, entry of a judgment of enforcement, provided that the judgment is in the words set forth in paragraph F hereof. However, Respondent reserves its right to raise any and all defenses it may have to any subsequent enforcement of that judgment by contempt proceedings. Respondent shall be required to comply with the affirmative provisions of the Board's order after the entry of the judgment only to the extent that it has not already done so.

J. The entering into the execution of this settlement agreement does not constitute an admission by the United Farm Workers that it has engaged in any unfair labor practices or violated the Agricultural Labor Relations Act or any statute or regulation.

K. The parties agree that this agreement constitutes a full and complete settlement of any and all ALRA claims litigable before the Board and arising out of the Respondent's act and conduct as set forth in the First Amended Complaint, attached hereto.

L. Upon determination by the Regional Director that Respondent has fully complied with all the terms of the settlement the Regional Director will close the case.

M. This Stipulated Settlement Agreement contains the entire agreement among the parties, there being no other agreement of any kind, verbal or otherwise, which varies, alters or adds to it.

N. All parties agree that in those matters concerning which the Regional Director is given discretion, his/her decision shall be final and binding on the parties.

*(Ellen Rogers)*  
\_\_\_\_\_  
ELLEN ROGERS  
UNITED FARM WORKERS OF  
AMERICA, AFL-CIO

*May 7, 1982*  
\_\_\_\_\_  
DATE

*Lupe Martinez*  
\_\_\_\_\_  
LUPE MARTINEZ  
REGIONAL DIRECTOR  
For General Counsel

*5/10/82*  
\_\_\_\_\_  
DATE

*James W. Sullivan*  
\_\_\_\_\_  
JAMES W. SULLIVAN  
STAFF COUNSEL  
Agricultural Labor Relations  
Board

*May 3, 1982*  
\_\_\_\_\_  
DATE



# NOTICE TO EMPLOYEES

## SETTLEMENT AGREEMENT

A COMPLAINT BASED ON CHARGES FILED BY TWELVE (12) FARM WORKERS WAS ISSUED BY THE AGRICULTURAL LABOR RELATIONS BOARD ALLEGING THAT WE VIOLATED THE LAW BY DECLARING UNION MEMBER: TO BE IN BAD STANDING WITH THE UNION AND BY THREATENING THE CHARGING PARTIES WITH DISCIPLINE AND FINES AND EXPULSIONS, AND IN ONE CASE ACTUALLY SECURING THE TERMINATION OF A MEMBER FROM EMPLOYMENT BECAUSE THE CHARGING PARTIES REFUSED TO AUTHORIZE THEIR HOLIDAY PAY TO BE PAID TO OUR "CITIZENSHIP PARTICIPATION DAY" FUND (CPD).

IN ORDER TO RESOLVE THE DISPUTE COVERED BY THIS COMPLAINT, THE UNITED FARM WORKERS AND THE GENERAL COUNSEL OF THE ALRB HAVE AGREED TO A SETTLEMENT. AS PART OF THIS SETTLEMENT, WE ARE DISTRIBUTING AND POSTING THIS NOTICE TO YOU.

THE AGRICULTURAL LABOR RELATIONS ACT IS A LAW THAT GIVES FARM WORKERS THE FOLLOWING RIGHTS:

- (1) TO ORGANIZE THEMSELVES:
- (2) TO FORM, JOIN, OR HELP UNIONS:
- (3) TO BARGAIN AS A GROUP AND TO CHOOSE WHOM THEY WANT TO SPEAK FOR THEM:
- (4) TO ACT TOGETHER WITH OTHER WORKERS TO TRY TO GET A CONTRACT OR TO HELP AND PROTECT ONE ANOTHER; AND
- (5) TO DECIDE NOT TO DO ANY OF THESE THINGS.

BECAUSE THIS IS TRUE, WE WILL NOT INTERFERE WITH, RESTRAIN, OR COERCE YOU IN THE EXERCISE OF YOUR RIGHTS UNDER THE ACT.

PLEASE BE ADVISED THAT THE FOLLOWING PROCEDURE IS AVAILABLE FOR MEMBERS WHO OBJECT TO DUES BEING SPENT FOR ACTIVITIES OR CAUSES PRIMARILY POLITICAL IN NATURE:

THE MEMBER MAY PERFECT HIS OBJECTION BY INDIVIDUALLY NOTIFYING THE NATIONAL SECRETARY-TREASURER OF HIS OBJECTION BY REGISTERED OR CERTIFIED MAIL, PROVIDED, HOWEVER, THAT SUCH OBJECTION SHALL BE TIMELY ONLY DURING THE FIRST FOURTEEN (14) DAYS OF UNION MEMBERSHIP AND DURING THE FOURTEEN (14) DAYS FOLLOWING EACH ANNIVERSARY OF UNION MEMBERSHIP. AN OBJECTION MAY BE CONTINUED FROM YEAR TO YEAR BY INDIVIDUAL NOTIFICATION GIVEN DURING EACH ANNUAL FOURTEEN (14) DAY PERIOD. THE APPROXIMATE PROPORTION OF THE MEMBER'S DUES SPENT FOR SUCH ACTIVITIES OR CAUSES PRIMARILY POLITICAL IN NATURE TO WHICH THE MEMBER OBJECTS SHALL BE DETERMINED BY A COMMITTEE OF THE NATIONAL EXECUTIVE BOARD, WHICH SHALL BE APPOINTED BY THE PRESIDENT, SUBJECT TO THE APPROVAL OF THE BOARD.

THE MEMBER WILL BE REFUNDED THIS PROPORTION OF HIS DUES. IF AN OBJECTING MEMBER IS DISSATISFIED WITH THE APPROXIMATE PROPORTIONAL ALLOCATION MADE BY THE COMMITTEE OF THE BOARD OR THE DISPOSITION OF HIS OBJECTION BY THE NATIONAL SECRETARY - TREASURER, THE MEMBER MAY APPEAL DIRECTLY TO THE FULL NATIONAL EXECUTIVE BOARD AND THE DECISION OF THE BOARD SHALL BE APPEALABLE TO THE PUBLIC REVIEW BOARD OR THE UFW'S CONSTITUTIONAL CONVENTION AT THE OPTION OF THE MEMBER.

IF YOU HAVE ANY QUESTION CONCERNING THIS SETTLEMENT, CONTACT THE FOLLOWING OFFICE OF THE AGRICULTURAL LABOR RELATIONS BOARD: SALINAS REGIONAL OFFICE, 112 BORONDA ROAD, SALINAS, CA 93907, (408) 443-3145.

DATED:

SIGNED:

FOR THE UNITED FARM WORKERS OF  
AMERICA, AFL-CIO



# UNITED FARM WORKERS of AMERICA AFL-CIO

National Headquarters: La Paz, Keene, California 93531  
(805) 822-5571

U F W

## ADMINISTRATIVE LETTER

Volume 1

December 3, 1981

Letter No. 6

### IN THIS ISSUE

National Executive Board (NEB) Amendment of UFW Constitution pursuant to Article 84 and a determination of political expenditures pursuant to Article 14, Section 9. *This letter is an amendment to Administrative Letter #1 dated May 30, 1981. The report of the NEB and the amendment to the National Constitution are in all respects identical to the original letter. However, due to an oversight, a portion of the explanatory statement beginning on Page 7 was omitted.*

TO: All Ranch Communities

### Greetings:

Pursuant to Article 84, Sections 1, 2 and 3 of the National Union Constitution, the National Executive Board (NEB) during its meeting of May 23, 1981 amended the National Union Constitution by adding Section 9(a) and (b) to Article 14 (Membership Dues). The NEB Amendment to the Constitution appears in full on page 4 of this Administrative Letter.

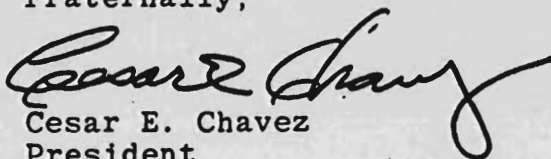
Pursuant to the requirements of Article 14, Section 9, the NEB appointed a National Committee on Political Expenditures. The Committee analyzed all UFW expenditures for partisan political purposes for the

fiscal years 1979 - 1980 and 1980 - 1981 (ten months) in order to establish the approximate average proportion of UFW dues money spent by the UFW annually for "activities or causes primarily political in nature."

The NEB Committee report appears in full, beginning on page 2 of this Administrative Letter.

With all good wishes.

Fraternally,

  
Cesar E. Chavez  
President

CEC:ew

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REPORT OF NATIONAL EXECUTIVE BOARD COMMITTEE  
ON POLITICAL EXPENDITURES

Preliminary Statement

The National Executive Board Committee on Political Expenditures was appointed by the President, pursuant to Article 14, Section 9 of the National Constitution, to determine the approximate proportion of UFW dues money spent for "activities or causes primarily political in nature."

We believe that it is a normal and traditional trade union function essential to the proper realization of the UFW's basic goals, to support programs and political candidates dedicated to the improvement of the economic, social and political conditions of life for workers and their families and to promote the general welfare and the democratic way of life for all the people.

Indeed, sections j, k, l, p and q of Article 6 of the National Constitution specifically require the UFW to act in these areas. Those sections read as follows:

Article 6, section (j): To promote a better understanding by government and the public of the purposes and objects of this Union and the labor movement as a whole.

Article 6, section (k): To engage in legislative activity to promote, protect and advance the physical, economic and social welfare of the workers.

Article 6, section (l): To promote registration, voting, political education and other citizenship activities involving the membership and their families and communities, which will secure the election of candidates and the passage of improved legislation in the interest of all labor and the defeat or repeal of those laws which are unjust to labor and detrimental to the membership.

Article 6, section (p): To distribute information to the membership concerning economic, social, political and other matters which affect their well being.

Article 6, section (q): To protect the civil rights and liberties of its members and all other people and to guarantee to them a powerful voice in the institutions and decisions which govern their lives.



The UFW has a deep and abiding obligation to engage in activities designed to promote a better life for workers and their families and to help achieve economic and social justice for all people both at home and in the world. We recognize, however, that reasonable men might differ as to programs and methods in achieving these worthy goals. Therefore the UFW has striven at all times to be sensitive to the need for full freedom of belief and the preservation of the delicate balance between institutional rights and individual rights.

In construing the term expenditures "for activities or causes primarily political in nature" the Committee has, of course, deliberated within the framework of the language of Article 14, section 9. The Committee has, moreover, been directed by the legislative history of this constitutional amendment which is described in the next section of this report.

On May 23, 1981, the National Executive Board amended the National Union Constitution by adding Section 9(a) and (b) to Article 14. The authority for this action is found in Article 84 of the National Union Constitution:

#### ARTICLE 84

##### EMERGENCY AMENDMENT BY THE NATIONAL EXECUTIVE BOARD

*SUMMARY: The National Executive Board may only amend the Constitution if required by law or in a declared emergency. Any emergency amendment must be approved within 100 days by a referendum.*

Section 1: The National Executive Board may not amend The Constitution except where necessary to comply with the law or in a declared emergency as provided in Section 1 and 2 of Article 40 of PART FIVE.

Section 2: In the event the National Executive Board amends the Constitution in the exercise of its emergency legislative power, such amendment shall immediately be published to all Ranch Communities, Organizing Committees and Administrative Bodies.

Section 3: Any such emergency amendment to the Constitution not required by law shall only be effective for a period of 100 days from the date of adoption by the Board, unless approved by a Special Convention or Referendum prior to the expiration of such period.

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The amendment reads as follows:

Article 14 - MEMBERSHIP DUES - section 9: Right to object to the expenditure of dues for causes primarily political in nature:

(a) Any member shall have the right to object to the expenditure of a portion of her/his dues money for activities or causes primarily political in nature. The approximate proportion of dues spent for such political purposes shall be determined by a Committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member may perfect her/his objection by individually notifying the National Secretary-Treasurer of the objection by registered or certified mail: provided, however, that such objection shall be timely only during the first fourteen (14) days following each anniversary of Union membership. An objection may be continued from year-to-year by individual notifications given during each annual fourteen (14) day period.

(b) If an objecting member is dissatisfied with the approximate proportional allocation made by the Committee of the National Executive Board or the disposition of his/her objection by the National Secretary-Treasurer, s/he may appeal directly to the full National Executive Board and the decision of the National Executive Board shall be appealable to the Public Review Board or the Convention Appeals Committee at the option of said member.

#### Legislative History

In 1970, the National Executive Board of the National Union ordered the establishment of a Citizen Participation Day Fund to be supported by voluntary member contributions through Collective Bargaining Agreements which provide for a holiday known as Citizen Participation Day. The employer is required to pay the employees for that day, although they do not work. If the employee executes an authorization, however, his or her holiday pay is remitted by the employer directly to the Citizen Participation Committee.

At the Union's National Convention held on August 26 - 28, 1977,

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the NEB submitted Resolution No. 45 asking that CPD contributions be made mandatory dues. Resolution 45 reads as follows:

RESOLUTION 45

MANDATORY CONTRIBUTIONS TO CITIZEN PARTICIPATION DAY FUND  
*Submitted by the National Executive Board*

WHEREAS, Farm workers face abuse and discrimination every day, both on the job and in the community, and

WHEREAS, Through good union contracts farm workers can stop the abuses and discrimination on the job, and

WHEREAS, The fight for justice and dignity does not stop at the end of the work day, but extends into the community, and

WHEREAS, Farm workers must build active political power to protect the gains won on the job through contracts and fight the problems of the community, and

WHEREAS, Active political power means that farm workers can lobby to pass good laws, that will benefit farm workers, and fight to block the passage of bad laws, which are sponsored by the rich lobby of growers, and

WHEREAS, Active political power means voter registration and campaigns to elect good public officials, who know and understand the problems of farm workers, and

WHEREAS, Active political power means civic action in the community to stop discrimination, bad housing, police brutality, and other problems that must be changed, and

WHEREAS, A crucial element to building active political power is financial support,

THEREFORE BE IT RESOLVED THAT the Third Constitutional Convention of the United Farm Workers of America, AFL-CIO, in an effort to provide the financial support that is crucial to building active political power to better the lives of all farm workers, does hereby vote to provide that contributions to the Participation Day Fund shall be mandatory.

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Resolution No. 45 was adopted on August 28, 1977. The purpose of Resolution 45 was to provide the financial base needed for the achievement of active political power for farm workers. The goals of the CPD Fund include helping to improve farm workers' lives off the job, ensuring that benefits won through collective bargaining are not lost by action of the legislature, and financing civic activities of union members.

The manner of financing activities through the CPD fund is the subject of resolutions passed by the UFW's National Executive Board in September, 1978. A CPD Board, composed of the members of the NEB, is empowered to allocate money in the Fund consistent with UFW policies and resolutions. The NEB created two different programs through which CPD money would be expended. The National UFW Civic Action Program (CAP), was designated to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families, and to promote the "general welfare" and "democratic way of life" for all people. The money which is allocated to CAP cannot be spent for activities regulated by state or federal election laws. CAP is empowered to endorse candidates and to recommend contributions to the other CPD program, the National UFW Political Action Committee (PAC). PAC was created to make political expenditures and contributions to influence the nomination and election of state, local, and party officials, and the passage or defeat of ballot propositions.

In 1978, in Case No. 78-CL-21-M, Cervando Perez and the General Counsel of the Agricultural Labor Relations Board, through the Salinas Regional Office, challenged the validity of the Union's CPD program. The objection was based on the contention that mandatory dues money was being used for political activities with which the member did not agree. To meet this objection the NEB passed a resolution in September 1978 establishing a procedure whereby members could object to the expenditures of money contributed to CPD for political or ideological purposes which they oppose. In accordance with this resolution a member may object to the portion of his or her contributed funds which is spent for particular candidates or programs. To do so, the member must notify the UFW's National Secretary-Treasurer within the first fourteen (14) days of union membership, or during fourteen (14) days of each anniversary of membership. An NEB Committee then determines the proportion of the individual's deduction which goes to such candidate or program. The individual has the option of contributing that portion of the deduction to one of three charitable funds designated by the NEB. The member may appeal aspects of this procedure to the full NEB, and then to the UFW's Public Review Board (PRB) or to the UFW Convention.

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The three charitable funds to which a dissenting employee may choose to contribute are the Martin Luther King Farm Workers Fund (King Fund), the National Farm Workers Health Group (Health Group) and the National Farm Workers Service Center (Service Center).

The ALRB, however, objected to this method (using the three charitable funds) and ordered that a rebate system be established. Article 14, section 9(a) and (b) was added to the Constitution in order to conform with the ALRB rebate order.

Statement On Article 14, Section 9  
*(Presented to the NEB on May 23, 1981 by the*  
*Committee on Political Expenditures)*

"The tradition of the UFW is to afford all members the widest possible right of individual democratic dissent. As to certain matters affecting the interest of the Union as an institution or the basic principles of the labor movement, the decision democratically arrived at by majority vote must control and apply to all. Decisions relating instead to candidates for public office and partisan political matters are different in kind, and, therefore, the individual member, as a matter of conscience, should have the right of choice not to be bound by majority will.

"We believe that the support of programs and candidates dedicated to the improvement of the quality of American life, in general, and the economic, political and social conditions of workers in particular, is a solemn obligation of an enlightened and responsible labor movement. The UFW must, in the opinion of the Committee, continue and, indeed, expand all of its activities to promote a better life for all working people.

"Nevertheless, because we recognize that reasonable men might differ on programs, parties and methods, and because we are fully sensitive to the need for full freedom of conscience and to the delicate balance of institutional rights and individual rights, we propose to provide machinery to permit those few members, whose conscience so directs them, individually to object to the expenditure of that part of their dues money approximated to be spent for partisan political purposes.



"The proposed amendment permits 'members' to object. Moreover, the amendment provides for the President to appoint a Committee of the National Executive Board to set the approximate proportion of income spent for partisan political purposes. We intend that the Committee arrive at its approximate allocation by common sense, reasonable judgement and evaluation, rather than by detailed accounting and precise calculation.

"The UFW has been in the forefront of the labor movement in protecting individual members within the framework of the institutional needs of the total Union. The amendment proposed now can also be a source of the strength of the UFW, for it will enable us to further refine and protect the delicate balance of institutional rights and individual rights."

#### Construction of Terms

##### "Activities Or Causes Primarily Political In Nature" -- "Political Purposes"

Section 9 of Article 14 speaks of "activities or causes primarily political in nature" and of "political purposes." The legislative history further teaches that the expenditures for activities, causes or purposes we are to consider are those which are partisan political in nature. We have included contributions to political candidates, to partisan political organizations and to social, economic and ideological groups, unrelated to trade union activities to which reasonable objection might be made.

(It should be noted that contributions to candidates for national office are not made from funds of the National Union or other subordinate bodies. Such contributions are made only from funds collected by the voluntary donations of members of the Union or citizens at large.)

Excluded from consideration as political expenditures, of course, are expenditures for such activities as collective bargaining, strike activity, organizing, housekeeping and administration, minimizing or eliminating competition to members from foreign unions by helping to improve such workers' pay and conditions, inter-union support and relationships, education and training, general community relations, support for programs of social and economic importance to the membership and the community and the

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nation at large, recreation and conservation, charity, workers' and unemployment compensation and safety work, public relations and information and all membership services.

"Approximate Proportion Of Dues Spent"

We are charged by the UFW Constitution and the President of the UFW to determine the "approximate" portion of dues spent for "activities or causes primarily political in nature."

We have attempted to minimize difficult accounting problems and to act with common sense and fairness, on the basis of reasonable judgement. We have, therefore, tended to treat the subject broadly as we believe the Constitution and the NEB discussions instructed us and indeed if we err, we believe it to be in favor of the conscious needs of dissenters. To simplify accounting problems and to ease the administration of section 9, Article 14, we have, on the basis of experience, familiarity with the Union, and reasonable judgement, arrived at a total dollar amount of disbursements determined to be partisan "political" for the purpose of this section and have translated the proportion which that dollar figure bears to average dues income per year to the same proportion of average dues payment per year.

The Basis of Proportionment

We have analyzed the operations of expenditures of the National Union over the two year period (1979-1980 and 1980-1981) and have determined that certain expenditures in the following categories need to be considered in determining partisan political expenditures.

Specific Donations For Partisan Political Purposes

While we believe that many of these are charitable and in no way reasonably objectionable, we have included the entire donation schedule (see "Summary").

Civic Action Program And Legislative Activity

Monies are spent from the Civic Action Program for the purpose of strengthening democracy by encouraging members and citizens generally to register and vote in community, state and national elections and to carry on organizational and educational programs directed toward the achievement of an ever higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.

The Civic Action Program spends the greatest share of time and money in educational and civic activities encouraging maximum citizenship responsibility and participation. It engages also in efforts with other civic minded organizations to encourage registration and citizen participation. During major election campaigns, a portion of the Civic Action program relates to partisan political activities on behalf of the UFW. These activities have been included in the calculation of "activities primarily political in nature" (see "Summary").

General Election Year Activity

Because of the concern of the UFW for the kind of society in which we live and its dedication to the improvement of general social and economic conditions, the UFW does not limit its activities in the area of political action tightly within the confines of a particular department of the Union. From time to time, segments of the UFW other than those we are able to pinpoint engage in some political activity with members.

The UFW engages in political and citizenship action before primary and general elections. Most of this activity is directed toward the non-partisan activities of registration and voting and encouraging good citizenship through the broadest participation of the membership. However, the Union may be involved in activities, some of which may be considered partisan political in nature.

Although we are unable to make precise calculations, we have made a generous allocation for political expenditures on an annual basis (see "Summary").

Sacramento - Legislative

The Sacramento Office - Legislative maintains an important contact with other unions, performs necessary public relations and

educational work and serves as the headquarters of officers and staff when they are in Sacramento. The primary activity, however, is legislative. That activity is directly related to institutional interests and the interests of working people, and is therefore not of a character to be regarded as "partisan political." Some of its activities, however, are partisan political in nature, especially during major election campaigns, and therefore we have allocated 30% of these expenditures on Civic Action and Legislative toward partisan political activity (see "Summary").

SUMMARY

1. The expenditure for Civic Action Program and Legislative Activity for 1979-1980 and 1980-1981 respectively was \$14,900 and \$56,107 for an average per year of \$35,504. 30% of this expenditure is allocated to partisan political activities: \$10,651.
2. The expenditures for administration of the Political Funds for 1979-1980 and 1980-1981 respectively was \$3,700 and \$12,268 for an average per year of \$7,984.
3. The expenditure for specific donations for Partisan Political purposes for 1979-1980 and 1980-1981 respectively was \$149,459 and \$217,970 for an average per year of \$182,714.
4. The estimated UFW expenditure for partisan political activities for 1979-1980 and 1980-1981 respectively was \$88,033 and \$80,959 for an average per year of \$84,546.
5. The total average annual disbursement for partisan political activity is \$285,845. This represents 10.93% of the total average annual dues income.
6. The dues income of the National Union for 1979-1980 and 1980-1981 respectively was \$2,372,174 and \$2,858,950 for an average per year of \$2,615,562.
7. Average annual membership dues based on figures for fiscal year 1979-1980 and 1980-1981 was approximately \$2,615,562 (based on 1979-1980 and 1980-1981 dues).



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8. Since the proportion of annual expenditures for partisan political activity is 10.93% of total dues income, we apply this 10.93% to the individual member's average annual dues of \$74.73, which comes to \$8.17.
9. Therefore the amount subject to objection under Article 14, Section 9 of the Constitution is \$8.17 per year.

UFW expenditures at the National Union level for partisan political purposes are of necessity a variable which may shift and change yearly. Accordingly we propose that for future evaluations the Committee analyze expenditures annually based on a previous three-year roll period and recommend a change in the amount of dues subject to objection under Article 14, Section 9 as may be necessary.

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SUMMARY

Expenditures For Partisan Political Activity

National Civic Action and Legislative	\$ 10,651.00
Administration	7,984.00
National Political Action Committee (Campaign Contributions to Political Candidates)	182,714.00
General Election Year Activity	<u>84,496.00</u>
TOTAL	\$ 285,845.00

Average Annual Dues Income (Based on 1979-1980 and 1980-1981)	\$2,615,562.00
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Proportion of Expenditures for Partisan Political Activity (\$285,845 divided by \$2,615,562)	10.93%
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Average Annual Dues - 1981 (\$2,615,562 divided by 35,000 members (estimated))	\$ 74.73
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Proportion for Partisan Political Expenditure	\$ 8.17
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## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Cesar Chavez, President  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

**Dear Mr. Chavez:**

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February 13, 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

**Charles N. Steele**  
**General Counsel**

2/14/84

By Kenneth A. Gross  
Associate General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Peter Velasco, Treasurer  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

Dear Mr. Velasco:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February 13, 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

*KAG 2/14/84*  
By Kenneth A. Gross  
Associate General Counsel

*cc Enclon*

34040453131



34010453132

• **REMI**: Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):  
☐ None to whom and date delivered .....  
☒ None to whom, date, and address of delivery .....

2. ☐ RESTRICTED DELIVERY .....  
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ .....

3. ARTICLE ADDRESSED TO:  
*Heredia Mojica*  
*57 Natwilde Rd #46*  
*Salinas California 93906*

4. TYPE OF SERVICE:  
☐ REGISTERED ☐ INSURED  
☒ CERTIFIED ☐ COO  
☐ EXPRESS MAIL

ARTICLE NUMBER  
*943001*

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
*Kalia Mojica*

5. DATE OF DELIVERY  
*2/24/84*

6. ADDRESSEE'S ADDRESS (date if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

(2/14) MUR 1606 - P. Brown

• GPO: 1983-570-043



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 16, 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Hermilo Mojica  
58 Natividad Road #46  
Salinas, California 93906

Re: MUR 1606

Dear Mr. Mojica:

The Federal Election Commission has reviewed the allegations of your complaint dated November 25, 1983, and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele  
General Counsel

By   
Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

84040453151

5 5 1 9 5 P O 1 3

PS Form 3811, July 1982

• **SENDER:** Complete Items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one).  
☐ Show to whom and date delivered .....  
☒ ~~Show to whom and date delivered~~ .....  
 2. ☐ RESTRICTED DELIVERY  
 (The recipient must sign for the article)  
**Value Delivered** .....  
**TOTAL** \$ .....

3. **ARTICLE ADDRESSED TO:**  
*Don Chavez President*  
*P.O. Box 62*  
*Keene, California 93531*

4. **TYPE OF SERVICE:**  
☐ REGISTERED      ☐ INSURED  
☒ CERTIFIED      ☐ COD  
☐ EXPRESS MAIL

**ARTICLE NUMBER**  
 943099

**(Always obtain signature of addressee or agent)**

I have received the article described above.  
**SIGNATURE** ☐ Addressee ☒ Authorized agent  
*J Hartman*

5. **DATE OF DELIVERY**  
 FEB 28 1984

6. **ADDRESSEE'S ADDRESS (Only if requested)**  
*At Keene P.O.*

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**  
*MM*

RETURN RECEIPT

511 MUR 1606 - D. Brown \*GPO: 1982-379-583



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 16, 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Cesar Chavez, President  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

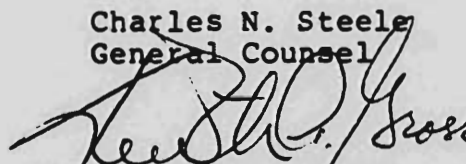
Dear Mr. Chavez:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February 13, 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

34040456166



# SENSITIVE

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

## FIRST GENERAL COUNSEL'S REPORT

64 FEB 1 P 3: 57

MUR 1606  
Date Received 12/2/83  
Notification to Respondent  
12/6/83  
STAFF: Duane A. Brown

COMPLAINANT NAME: Hermilo Mojica  
RESPONDENT'S NAME: United Farm Workers of America  
Cesar Chavez, President  
Peter G. Velasco, Treasurer  
RELEVANT STATUTE: 2 U.S.C. § 441b(b) (3) (A), (B) and (C)  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

### SUMMARY OF ALLEGATIONS

In his complaint filed with the Commission on December 2, 1983, Hermilo Mojica alleges that he and others who are members of the United Farm Workers of America ("UFW") have been and continue to be harrassed for their failure to pay a required "dues" payment to the Civil Participation Day Fund ("CPD Fund") of the UFW (Attachment I). Mojica states that because of this refusal, he and others have been fired from their paid union positions by UFW president Cesar Chavez. Mr. Mojica also states that the UFW has threatened to have him fired from his present job if he continues to refuse to pay back dues owed to the CPD Fund.

The UFW responded to the complaint through its counsel on January 5, 1984 (Attachment II).

### FACTUAL AND LEGAL ANALYSIS

Mr. Mojica, in his complaint alleges that the CPD Fund was established and is controlled by the UFW. He further asserts that to the best of his knowledge, contributions to the CPD Fund

are used for political purposes. Mr. Mojica states that his employment with the UFW is conditioned upon his paying "dues" to the CPD Fund and that when he refused to contribute to the Fund he was terminated from his salaried position with the UFW. He also states that the UFW has threatened to have his employer fire him for failure to pay dues to the CPD Fund. Mr. Mojica states that he and other UFW members who have refused to pay dues to the CPD Fund continue to be harrassed by the UFW. Mr. Mojica alleges, therefore, that the UFW is conditioning employment of its members on their contribution to the CPD Fund in violation of 2 U.S.C. § 441b(b).

2 U.S.C. § 441b(b) (3) (A) prohibits a separate segregated fund from obtaining contributions, to be used in connection with a Federal election, from union members which are not given voluntarily.

In its response to the complaint, the UFW states that although the money collected as CPD dues is mandatory, none of these funds are used in connection with a Federal election. The UFW states that CPD dues are used for state and local political activities and for non-partisan civic activities. Attached to the response is an affidavit by UFW President Cesar Chavez. Mr. Chavez's affidavit attempts to elaborate more fully on the origin and purpose of the CPD Fund.

Also attached is a copy of a quarterly report filed with the California Fair Political Practices Commission on behalf of the

National UFW PAC, the PAC through which the UFW states it funnels its CPD Funds. The report shows support to state and local candidates only.

Further, the UFW states that this complaint is similar to one filed against it in MUR 705. The UFW then, too, asserted that contributions to the Fund are not used in connection with a Federal election. The Commission in MUR 705 found no reasonable cause to believe the CPD Fund violated 2 U.S.C. § 441b(b) (3) (A).

Finally, the UFW states that the only funds used by the UFW in connection with a Federal election are administered by its Volunteer PAC which, as the name implies, derives funds only from voluntary contributions.

It appears from the evidence that the CPD Fund is used to support state and local political activities and for non-partisan civic activities. Contributions made to the CPD Fund are not used in connection with Federal elections. Therefore, the Office of General Counsel recommends there is no reason to believe that UFW violated 2 U.S.C. § 441b.

RECOMMENDATION

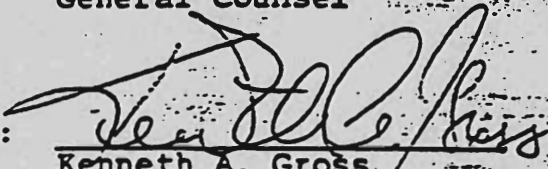
1. Find no reason to believe the United Farm Workers of America, Cesar Chavez, and Peter G. Velasco violated 2 U.S.C. § 441b(b)(3)(A), (B) and (C).
2. Approve attached letters.

Date

January 31, 1984

Charles N. Steele  
General Counsel

By:

  
Kenneth A. Gross  
Associate General Counsel

Attachments

1. Complaint
2. UFW Response to Complaint
3. CPD Fund Authorization Card
4. Letter to Cesar Chavez
5. Letter to Peter Velasco
6. Letter to Hermilo Mojica

3404045316



84010436153

**SENDER: Complete Items 1, 2, 3, and 4.**  
Add your address in the "RETURN TO" space on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one).  
☐ Show to whom and date delivered .....  
☐ Show to whom, date, and address of delivery ..  
☒ **RESTRICTED DELIVERY** .....  
(The restricted delivery fee is charged in addition to the return receipt fee.)

**TOTAL \$** .....

3. **ARTICLE ADDRESSED TO**  
*Peter Delasno, Treasurer*  
*P.O. Box 62*  
*Willits, California 93531*

4. **TYPE OF SERVICE:**  
☐ REGISTERED      ☐ INSURED  
☒ **CERTIFIED**      ☐ **COD**  
☐ EXPRESS MAIL

**ARTICLE NUMBER**  
 943000

(Always obtain signature of addressee or agent)

I have received the article described above.  
**SIGNATURE**    ☐ Addressee    ☒ **Authorized agent**  
*C. K. ...*

5. **DATE OF DELIVERY** .....

6. **ADDRESSEE'S ADDRESS (Only if requested)**  
 .....

7. **UNABLE TO DELIVER BECAUSE:** .....

**RETURN RECEIPT** (Vertical stamp on left)

**POSTMARK** (Circular stamp: FEB 25 1984)

**EMPLOYEE'S INITIALS** .....

*(2/16) MUR 1606 - D. Brown*

\* GPO: 1983-378-583



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 16, 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter Velasco, Treasurer  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

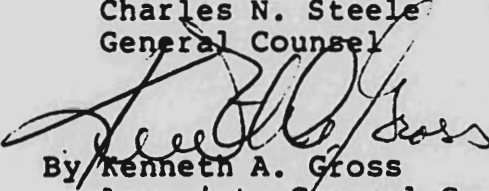
Dear Mr. Velasco:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February 13, 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

340453160

# SENSITIVE

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

## FIRST GENERAL COUNSEL'S REPORT

64 FEB 1 P 3: 57

MUR 1606

Date Received 12/2/83

Notification to Respondent

12/6/83

STAFF: Duane A. Brown

COMPLAINANT NAME: Hermilo Mojica  
RESPONDENT'S NAME: United Farm Workers of America  
Cesar Chavez, President  
Peter G. Velasco, Treasurer  
RELEVANT STATUTE: 2 U.S.C. § 441b(b) (3) (A), (B) and (C)  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

### SUMMARY OF ALLEGATIONS

In his complaint filed with the Commission on December 2, 1983, Hermilo Mojica alleges that he and others who are members of the United Farm Workers of America ("UFW") have been and continue to be harrassed for their failure to pay a required "dues" payment to the Civil Participation Day Fund ("CPD Fund") of the UFW (Attachment I). Mojica states that because of this refusal, he and others have been fired from their paid union positions by UFW president Cesar Chavez. Mr. Mojica also states that the UFW has threatened to have him fired from his present job if he continues to refuse to pay back dues owed to the CPD Fund.

The UFW responded to the complaint through its counsel on January 5, 1984 (Attachment II).

### FACTUAL AND LEGAL ANALYSIS

Mr. Mojica, in his complaint alleges that the CPD Fund was established and is controlled by the UFW. He further asserts that to the best of his knowledge, contributions to the CPD Fund

are used for political purposes. Mr. Mojica states that his employment with the UFW is conditioned upon his paying "dues" to the CPD Fund and that when he refused to contribute to the Fund he was terminated from his salaried position with the UFW. He also states that the UFW has threatened to have his employer fire him for failure to pay dues to the CPD Fund. Mr. Mojica states that he and other UFW members who have refused to pay dues to the CPD Fund continue to be harrassed by the UFW. Mr. Mojica alleges, therefore, that the UFW is conditioning employment of its members on their contribution to the CPD Fund in violation of 2 U.S.C. § 441b(b).

2 U.S.C. § 441b(b) (3) (A) prohibits a separate segregated fund from obtaining contributions, to be used in connection with a Federal election, from union members which are not given voluntarily.

In its response to the complaint, the UFW states that although the money collected as CPD dues is mandatory, none of these funds are used in connection with a Federal election. The UFW states that CPD dues are used for state and local political activities and for non-partisan civic activities. Attached to the response is an affidavit by UFW President Cesar Chavez. Mr. Chavez's affidavit attempts to elaborate more fully on the origin and purpose of the CPD Fund.

Also attached is a copy of a quarterly report filed with the California Fair Political Practices Commission on behalf of the



National UFW PAC, the PAC through which the UFW states it funnels its CPD Funds. The report shows support to state and local candidates only.

Further, the UFW states that this complaint is similar to one filed against it in MUR 705. The UFW then, too, asserted that contributions to the Fund are not used in connection with a Federal election. The Commission in MUR 705 found no reasonable cause to believe the CPD Fund violated 2 U.S.C. § 441b(b)(3)(A).

Finally, the UFW states that the only funds used by the UFW in connection with a Federal election are administered by its Volunteer PAC which, as the name implies, derives funds only from voluntary contributions.

It appears from the evidence that the CPD Fund is used to support state and local political activities and for non-partisan civic activities. Contributions made to the CPD Fund are not used in connection with Federal elections. Therefore, the Office of General Counsel recommends there is no reason to believe that UFW violated 2 U.S.C. § 441b.

84040431

RECOMMENDATION

1. Find no reason to believe the United Farm Workers of America, Cesar Chavez, and Peter G. Velasco violated 2 U.S.C. § 441b(b)(3)(A), (B) and (C).
2. Approve attached letters.

Date

*January 31, 1984*

Charles N. Steele  
General Counsel

By:

*Kenneth A. Gross*  
Kenneth A. Gross  
Associate General Counsel

Attachments

1. Complaint
2. UFW Response to Complaint
3. CPD Fund Authorization Card
4. Letter to Cesar Chavez
5. Letter to Peter Velasco
6. Letter to Hermilo Mojica

34040433171



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: FEBRUARY 13, 1984

SUBJECT: MUR 1606 - First General Counsel's  
Report signed January 31, 1984

3404043617

You were previously notified of an objection to the above-captioned matter by Commissioner Reiche.

By memorandum this date, Commissioner Reiche withdrew his objection to MUR 1606 and cast an affirmative vote.

A copy of the certification in this matter and Commissioner Reiche's memorandum are attached.

Attachments

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 1606  
United Farm Workers of America )  
Cesar Chavez, President )  
Peter G. Velasco, Treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 13, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1606:

1. Find no reason to believe the United Farm Workers of America, Cesar Chevez, and Peter G. Velasco violated 2 U.S.C. § 441b(b)(3)(A), (B) and (C).
2. Approve the letters as attached to the First General Counsel's Report signed January 31, 1984.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

2/13/84

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

2-1-84, 3:57  
2-2-84, 11:00

84040453171





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

TO: COMMISSION SECRETARY  
FROM: COMMISSIONER FRANK P. REICHE  
DATE: FEBRUARY 13, 1984

84 FEB 13 ALL: 18

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

I wish to withdraw my objection to the General Counsel's report in MUR 1606.

Please record me as voting in favor of the recommendations.

*Frank P. Reiche*  
Commissioner Frank P. Reiche

8404045317



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL  
FROM: MARJORIE W. ELLIOTT/JODY C. RANSOM *JCR*  
DATE: FEBRUARY 6, 1984  
SUBJECT: OBJECTION - MUR 1606 - First General  
Counsel's Report signed January 31,  
1984

The above-named document was circulated to the  
Commission on Thursday, February 2, 1984 at 11:00.

Objections have been received from the Commissioners  
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____X_____

This matter will be placed on the Executive Session  
agenda for Tuesday, February 14, 1984.

340404317



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary  
FROM: Office of General Counsel *Cut*  
DATE: February 1, 1984  
SUBJECT: MUR 1606 - First General Counsel's Report

The attached is submitted as an Agenda document  
for the Commission Meeting of \_\_\_\_\_

Open Session \_\_\_\_\_

Closed Session \_\_\_\_\_

CIRCULATIONS

48 Hour Tally Vote [x]  
Sensitive [x]  
Non-Sensitive [ ]

24 Hour No Objection [ ]  
Sensitive [ ]  
Non-Sensitive [ ]

Information [ ]  
Sensitive [ ]  
Non-Sensitive [ ]

Other [ ]

DISTRIBUTION

Compliance [x]

Audit Matters [ ]

Litigation [ ]

Closed MUR Letters [ ]

Status Sheets [ ]

Advisory Opinions [ ]

Other (see distribution below) [ ]

84040433171

# SENSITIVE

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

## FIRST GENERAL COUNSEL'S REPORT

84 FEB 1 P 3: 57

MUR 1606

Date Received 12/2/83

Notification to Respondent

12/6/83

STAFF: Duane A. Brown

COMPLAINANT NAME: Hermilo Mojica  
RESPONDENT'S NAME: United Farm Workers of America  
Cesar Chavez, President  
Peter G. Velasco, Treasurer  
RELEVANT STATUTE: 2 U.S.C. § 441b(b) (3) (A), (B) and (C)  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

### SUMMARY OF ALLEGATIONS

In his complaint filed with the Commission on December 2, 1983, Hermilo Mojica alleges that he and others who are members of the United Farm Workers of America ("UFW") have been and continue to be harrassed for their failure to pay a required "dues" payment to the Civil Participation Day Fund ("CPD Fund") of the UFW (Attachment I). Mojica states that because of this refusal, he and others have been fired from their paid union positions by UFW president Cesar Chavez. Mr. Mojica also states that the UFW has threatened to have him fired from his present job if he continues to refuse to pay back dues owed to the CPD Fund.

The UFW responded to the complaint through its counsel on January 5, 1984 (Attachment II).

### FACTUAL AND LEGAL ANALYSIS

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are used for political purposes. Mr. Mojica states that his employment with the UFW is conditioned upon his paying "dues" to the CPD Fund and that when he refused to contribute to the Fund he was terminated from his salaried position with the UFW. He also states that the UFW has threatened to have his employer fire him for failure to pay dues to the CPD Fund. Mr. Mojica states that he and other UFW members who have refused to pay dues to the CPD Fund continue to be harrassed by the UFW. Mr. Mojica alleges, therefore, that the UFW is conditioning employment of its members on their contribution to the CPD Fund in violation of 2 U.S.C. § 441b(b).

2 U.S.C. § 441b(b) (3) (A) prohibits a separate segregated fund from obtaining contributions, to be used in connection with a Federal election, from union members which are not given voluntarily.

In its response to the complaint, the UFW states that although the money collected as CPD dues is mandatory, none of these funds are used in connection with a Federal election. The UFW states that CPD dues are used for state and local political activities and for non-partisan civic activities. Attached to the response is an affidavit by UFW President Cesar Chavez. Mr. Chavez's affidavit attempts to elaborate more fully on the origin and purpose of the CPD Fund.

Also attached is a copy of a quarterly report filed with the California Fair Political Practices Commission on behalf of the

National UFW PAC, the PAC through which the UFW states it funnels its CPD Funds. The report shows support to state and local candidates only.

Further, the UFW states that this complaint is similar to one filed against it in MUR 705. The UFW then, too, asserted that contributions to the Fund are not used in connection with a Federal election. The Commission in MUR 705 found no reasonable cause to believe the CPD Fund violated 2 U.S.C. § 441b(b)(3)(A).

Finally, the UFW states that the only funds used by the UFW in connection with a Federal election are administered by its Volunteer PAC which, as the name implies, derives funds only from voluntary contributions.

It appears from the evidence that the CPD Fund is used to support state and local political activities and for non-partisan civic activities. Contributions made to the CPD Fund are not used in connection with Federal elections. Therefore, the Office of General Counsel recommends there is no reason to believe that UFW violated 2 U.S.C. § 441b.

810 0433178

RECOMMENDATION

1. Find no reason to believe the United Farm Workers of America, Cesar Chavez, and Peter G. Velasco violated 2 U.S.C. § 441b(b)(3)(A), (B) and (C).
2. Approve attached letters.

Date

*January 31, 1984*

Charles N. Steele  
General Counsel

By:

*Kenneth A. Gross*  
Kenneth A. Gross  
Associate General Counsel

Attachments

1. Complaint
2. UFW Response to Complaint
3. CPD Fund Authorization Card
4. Letter to Cesar Chavez
5. Letter to Peter Velasco
6. Letter to Hermilo Mojica

84040453179

# ATTACHMENT III

UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

Name of Company \_\_\_\_\_

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.

UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

Name of Company \_\_\_\_\_

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.



Attachment IV



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Cesar Chavez, President  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

Dear Mr. Chavez:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on January , 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

By Kenneth A. Gross  
Associate General Counsel

34010456131



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Peter Velasco, Treasurer  
United Farm Workers of America  
P.O. Box 62  
Keene, California 93531

Re: MUR 1606

Dear Mr. Velasco:

On December 13, 1983, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on January , 1984, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

By Kenneth A. Gross  
Associate General Counsel

34949433



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Hermilo Mojica  
921 University Avenue #4  
Salinas, California 93901

Re: MUR 1606

Dear Mr. Mojica:

The Federal Election Commission has reviewed the allegations of your complaint dated November 25, 1983, and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele  
General Counsel

By Kenneth A. Gross  
Associate General Counsel

ATTACHMENT I

RECEIVED AT THE FEC

GCC#1196

83 DEC 2 12:30

Hermilo Mojica  
921 University Ave. #4  
Salinas, Ca.  
93901  
November 25, 1983

General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sir or Madam:

Pursuant to 111 C.F.R. Section 111.4 (2 U.S.C. 437g(a)(1))  
I am forwarding the enclosed complaint concerning certain  
practices of the United Farm Workers of America, AFL-CIO,  
which I believe violate the Federal Campaign Act of 1971  
as amended. Specifically, I believe that the actions of the  
United Farm Workers violate 2 U.S.C. Section 411b(b)(3).

Pursuant to 111 C.F.R. Section 111.5 I understand that  
if I do not receive a response from your office within five  
days of your receipt of my complaint I can assume that I  
have met the technical requirements of filing a complaint.

If you have any questions or require any further information  
please contact me at the above address.

Sincerely,

*Hermilo Mojica*  
Hermilo Mojica

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DEC 2 13:31



DECLARATION OF HERMILO MOJICA

I, HERMILO MOJICA, being duly sworn, declare as follows:

1. My name is Hermilo Mojica, and I live at 921 University Avenue, #4, Salinas, California, 93901.

2. I have been a member of the United Farm Workers of America, AFL-CIO (UFW) since 1970.

3. I am a Ranch Committee President, and an elected officer of the Union in the Salinas area.

4. The UFW is a labor organization within the meaning of 29 U.S.C. Section 441b(b) (1).

5. The UFW maintains a Political Action Fund called the Civic Participation Day Fund (CPD) which is a fund within the meaning of 2 U.S.C. Section 411b(b) (2) (C). ✓

6. The CPD fund was created pursuant to collective bargaining agreements between the UFW and certain companies in or about 1973-1974.

7. "Civic Participation Day" is a paid holiday negotiated between the UFW and certain companies and it is designated in the collective bargaining agreements as the first Sunday in June of each year.

8. Beginning at the time the CPD was first negotiated all of the members of the UFW working under collective bargaining agreements containing the CPD provision were asked to sign cards authorizing their companies to deduct a day's pay and forward it to the UFW's CPD fund.

9. The language of the authorization cards states that each member has the right to withdraw his/her authorization if he/she so desires. (A copy of said form is attached hereto.) ✓

10. The CPD fund is entirely a creation of the collective bargaining agreement and is not mentioned in the Union Constitution.

11. Between the creation of the CPD and on or about September/October, 1981, I voluntarily paid my contributions to the CPD. ✓

12. In addition to CPD contributions UFW members are required to pay 2% of their salaries as regular dues to fund the administrative, legal, and other obligations of the union. ✓

13. The rules concerning mandatory dues are set out in the Constitution of the UFW. ✓✓

14. That in or about 1977/1978 a member of the UFW working with me at Harden Farms in Salinas, California withdrew his CPD authorization from the company. ✓

15. At or about that time the UFW conducted an internal union trial to compel him to pay the CPD contribution to the Union and the members at my company refused to vote to force him to pay the CPD. ✓

16. Said member is still a member of the Union and working at Harden Farms.

17. In or about 1980, the UFW unilaterally and without consulting the members of the Union purported to change the nature of the CPD from voluntary contributions to mandatory dues<sup>owed</sup> in addition to the 2% dues we already pay as our obligation to help support the administration of the Union. ✓

18. In or about 1981, the UFW established a procedure through which a member may request a rebate of the portion of his CPD money which is used for political purposes, and orally informed the members of said procedure. ✓

19. The UFW has never provided the members of the union with any written explanation of the process through which a member may

request a rebate.

20. To the best of my understanding a member must send a written rebate request to the UFW within 14 days of the anniversary date of his membership in the union by registered mail. The UFW has complete discretion to determine the percentage rebate. The UFW is not required to demonstrate through any accounting procedure how much of the CPD money is actually used for collective bargaining purposes.

21. In or about July 1981, David Martinez, a member of the National Executive Board of the UFW, told me that the rebate process was designed to be so complicated and time consuming that few members of the union would ever be able to meet the requirements to obtain a rebate.

22. Upon information and belief the 2% union dues pays all the administrative costs of the union and the additional CPD contributions are used exclusively for political purposes. This is based on my personal knowledge that union dues are 2% of our salaries, that prior to the UFW's attempt to make the CPD compulsory the union was adequately financed by the 2% dues and that prior to this time the CPD was used exclusively for political purposes.

23. Upon information and belief in 1982, the UFW made more than \$780,000.00 in political contributions to influence elections in California and in Texas. This is based on my having read a newspaper article to this affect.

24. On or about September/October of 1981, along with approximately 500 other members of the UFW in the Salinas area, I became dissatisfied with the political direction and goals of the CPD decided upon by Delores Huerta, Vice President of the UFW and Chairperson of the CPD.

25. In or about September/October 1981, along with approximately 500 other members of the UFW, I withdrew my authorization for the CPD contributions from the companies where we worked and ceased to pay the CPD contributions to the UFW. ✓

26. In or about 1981 I developed internal union political differences with the National Executive Board of the UFW. As a result of those differences I, along with 8 other "paid representatives," were fired from our positions as "paid representatives" by the UFW President Cesar Chavez. ✓

27. On or about January 29, 1981<sup>2?</sup> I along with the 8 other ex-representatives fired by Cesar Chavez, filed suit in Federal District Court of the District of Northern California (Mojica, et al., v. UFW, et al., C82 0512 WAI (SJ) alleging that our firing by Cesar Chavez violated the Labor Management and Disclosure Act and the UFW Constitution.

28. On or about November 22, 1982, Mr. Chavez and other members of the UFW National Executive Board filed a Libel and Slander suit against the nine plaintiffs (UFW et al., v. Mojica, et al., C82 6644 WAI). ✓

29. Three hundred members of the UFW, including myself, filed a second suit on or about March 25, 1983 against Mr. Chavez, certain members of the National Executive Board and the union, alleging that the Libel and Slander suit was filed in retaliation for our first suit and to chill the exercise of our First Amendment rights. ✓  
(Mojica v. UFW, C83 1439 WAI).

30. In or about September 1983 I received a letter from the UFW signed by Roberto De La Cruz warning me that if I did not pay my back contributions to the CPD the UFW would require the Harden



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3 4 0 1 3 0  
Farms Company to fire me for failure to pay my required "dues" pursuant to the union security clause of the collective bargaining agreement. ✓

31. Approximately 80 other members of the UFW have also received said letters. ✓

32. Upon information and belief even though approximately 500 people are refusing to pay the CPD only members who are Plaintiffs in the second suit against the union have received said letter. ✓ This is based on the fact that I know all the members who have reported to me having received a letter are also Plaintiffs in the second suit.

33. Upon information and belief one person has actually been fired pursuant to the UFW's request and he is Aristeo Zambrano, one of the original nine paid representatives who filed suit against the UFW. This is based on Mr. Zambrano having told me the same. ✓

34. The UFW is conditioning employment of its members on their contribution to the CPD fund and said action violates 2 U.S.C. Section 411(b)(3). ✓

35. In spite of the facts set out above in numbers 14 and 15 the union has not conducted any internal union trials for refusals to pay the CPD contributions arising out of the present dispute.

36. To my knowledge no member of the union has ever successfully petitioned for and received a rebate of his/her CPD dues.

37. Upon information and belief the CPD contributions are used exclusively for political purposes, and as such the union may not legally condition employment on such payment by members who object to the use of said fund. This is based on my allegation number 22 and my understanding of the law. ✓

38. I believe that the persons responsible for this are Cesar Chavez, President of the UFW, Delores Huerta, First Vice President, Frank Ortiz, Second Vice President of the UFW, David Martinez, NEB member, Arturo Rodriguez, NEB member, Oscar Mondragon, NEB member, Roberto De La Cruz, UFW Salinas Regional Director, as well as other officials of the UFW whose precise identities are not known to me at this time.

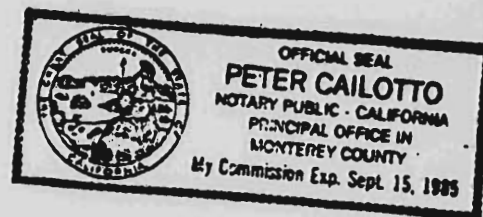
39. Based on the foregoing facts I request the General Counsel to initiate an investigation of the above listed practices and initiate the appropriate criminal procedures necessary to protect our rights guaranteed by law.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 25 day of November, 1983 at Salinas, California, 1983.

Hermilo Mojica  
HERMILO MOJICA

Subscribed and Sworn to  
before me this 25 day  
of November, 1983.

Peter Cailotto  
Notary Public



# ATTACHMENT II

UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

Name of Company \_\_\_\_\_

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.

UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

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Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.



# UNITED FARM WORKERS of AMERICA AFL-CIO

X/ LEGAL DEPARTMENT  
POST OFFICE BOX 30  
KEENE, CA 93531  
(805) 822-5571

Appellate Division  
1201 24th Street  
Sacramento, CA 95814  
(916) 442-1862

*C. H.*  
*1356*  
*JD Brown*

December 23, 1983

Mr. Kenneth A. Gross  
Associate General Counsel  
Mr. Duane Brown  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 1606

Dear Sirs:

This letter is in response to the complaint filed by Hermilo Mojica, a copy of which was received by Mr. Chavez on December 19, 1983 and by Mr. Velasco on December 20, 1983. Enclosed are completed forms designating myself as counsel for Mr. Chavez & Mr. Velasco.

It appears that the gist of Mr. Mojica's complaint is that the UFW is requiring members to contribute to a political fund and that all or part of the funds collected are being used for federal political campaigns and activities, in violation of 2 USC §441b(b)(3).

Mr. Mojica is wrong. The UFW has made all contributions to federal campaigns from strictly voluntary sources. Money collected as CPD dues, which since August 28, 1977 has been mandatory, has never been used as a funding source for the National UFW Volunteer PAC (hereinafter referred to as VPAC). As the name implies, all VPAC money comes from purely voluntary sources, such as individual contributions and fundraisers.

CPD dues, about which Mr. Mojica complains, are used for state and local political activities (through the National UFW Political Action Committee, or NPAC) and for non-partisan civic activities (through the National UFW Civic Action Program, or NCAP). CPD dues have never been used to fund VPAC.

The enclosed affidavit of Cesar Chavez, as well as the other documents I have included, verify what I have just explained. The exhibits, to which Mr. Chavez makes reference in his affidavit, are listed and described below:

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- Exhibit A UFW Constitution
- Exhibit B UFW newspaper, El Malcriado,  
special issue, May 28, 1982
- Exhibit C Settlement agreement with the  
California Agricultural Labor  
Relations Board, approving of  
the rebate procedures established  
by amendment to the UFW Consti-  
tution. The rebate concerns  
CPD money only, a fund used  
solely for non-federal\* cam-  
paigns and activities.
- Exhibit D Copy of UFW Administrative  
Letter sent to all ranch  
communities, dated December  
3, 1981. Offered as a sample  
of rebate computation.
- Exhibit (group) E Reports sent to the California  
Fair Political Practices Com-  
mission (FPPC) showing that  
the large political contribu-  
tions referred to by Mr. Mojica  
in ¶23 of his complaint were  
non-federal\* contributions.
- Exhibit (group) F Copies of Correspondence between  
UFW and FEC in previous investi-  
gation in 1978.

In addition to the affidavit, I ask that you please read carefully Exhibit B, giving special attention to the sections that I have highlighted in yellow. That issue of the UFW newspaper was specially produced for widespread circulation among the membership and was intended to fully inform them as to the history of CPD, its development into a mandatory dues obligation known as Rufino Contreras dues and its use for non-federal\* (and to a certain extent, non-partisan) activities.

Hopefully our explanation, as well as the affidavit and exhibits, will be sufficient documentation of the fact that Mr. Mojica has, as they say, "mixed apples and oranges." His complaint is only accurate insofar as the UFW does collect mandatory dues from its members, and a portion of

\* I use the term "non-federal" to refer to activities that do not fall within the category of federal political activities described in 2 USC §441b.

those dues are used for political activities. Those activities, however, do not include any of the political activities described in 2 USC §441b(a). Moreover, although state and local political activities are carried out with mandatory dues money, any member may object to his or her dues being spent for primarily political causes with which he/she disagrees. If a proper objection is made, the objecting member is entitled to a proportional rebate of his/her dues money spent on such activities.

Although Mr. Mojica clearly does not approve of the UFW's rebate system, the system has absolutely nothing to do with VPAC. VPAC has always been a strictly voluntary fund, which has been purposely kept segregated from mandatory CPD so that the Union would not be in violation of any federal election laws.

Finally, you should also be aware of the fact that in 1978 the FEC conducted an identical investigation of VPAC and its relationship to mandatory CPD. After a brief exchange of correspondence, the Commission concluded that CPD did not violate the Federal Election Campaign Act. See MUR 705. Since that time there has been no change in the relationship between CPD and VPAC; the two funds have always remained completely segregated.

If you feel that further, or more detailed, explanation is warranted, or if you have any other questions about VPAC, please contact me at once. We have complete accounting records to verify all of the information that has been provided here. Since Mr. Mojica is clearly confusing these two totally separate funds, I would hope that additional documentation would not be necessary. Thank you for your consideration of this matter.

Very truly yours,

*Ellen J. Eggers*

Ellen J. Eggers  
Attorney at Law

EJE/rt

Enclosures

8404045319

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Ellen J. Eggers

ADDRESS: Post Office Box 30  
Keene, Ca 93531

TELEPHONE: (805) 822-5571

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and  
other communications from the Commission and to act on my  
behalf before the Commission.

12-28-83  
Date

Cesar E. Chavez  
Signature

NAME: Cesar E. Chavez

ADDRESS: P.O. Box 62  
Keene, Ca 93531

HOME PHONE: (805) 822-5571

BUSINESS PHONE: (805) 822-5571

8440404531011

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Ellen J. Eggers

ADDRESS: Post Office Box 30  
Keene, Ca 93531

TELEPHONE: (805) 822-5571

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and  
other communications from the Commission and to act on my  
behalf before the Commission.

12/22/83  
Date

Peter G. Velasco  
Signature

NAME: Peter G. Velasco

ADDRESS: P.O. Box 62  
Keene, Ca 93531

HOME PHONE: (805) 822-5571

BUSINESS PHONE: (805) 822-5571

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AFFIDAVIT OF CESAR E. CHAVEZ

I, Cesar E. Chavez, being first duly sworn upon my oath, say:

1. I am the President of the United Farm Workers of America, AFL-CIO (UFW) and chairman of the National UFW Volunteer PAC (VPAC) and the National UFW Political Action Committee (NPAC).

2. In 1970, the National Executive Board (NEB) of the UFW ordered the establishment of a Citizen Participation Day Fund to be supported by voluntary member contributions. By 1972, the UFW had negotiated into its collective bargaining agreements a day known as Citizenship Participation Day. By contract, the employer was required to pay employees for that day, although they did not work. If the employee had executed an authorization, the pay was remitted by the employer directly to the Citizen Participation Day Committee. Up until August 28, 1977, the CPD contribution was entirely voluntary.

3. At the UFW's national convention, on August 28, 1977, the delegates voted to make CPD a mandatory, rather than voluntary, contribution.

4. Thereafter, by a resolution of the CPD committee, all funds that were collected after August 28, 1977 were maintained in a segregated account. None of those funds have ever been used for federal campaigns. In September of 1978, VPAC, formerly known as UFW Federal PAC (FPAC), came into existence. Both FPAC and VPAC have always derived all

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of their funds from strictly voluntary sources.

5. The first mandatory CPD contributions were collected in 1978. That year, the UFW's NEB established two separate programs through which the mandatory CPD money would be expended. The first, the National UFW Civic Action Program (NCAP), was designated to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families, and to promote the "general welfare" and "democratic way of life" for all people. The money which is allocated to NCAP cannot be spent for activities regulated by state or federal election laws. NCAP is empowered to endorse candidates and to recommend contributions to the second CPD program, the National UFW Political Action Committee (NPAC). NPAC was created to make political expenditures and contributions to influence the nomination and election of state, local and party officials, and the passage or defeat of ballot propositions. Neither NCAP nor NPAC expend money for federal campaigns.

6. In 1978, in response to a complaint filed by the California Agricultural Labor Relations Board (ALRB) and in order to accomodate dissenting members, the UFW established a procedure whereby the member had the option of contributing that portion of the CPD expenditure with which he/she disagreed to one of three charitable options selected by the UFW. An authorization form was prepared which informed the member of his obligation to contribute to CPD, but also his/her right to object and to contribute to an alternate recipient. In

his complaint to the FEC, Mr. Mojica attached a true copy of this former CPD authorization form, which was used by the Union from 1978 to 1981. This is not the current form. (The current form does not refer to charitable alternatives. An objecting member must simply refer to the UFW constitution for a complete description of the objection-rebate procedures.) What is significant, however, is that this entire procedure has never had anything to do with VPAC, the fund that is used for federal campaign activity. Federal campaign activity has been financed strictly through voluntary sources - never from mandatory CPD, the fund to which the objection system applied. The charitable option objection system, set out above, pertained only to objections to state and local political activities.

7. The "charitable option" objection procedure was still challenged by the ALRB in 1978 in Case No. 78-CL-21-M. The ALRB charged that this procedure was not sufficient to meet the needs of objectors. In the course of negotiating a settlement of this ALRB case, the UFW agreed to establish a rebate system for objecting members. On May 23, 1981, the UFW's NEB amended the UFW Constitution to conform to the guidelines mandated by the ALRB. Article 14, Section 4 of the UFW Constitution (which is designated Article 12 in appendix C, page 13 of the Constitution, Exhibit A), sets out the rebate procedure available to members who object to the political uses of their dues money. CPD is now known as Rufino Contreras dues.

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8. In May of 1982, the ALRB approved the settlement in Case No. 78-CL-21-M and ordered the UFW to establish the rebate procedure as had been agreed upon and which had in fact been implemented in 1981. See Exhibit C.

9. As provided in the Constitutional amendment, a committee of the NEB each year determines the percentage of dues spent for primarily political causes and activities. Any member who makes a timely objection is entitled to a rebate of the approximate portion of his/her dues spent for primarily political causes. Attached as Exhibit D is a copy of the Administrative letter which was sent to all ranch communities in December, 1981. This is an example of the type of computation that is done in order to determine the amount of the rebate owing. See, in particular, pages 8-13 of Exhibit D.

10. To date, two people have applied for a rebate pursuant to the new procedure. The first one applied in July of 1982 and was issued a check for the full amount of the rebate. The second request was just received within the last week and is being processed.

11. In May of 1982, just prior to the first CPD day which would occur since the new amendment took effect, the UFW printed a special issue of its newspaper, El Malcriado, for the purpose of fully explaining the origin of CPD, its development into mandatory dues, the reason for the rebate procedure and the complete text of the ALRB settlement. This special issue, dated May 28, 1982, was widely circulated among the UFW membership. A copy is



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attached as Exhibit B. As shown by Exhibit B, mandatory CPD (or Rufino Contreras) dues are not spent for federal campaigns.

12. Since 1977, the UFW has, through its political action committee, made large contributions to state and local political campaigns and activities. The UFW has not, however, made large contributions to federal candidates. Since all federal campaign activities are financed by VPAC, and since VPAC is funded solely through voluntary contributions such as fundraisers, the amount of money available for federal campaign activity is necessarily more limited than that raised through CPD and used for state and local matters.

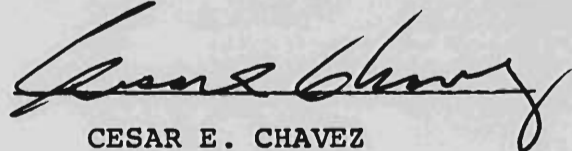
13. All contributions made to state candidates and state ballot measures must be reported to the Fair Political Practices Commission (FPPC) of the State of California. Attached as Group Exhibit E are copies of the reports sent to the FPPC in 1982. These reports document that the large contributions that were made in the year 1982, to which Mr. Mojica makes reference in his complaint, were all contributions to non-federal campaigns.

14. In October of 1978, the Federal Election Commission opened up an investigation of the UFW's CPD program and asked questions that were identical to the issues apparently being raised in this current investigation. The UFW fully cooperated with that investigation, answered all questions and as a result was fully exonerated by the FEC. Attached hereto as Group Exhibit F are copies of the correspondence between the UFW and the FEC. As shown by the letter dated

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December 14, 1978, the FEC "found no reasonable cause to believe that the [UFW's CPD Fund] violated 2 USC 441b(b)(3)(A)." Since December of 1978 the UFW has not changed its CPD program in any way except to liberalize the objection procedure so that members who object to the use of their dues for CPD political activity which they find objectionable, will be entitled to a proportional rebate. While this new system is more lenient for dissenters, the revision does not change the fact that federal campaigns continue to be funded solely from VPAC - derived from solely voluntary contributions and not from CPD money.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29 day of December, 1983.

  
CESAR E. CHAVEZ

Subscribed and sworn to before  
me, a Notary Public, this 29th  
day of December, 1983.





# United Farm Workers of America, AFL-CIO Constitution

(As amended in 1977, 1978 and 1981)

UNITED FARM WORKERS OF AMERICA



Ex.  
A



84040453203

# CONSTITUTION

Adopted at the  
First Constitutional Convention  
Fresno, California • September 21-23, 1973



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## PREAMBLE

We, the Farm Workers of America, have tilled the soil, sown the seeds and harvested the crops. We have provided food in abundance for the people in the cities, the nation and the world but have not had sufficient food for our own children.

While industrial workers, living and working in one place, have joined together and grown strong, we have been isolated, scattered and hindered from uniting our forces.

While other workers have overcome economic injustices, we have inherited the exploitation, the suffering, and the poverty of our fathers and their fathers before them.

But despite our isolation, our sufferings, jailings, beatings and killings, we remain undaunted and determined to build our Union as a bulwark against future exploitation.

The right to join a Union is universally recognized, but it is a right those who own the fields have ruthlessly denied us. And as Pope Leo XIII said, "To exercise pressure for the sake of gain upon the indigent and destitute and to make one's profits out of the need of another is condemned by all laws human and divine."

We devoutly believe in the dignity of tilling the soil and tending the crops and reject the notion that

farm labor is but a way station to a job in the factory and life in the city.

And just as work on the land is arduous, so is the task of building a Union. We pledge to struggle as long as it takes to reach our goals.

Above all, we believe that all men must act toward one another in a spirit of brotherhood and that our Union shall guarantee that all are treated equal in dignity and rights.



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**PART ONE — NAME, JURISDICTION, HEADQUARTERS, ORGANIZATIONAL STRUCTURE AND AUTHORITY, INSIGNIA AND SYMBOLS**

**ARTICLE I, NAME**

**SUMMARY:** *The Union shall be known as the United Farm Workers of America, or UFW.*

This labor organization shall be known as the United Farm Workers of America and shall be identified by the initials U.F.W.

**ARTICLE II,<sup>2</sup> JURISDICTION**

**SUMMARY:** *The jurisdiction of the Union shall be all farm workers in the United States.*

**Section 1:** The territorial jurisdiction of the Union shall be the United States of America and its possessions and territories.

**Section 2:** The trade jurisdiction of the Union shall be all agricultural laborers.

**ARTICLE III,<sup>3</sup> HEADQUARTERS**

**SUMMARY:** *The headquarters of the Union shall be at La Paz in Keene, California.*

The headquarters of the Union shall be at La Paz in Keene, California, or such other place as the National Executive Board may from time to time select. The National Executive Board shall have authority to designate such regional or other offices as it deems necessary or advisable.

**ARTICLE IV,<sup>4</sup> STRUCTURE OF THE UNION AND GOVERNING AUTHORITY**

**SUMMARY:** *The structure of the Union shall consist of the Convention, the National Executive*

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the Union, and such power shall be legislative, executive and judicial.

(b) Between Conventions, this supreme authority shall reside in the National Executive Board and its Executive Committee in accordance with the Constitution and the mandates of the Convention, subject to the right of appeal to the Convention, the referendum and the recall.

(c) Between meetings of the National Executive Board, the administrative authority of the Union shall reside in the President, as the Union's chief Executive Officer, who shall be responsible to the Board and who shall have the authority to carry out the policies of the Union in accordance with the Constitution and the mandates of the Convention and the National Executive Board, subject to the right of appeal to the Convention, the referendum and the recall.

(d) The Ranch Communities and Organizing Committees shall have the powers and responsibilities provided in this Constitution or assigned to them by the Convention or the National Executive Board, and shall be governed as provided in this Constitution and by the Uniform Rules and By-Laws ratified by the Ranch Communities and Organizing Committees pursuant to this Constitution.

**ARTICLE V,<sup>5</sup> UNION LABEL, UNION SEAL, UNION MEMBERSHIP INSIGNIA AND UNION FLAG**

**SUMMARY:** *The Union shall have a Label, Seal,*

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*Board, and Ranch Communities and Organizing Committees. The Convention is the highest authority of the Union and between conventions this authority rests with the National Executive Board. Between Executive Board meetings, the administrative authority of the Union rests with the President. Ranch Communities and Organizing Committees shall be governed as provided in this constitution.*

**Section 1:** The Union shall consist of duly admitted members organized in Ranch Communities, Organizing Committees and Administrative Bodies. The Union shall not be dissolved so long as 100 members in good standing or 5 Ranch Communities object to its dissolution.

**Section 2:** This Constitution distributes the authority and powers of the Union among the following: the Convention; the National Executive Board and Executive Committee; the President, Secretary-Treasurer and other National Officers; the Board of Auditors, and the Membership acting individually and through their Ranch Communities, Organizing Committees and Administrative Bodies.

**Section 3:** The affairs of the Union shall be governed by the Membership in the following manner:

(a) The Supreme Authority of the Union shall reside in the Convention. In Convention assembled, the Union shall have the (plenary) power to achieve, regulate and direct the objects, policies, affairs, organization and administration of

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*Membership Insignia and a Flag approved by the Convention.*

**Section 1:** The Union shall have a Union Label and Stamp. Subject to the review of the Convention, the National Executive Board shall approve and adopt a form or forms of label and stamp for the identification of agricultural products harvested under contractual relations with the Union. The Secretary-Treasurer shall copyright and protect the Union Label and Stamp.

**Section 2:** Subject to the continuing approval of the National Executive Board, licenses for the use of the Union Label and Stamp may be granted to any employer in contractual relations with the Union, provided such licenses stipulate that the Label and Stamp are and shall remain the sole property of the Union, and provided such licenses shall be revocable by the National Executive Board in its discretion at any time. No producer, shipper or vendor of agricultural products shall be allowed to use the Label and/or Stamp unless such products were harvested by members of this Union pursuant to a collective bargaining agreement approved by the National Executive Board, provided, however, that the Board may waive this requirement where shipping and marketing practices dictate and where such waiver will not serve to mislead or confuse the public.

**Section 3:** The Seal of the Union shall bear the following words: "United Farm Workers of America, AFL-CIO." The Seal of the Union shall bear the design of the black eagle first registered as the

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membership mark of the United Farm Workers Organizing Committee and since assigned to this Union as its successor. The Seal may also bear the initials "UFW." The Convention shall adopt a Seal appropriate with the above provisions with such other descriptive language or additional design as it deems proper.

Section 4: The Seal shall be held by the Secretary-Treasurer in trust for the use of the membership in their organizational affairs. The Secretary-Treasurer shall prosecute the wrongful use or imitation of the Seal or of the Union's name and initials. The Secretary-Treasurer shall also take such measures as are necessary to register and copyright the Seal.

Section 5: Subject to review by the Convention, the official Membership Mark of the Union shall be the black eagle referred to in Section 3 hereinabove. This mark shall be the official insignia and symbol of the Union and shall appear on all membership cards, Union stationery, Union publications and other Union papers and documents not requiring the Seal. The Secretary-Treasurer shall take all necessary measures to register and copyright this mark and to prevent and prosecute its wrongful use or imitation.

Section 6: There shall be an official Flag of the Union approved by the Convention, which flag shall contain the Union's Membership Mark, the name of the Union, and such additional descriptive language or designs as the Convention deems proper. The Secretary-Treasurer shall take all necessary measure to register and copyright the Union Flag and

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on recalcitrant employers, including the unrestricted right to strike, boycott and engage in other non-violent activities calculated to secure Union recognition by and collective bargaining agreements with such employers;

(e) To promote the development and maintenance of health, welfare and on-the-job safety practices and such educational training programs amongst its members as would best effect a full knowledge of their rights, responsibilities, welfare and interest;

(f) To promote, foster, develop and advance the skills, efficiency and working knowledge necessary, of such workers;

(g) To promote industrial peace and develop a more harmonious relationship between employees and employers;

(h) To work and cooperate with other Unions for the mutual benefit of the respective memberships and the building of solidarity among the entire Labor Movement, and to provide assistance to farmworkers, labor and other organizations, in this country and throughout the world, which have the same or similar purposes and objects as those of this Union;

(i) To strive for effective programs which would improve, advance and increase the opportunity for employment;

(j) To promote a better understanding by government and the public of the purposes and objects of this Union and the Labor Movement as a whole;

to prevent and prosecute its wrongful use or imitation.

## PART TWO — OBJECTS AND COMMITMENT TO NON-VIOLENCE

### ARTICLE VI, <sup>6</sup> OBJECTS AND PURPOSES OF THE UNION

*SUMMARY: The Union was created and exists for these purposes: to unite all farm workers under the Black Eagle, to negotiate contracts to improve the wages and working conditions of farmworkers, to safeguard the right of farmworkers to strike and boycott, to engage in political activity which will advance the welfare of farmworkers, and to guarantee to every farmworker the dignity and freedom which are the right of every human being.*

The objects of the Union shall be:

(a) To unite under its banner all individuals employed as agricultural laborers, regardless of race, creed, sex or nationality;

(b) To negotiate, bargain collectively, contract or otherwise deal with the employers of agricultural laborers concerning wages, hours, working conditions, grievances, labor disputes and all other related matters;

(c) To secure recognition by employers and the public of agricultural laborers' right to organize for their mutual benefit and to engage in collective bargaining;

(d) To protect the moral and legal right of agricultural laborers to exert economic pressure

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(k) To engage in legislative activity to promote, protect and advance the physical, economic and social welfare of the workers;

(l) To promote registration, voting, political education and other citizenship activities, involving the Membership and their families and communities, which will secure the election of candidates and the passage of improved legislation in the interest of all labor and the defeat or repeal of those laws which are unjust to Labor and detrimental to the Membership;

(m) To engage in such research activity as may be appropriate and necessary;

(n) To engage in legal activities appropriate for the defense and advancement of the interests of the Union and its membership;

(o) To promote and protect the trade jurisdiction of this Union;

(p) To distribute information to the members concerning economic, social, political and other matters which affect their well-being;

(q) To protect the civil rights and liberties of its members and all other people and to guarantee to them a powerful voice in the institutions and decisions which govern their lives.

(r) To aid charitable organizations and institutions;

(s) To take all such other action which will conserve and promote the welfare and interests of this Union and its members;

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(t) To promote the full and equal participation by women in all affairs, activities and leadership positions of the Union.

#### **ARTICLE VII, COMMITMENT TO NON-VIOLENCE**

**SUMMARY:** *These goals and purposes will be achieved by non-violent means only — every member totally rejects the use of violence.*

The above-stated purposes and objects shall be accomplished only by and through totally non-violent means, for every member of this Union is sworn to reject the use of violence in any form for any Union activity.

### **PART THREE — MEMBERSHIP**

#### **ARTICLE VIII, ELIGIBILITY**

**SUMMARY:** *All farm workers shall be eligible for membership in this Union. Any person who serves the Union full time without salary for more than 6 months shall be eligible for membership.*

Any person, regardless of race, creed, sex, nationality or political belief, who is employed or actively seeking employment as an agricultural laborer shall be eligible for membership in this Union. Any person, having served the Union, or any of its subordinate or affiliated bodies, full time and without salary for a period of 6 months shall be eligible for membership in this Union for the duration of his or her continuous full-time service.

#### **\*ARTICLE IX, DISQUALIFICATIONS FROM JOINING THE UNION**

**SUMMARY:** *Members disciplined by a Ranch Community or Organizing Committee must meet*

*\* New Article B-A "Honorary Contributing Members" see Appendix C, Page 1*

~~The~~ required initiation fees before being admitted to the Union. As a further condition of membership, every applicant must consent to the Union being his or her sole agent for the purposes of collective bargaining and contract grievances.

**Section 1:** All applicants for membership shall complete and sign an official application form of the United Farm Workers of America. The application form shall contain the following pledge by the applicant, which pledge shall be read to the applicant in a language he understands: "I promise on my honor to faithfully observe this Constitution and the laws of the United Farm Workers of America and the AFL-CIO. I will protect and exercise the rights which these laws and the Constitution of my Union guarantee. I solemnly promise to pay all my required Union dues and assessments and to carry out all of the other duties and obligations of Union membership. I pledge to respect all authorized strikes and picket lines of this Union. I will never scab on my Union brothers and sisters. I further pledge to do everything in my power to advance the principles of union democracy and the goals of the United Farm Workers of America, AFL-CIO."

**Section 2:** Commencing January 1, 1974, each applicant for membership shall be required to pay an Initiation Fee of \$25.00. An applicant who cannot immediately pay the Initiation Fee may sign an authorization for his employer to deduct the fee from his paycheck within seven days. However, the National Executive Board may waive or decrease the required Initiation Fee for agricultural laborers de-

*the terms of their sentences before being admitted to membership again. No supporter of a competing union shall be eligible for membership. No employer representatives shall be eligible for membership.*

**Section 1:** No person otherwise eligible for membership shall be readmitted to membership in the Union, after having been terminated for lack of dues activity as provided in Section 8 or Article X, if such person has been previously fined, suspended, or expelled by the Union until such person complies fully with the terms of such fine, suspension, or expulsion.

**Section 2:** No person shall be admitted to membership who is an active participant in or proponent of another labor organization in the trade jurisdiction of this Union; provided, further, that a person forced to join or pay dues to such a competing union, as a condition of employment, and who lends no other or further assistance or support to such union, shall not be denied membership in this Union under this Section.

**\*Section 3:** No person acting on behalf of any employer or having the right to hire and/or fire shall be eligible for membership in this Union.

#### **ARTICLE X, APPLICATIONS, INITIATION FEES AND CONDITIONS OF MEMBERSHIP**

**SUMMARY:** *Those eligible for Union membership must complete and sign an official application form, pledge to meet their Union obligations and obey the laws and rules of the Union, and pay*

*\* Section 3 Amended, see Appendix C, page 1*

siring to join an Organizing Committee in an area where there are no collective bargaining agreements. Persons obtaining Union membership by reason of full-time Union service shall be exempt from any Initiation Fee.

**Section 3:** Any member expelled from the Union for non-payment of dues and/or assessments may be reinstated only upon payment of the \$25 Initiation Fee, together with the payment of all monies due at the time of his expulsion, and such additional dues and/or assessments as became due during the period of his expulsion, unless otherwise ordered by the National Executive Board.

**Section 4:** Non-member agricultural laborers who leave their jobs to join an authorized strike may be admitted to membership without paying the required Initiation Fee or upon payment of a reduced Initiation Fee, if the National Executive Board should so order, subject to the provisions of Article IX and this Article X.

**Section 5:** Every person who accepts membership in this Union shall be deemed thereby to have authorized the Union to act as his or her sole collective bargaining agent for the purpose of executing collective bargaining agreements with reference to wages, hours and other working conditions, and such person shall be bound by the terms and provisions of any such collective bargaining agreements.

**Section 6:** Every person who accepts membership in this Union shall be deemed thereby to have authorized the Union and its subordinate bodies to act

as his or her exclusive agent to represent and bind him or her in the presentation, adjustment and settlement of all grievances, complaints or disputes of any kind arising out of the employment relationship, provided, however, that every member shall have the right to appeal from any action or failure to act of his Ranch Officers in the presentation, adjustment and settlement of any such grievance, complaint or dispute affecting such member. Such appeals shall be governed by the provisions of Articles XX and XXI of this Part.

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ARTICLE XI, EFFECTIVE DATE OF MEMBERSHIP,  
WITHDRAWAL FROM MEMBERSHIP, AND TERMINATION OF MEMBERSHIP**

*SUMMARY: An applicant becomes a member when his application is accepted. A member in good standing unable to find work or leaving the jurisdiction of the Union may obtain a withdrawal card. Such member may be readmitted without paying an Initiation Fee if he applies within one year of date of withdrawal or upon payment of a \$15 Initiation Fee if he applies within two years of date of withdrawal. Membership shall be terminated by death, by accepting a position which disqualifies a person from membership, by failing to pay dues for a one-year period or by expulsion.*

**\*\* Section 1:** An applicant is admitted to membership on the day his completed and signed application is accepted.

**Section 2:** Any member in good standing unable to find work or leaving the jurisdiction of the Union

**\* New Article 10-A "Members in Service to The Union"**  
See Appendix C, Page 2

**\*\* Section 1 Amended, see Appendix C, page 3**

on the condition such member may not hold any office within the Union or participate in any Union election during such period;

(d) by leaving the full-time service of the Union and accepting a position outside of the Union's jurisdiction or failing to make an initial dues payment within 60 days of the last day of Union service, whichever shall first occur.

**Section 4:** Effective January 1, 1974, a member for whom there is no reported dues activity for a continuous 12-month period shall be deemed to have withdrawn from the Union and to have terminated his or her membership. Such terminated member may be readmitted to membership only upon payment of the regular \$25 Initiation Fee, unless such member presents a valid withdrawal card as provided in Section 2 of this Article.

**Section 5:** Members on authorized leaves of absence from their employment or from their service with the Union or its subordinate and affiliated bodies may continue to be active members without regard to their lack of dues activity or the length of their separation from Union service; provided, however, that such leave of absence, if for more than one (1) year, be renewed annually.

**ARTICLE XII, MEMBERSHIP DUES**

*SUMMARY: Every Union member shall pay the dues established by the Convention. Members serving full time with the Union shall be exempt from dues. The National Executive Board may exempt strikers, boycotters and members of Organizing Committees from dues. The 1973 Convention shall*

may apply for a withdrawal card. Upon surrender of his or her membership card, such member shall be issued a withdrawal card. The withdrawing member shall lose all of the rights and privileges of membership and shall be exempt from the payment of dues and assessments falling due during the period of his or her withdrawal. Should the holder of a withdrawal card, otherwise eligible for membership, return to the jurisdiction of the Union and apply for readmission to membership within one year of the date of withdrawal, such person shall be readmitted without being required to pay the Initiation Fee. Should the holder of a withdrawal card, otherwise eligible for membership, return to the jurisdiction of the Union and apply for readmission more than one year but within two years from the date of his withdrawal, such person shall be readmitted upon the payment of a \$15 Initiation Fee. A member who withdraws from the Union and applies for readmission after two years from the date of his withdrawal shall be considered a new applicant and shall pay the required \$25 Initiation Fee.

**\* Section 3:** Membership in this Union shall be terminated:

(a) by death;  
(b) by expulsion as provided in this Constitution;

(c) by accepting a position which renders the member ineligible for membership, provided, however, that a member who temporarily assumes such a position may retain membership for a period not to exceed 30 days

**\* Section 3 Amended, see Appendix C, page 3**

establish a dues structure based on a fixed percentage of union wages and apportioned between the Union's General Fund and its Strike Fund. Every member shall execute the required dues deduction authorizations and pay any dues owing and not deducted. Between Conventions, dues may be changed only by a referendum or Special Convention. Members exempt from dues shall not vote on dues policies.

**Section 1:** Each member of this Union shall pay the membership dues established by the Convention. Membership dues shall be collected in the manner as determined by the Convention or the National Executive Board.

**\* Section 2:** Members serving full time with the Union, or its subordinates or affiliated bodies, shall be exempt from dues for the duration of their full-time Union service.

**\* Section 3:** The National Executive Board may exempt members of Organizing Committees, strikers and boycotters from the payment of the required membership dues, by reason of their inability to pay dues, their volunteered Union service, and/or their inability to reap the benefits of working under a Union contract.

**\* Section 4:** The 1973 Convention shall adopt a dues structure based on a fixed percentage of each member's Union wages. Union wages are defined as wages earned by a Union member while working for an employer or employers party to a Union collective bargaining agreement. Union wages shall include vacation pay, holiday pay, overtime pay and

**\* Sections 2-4 amended, see Appendix C, page 17-19**



any other form of payment or compensation due a Union member under the provisions of a Union collective bargaining agreement. The Convention shall set the precise percentage of every member's Union wages which shall be payable as membership dues. The Convention shall also establish the apportionment of Union dues between the General Fund of the Union and the Union's Strike Fund, and it shall be the duty of the Secretary-Treasurer to so apportion and deposit all membership dues received by the Union.

**Section 5:** The percentage of Union wages dues structure shall take effect January 1, 1974, unless the Convention adopts a later date.

**\*Section 6:** Under the percentage of Union wages dues structure, each member's dues shall be deducted and paid over to the Union each and every week in which the member receives Union wages. It shall be the duty and obligation of every Union member to execute the necessary authorization or authorizations for the percentage deduction from his or her paycheck before earning any Union wages. In the event a Union member receives Union wages from which the proper percentage deduction has not been made, such member shall pay his required membership dues at the nearest Union office within seven (7) days of receipt of such Union wages. Failure to execute the necessary authorization or authorizations or to pay the required dues within seven (7) days, in the event the authorized deduction is not made, shall subject a Union member to suspension and expulsion as provided in Section 9.

**\*Section 6 amended, see Appendix C, pages 13-14**

of ninety (90) days from the date of expulsion. Under the percentage of Union wages dues structure, dues shall become due and payable on the date Union wages are received.

### **ARTICLE XIII, ASSESSMENTS**

**SUMMARY:** General assessments may only be levied by the Convention. Special assessments, not to exceed one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages, may be voted by a two-thirds ( $\frac{2}{3}$ ) vote of the full National Executive Board for a period not to exceed one year. Special assessments of more than one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages or for a period of more than one year may be adopted only by a Special Convention or by a referendum vote. Failure to pay the required assessments shall subject a Union member to disciplinary proceedings.

**Section 1:** The Convention shall have the power and authority to levy a general assessment on the membership, in addition to the membership dues, provided the purpose, amount, duration, and method of payment of such assessment are communicated to the membership prior to the election of delegates and such assessment is adopted by a majority of the per-capita vote, or, if not so communicated to the membership prior to the election of delegates, provided such assessment is adopted by a two-thirds ( $\frac{2}{3}$ ) majority of the per-capita vote. On any such vote, the provisions of Section 8 of the preceding Article shall apply.

**Section 7:** Between regular Conventions, membership dues may be changed or increased only by a referendum or by a Special Convention. Should the National Executive Board desire to change or increase the membership dues established by the Convention, it shall either call a Special Convention for such purpose, as provided in Part Four, or it shall submit the proposed change or increase to a referendum vote, in accordance with Part Nine.

**Section 8:** Delegates to a regular or special Convention representing Administrative Bodies or Organizing Committees whose memberships pay no dues shall not be entitled to vote on any question or proposal concerning membership dues. The dues structure and the amount of dues shall be established, and any changes in same approved, by a majority of the per-capita vote not so disqualified from voting on such issues. Should the National Executive Board submit a dues change or increase to a referendum vote, only the membership of the Ranch Communities and of those Organizing Committees, if any, whose members pay dues, shall be entitled to vote in such referendum.

**\*Section 9:** A member in default in the payment of any installment of dues for thirty (30) days from the date such amount becomes due shall be automatically expelled from the Union. A member so expelled shall not be readmitted without payment of all dues owing at the time of expulsion, any assessments accruing during the period of expulsion, and the regular Initiation Fee of \$25; neither shall such expelled member be readmitted until the lapse

**\*Section 9 amended, see Appendix C, page 14**

**Section 2:** Special assessments may be levied by the Convention in the manner set forth in Section 1 of this Article. Special assessments may also be levied as provided in this Section. In case of emergency or when income from dues and initiation fees is inadequate to finance necessary Union expenses, the National Executive Board may levy a special assessment, or assessments, not to exceed in aggregate one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages, for a period not to exceed one (1) year or until the next regular Convention, whichever is shorter, by a two-thirds ( $\frac{2}{3}$ ) vote of the full membership of such Board. A special assessment or assessments exceeding in aggregate one-half of one percent ( $\frac{1}{2}\%$ ) of Union wages or for a period exceeding one (1) year may be initiated by the National Executive Board for submission to a referendum vote or a Special Convention; any such levy shall not take effect until approved by a majority of the per-capita vote at a Special Convention or by a majority of the membership voting in a referendum. On any such Special Convention or referendum vote, the provisions of Section 8 of the preceding Article shall apply. The sums collected by assessments under this Section shall be used only for the purposes of the assessments, except that any unexpended surplus shall be allocated to the General Fund of the Union, subject to reallocation by the Convention. The Secretary-Treasurer shall keep a complete record of all monies collected by assessments under this Section, and shall issue a full re-

port to the Convention on the receipt and expenditure of such monies.

**Section 3:** Every member shall pay the required Union assessments and shall have the duty and obligation to execute the necessary authorization or authorizations for the deduction of such assessments from his or her paycheck before earning any Union wages subject to such assessments. In the event a Union member receives Union wages from which the required assessments deduction has not been made, such member shall pay his or her required assessments at the nearest Union office within seven (7) days of receipt of such Union wages. Failure to execute the necessary authorization or authorizations or to pay the required assessments within seven (7) days, in the event the authorized deduction is not made, shall subject a Union member to disciplinary action as provided in this Part.

**Section 4:** Nothing herein shall be construed to prevent the adoption by a regular or special Convention or by a referendum vote of a fixed general or special assessment, not based on a percentage of Union wages, which may be collected by mandatory check-off or as such Convention or referendum may otherwise specify.

#### ARTICLE XIV, INITIATION AND OTHER FEES

**SUMMARY:** Initiation fees may be increased, and other fees imposed, in the same manner as dues.

Between regular Conventions, initiation fees may be increased or other fees imposed by a referendum or by a Special Convention. Should the National Executive Board desire to increase the Initiation Fee

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**Section 2:** The Secretary-Treasurer shall prepare a complete list of those dues-paying members less than sixty-one (61) days delinquent on October 1, 1978, and not having worked fifty (50) or more hours under a Union collective bargaining agreement or agreements since January 1, 1971; the members so listed shall be allowed to continue to participate in the Limited Membership and Death Benefit program on the terms and conditions in effect at the time this Constitution was adopted, as set forth in Appendix B, until such time as their membership is terminated by dues delinquency, by working fifty (50) or more hours under a Union collective bargaining agreement or agreements or by death.

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#### ARTICLE XVI, BILL OF RIGHTS OF MEMBERS

**SUMMARY:** Every member shall have the right: to participate equally with other members in Union affairs; to exercise freedom of assembly and freedom of speech; to be protected against arbitrary dues and assessments; to enforce his or her legal rights; to be protected against arbitrary discipline; to receive copies of Union contracts; to be informed of their legal rights as Union members and to participate in democratic Union elections.

**Section 1:** All members of this Union shall have equal rights and privileges in nominating candidates for office, voting in elections, and attending and participating in membership meetings; provided, however, that only dues-paying members and delegates representing such members shall be entitled

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established by the Convention or impose other fees. It shall either call a Special Convention for such purpose, as provided in Part Four, or it shall submit the proposed increase or additional fee to a referendum vote, in accordance with Part Nine.

#### ARTICLE XV, TERMINATION OF LIMITED MEMBERSHIP AND DEATH BENEFIT PROGRAMS SUBJECT TO EXISTING OBLIGATIONS

**SUMMARY:** The Limited Membership and Death Benefit Program for non-contract workers shall be terminated. Union members shall receive death, medical, hospital and other benefits through the Kennedy Plan. The Union will meet its existing liabilities to non-contract limited members in good standing at the time this Constitution was adopted.

**Section 1:** Effective October 1, 1978, the Union's Limited Membership and Death Benefit program, set forth in full in Appendix B to this Constitution, shall be terminated; provided, however, that the Union honor its existing liabilities under such program as set forth in this Article. Effective said date, all new members and all current members who have worked fifty (50) or more hours under a Union collective bargaining agreement or agreements since January 1, 1971, shall look solely to the Robert F. Kennedy Farm Workers Medical Plan for death benefits, and this Union shall have no liability whatsoever to such members or their survivors to provide death or any other benefits not expressly provided or conferred by this Constitution. The decisions of the Convention, or collective bargaining agreements executed by the Union.

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to vote on questions and proposals concerning dues and assessments.

**Section 4:** Every member of this Union shall have the right to meet other members, to express any views, arguments, or opinions, and to express at meetings his views on candidates for office and any other business properly before any and all meetings of this Union.

**Section 5:** Dues and fees may be raised and assessments imposed only as provided in this Constitution. If dues or fees are to be increased, or an assessment imposed, by the action of a regular or special convention, such action shall require approval by a majority of the per-capita vote at such Convention. No special Convention shall be held for the purpose of raising dues or fees or imposing assessment without giving at least thirty (30) days' written notice of the proposed increase or imposition to each Ranch Community and to each Organizing Committee, if any, entitled to vote on such question.

**Section 4:** The right of a member to bring any suit or administrative proceeding or appear as a witness or communicate with legislators, shall not be limited by this Union except as provided in Article XVII, Section 8.

**Section 5:** A member may not be disciplined by the Union except for failure to pay dues, unless he is served with specific written charges, is given a reasonable time to prepare his defense, and receives a full and fair hearing.

**Section 6:** It shall be the policy of this Union to furnish each employee, whether a member or not,

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upon request a copy of any and all collective bargaining agreements which directly affect his rights as an employee.

**Section 7:** It shall be the policy of this Union to inform all members of their rights under the "Labor-Management Reporting and Disclosure Act of 1959," and any other State or Federal laws which guarantee rights of union members.

**Section 8:** It shall be the policy of this Union to follow these democratic standards for all referenda, recalls and elections of Ranch Community Officers and elections of delegates to regular and special Conventions:

- (a) Use secret ballots in elections;
- (b) Reasonable opportunity for members to nominate candidates;
- (c) Protection of freedom of choice in voting;
- (d) Advance notice of nominations and elections;
- (e) Rights of all candidates, the proponents of referenda and the accusing and accused parties in recalls to have an observer at the polls and at the counting of ballots;
- (f) Publication of voting results;
- (g) Over-all conduct of elections according to the Union's Constitution;
- (h) Preservation of election records and the credentials of delegates for at least one year after the election or Convention;
- (i) Prohibition against the use of the Union's funds to support the candidacy of any person for Union office;

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**Section 5:** No member shall bring or cause to be brought in any court any action against the Union, its officers, agents, or employees, in any matter arising out of or related to his membership, which is remediable within the framework of the Union, without having first exhausted all of the remedies available under the Constitution. Any member who violates this reasonable obligation may, if found guilty after notice and hearing in accordance with the provisions of the Constitution, be fined, suspended, and expelled. The National Executive Board shall have authority to assess such member in the amount which such litigation caused to be expended by the Union.

**Section 6:** A member must refrain from conduct that interferes with the performance of the lawful contractual obligations of the Union, or with the proper business of the organization.

**Section 7:** A member must observe reasonable rules established for the conduct of meetings, and refrain from willfully and intentionally disrupting them.

**Section 8:** A member must not willfully and intentionally engage in conduct inconsistent with his obligations under this Constitution by slandering the Union, or any officer thereof, by joining or assisting an organization or association antagonistic to the purposes and objectives of the Union, or by committing or inspiring acts injurious to the best interests of the Union.

**Section 9:** Every member shall faithfully perform each and every other duty and obligation imposed upon him or her by this Constitution, the Uniform

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(f) Election of National Officers at least once every four years and the election of Ranch Community officers at least every two years.

## ARTICLE XVII OBLIGATIONS OF MEMBERSHIP

**SUMMARY:** Every member shall abide by the Constitution and laws of the Union and keep his or her membership pledge. Every member shall pay the required dues and assessments as a priority obligation and shall respect all Union strikes and picket lines. No member shall use the courts against the Union without first exercising his rights under this Constitution. A member must not interfere with the conduct of Union business or engage in conduct which will damage the Union.

**Section 1:** Every member shall abide by the Constitution, laws, rules, regulations, policies and decisions of the Union.

**Section 2:** Every member shall faithfully keep the pledge which he or she made when joining this Union.

**Section 3:** Because every member receiving Union benefits must pay his fair share of the costs of collective bargaining and because dues and assessments are the lifeline of a Union, every member shall give priority to the payment of Union dues and assessments over all other financial obligations.

**Section 4:** Every member shall respect Union picket lines, for there is nothing lower than a strikebreaker.

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Rules and By-Laws governing the Ranch Communities and Organizing Committees, the collective bargaining agreements under which he or she works, and all other lawful acts and decisions of the Convention, the National Executive Board and the National Executive Committee.

## ARTICLE XVIII

### CHARGES AGAINST MEMBERS

**SUMMARY:** Any member in good standing may prefer charges against any other member for the offenses listed below. Charges shall be in writing and sworn to by the accuser. Charges shall be specific and detailed. Charges shall be filed with the president of the Ranch Committee, the director of the Organizing Committee or, if the accused works full-time for the Union, with the Secretary-Treasurer of the Union, who shall set a trial date and serve the accused party.

**Section 1:** Any member of the Union may prefer charges against any other member of the Union for:

- (a) failing to pay any required dues, assessments or fees when due;
- (b) violating any provision of this Constitution;
- (c) violating any decision, act, law, rule, regulation or official policy of the Convention or of the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the

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Un on for any profit received by in in connec-  
tion with Union business conducted by him or  
under his direction;

(f) misappropriating money or property of  
the Union including larceny, embezzlement or  
willful misapplication of Union assets;

(g) other acts of dishonesty;

(h) conduct detrimental to the welfare of the  
Union;

(i) supporting or assisting any other labor  
organization in connection with a claim of juris-  
diction in conflict with this Union's jurisdiction;

(j) supporting or assisting any person, group  
of persons or organization in any act or activi-  
ties for the purpose of replacing this Union as  
a collective bargaining agent;

(k) violating any provision of the Uniform  
Rules and By-Laws governing Ranch Communi-  
ties and Organizing Committees;

(l) violating any provision of a Union collec-  
tive bargaining agreement or failure to observe  
any such provision;

(m) denying the privileges of membership to  
any other member;

(n) denying seniority or other contract rights  
and privileges to any other member;

(o) breach of trust;

(p) working without a dispatch, failing to re-  
port to work after being dispatched or recalled  
without notifying the hiring hall or otherwise  
violating the hiring hall rules and regulations;

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or membership mark, for any unauthorized pur-  
pose;

(bb) furnishing a complete or partial list of  
the membership of the Union, or of any Ranch  
Community, Organizing Committee or Adminis-  
trative Body, to any person or persons other  
than those whose official position entitles them  
to such list;

(cc) deliberately interfering with any official  
of the Union in the discharge of his duties;

(dd) working without Union authorisation  
during the period of an approved strike for a  
Ranch which is being struck by the Union;

(ee) crossing an authorized Union picket line;

(ff) modifying or attempting to modify a  
Union contract or otherwise negotiating with an  
employer, except as provided by Union contract  
in the case of presentation and adjustment of  
grievances;

(gg) committing such other offenses, equally  
serious, which tend to bring the Union into dis-  
repute.

Section 2: A member who fails to pay the re-  
quired dues in the required manner or at the re-  
quired times may be charged, tried and sentenced as  
provided in this Article and the following Article  
before or in addition to being suspended or expell-  
ed without trial as provided in Article XII of this  
Part. A member who refuses to execute the requir-  
ed authorizations for dues deductions prior to earn-  
ing Union wages, or who receives Union wages  
from which the required dues have not been de-

(q) accepting a dispatch or remaining on the  
job while behind in the payment of required  
dues, fines or assessments;

(r) intimidating or discriminating against a  
Ranch representative or officer because of ac-  
tions taken in his or her official capacity;

(s) slandering or libeling the Union or any of  
its subordinate bodies, officers, officials or  
representatives;

(t) accusing any body, official, agent, repre-  
sentative or official of any of the offenses list-  
ed in this Section without preferring charges or  
initiating a recall petition against such persons;

(u) obtaining membership through fraudu-  
lent means or misrepresentation;

(v) violating established work rules;

(w) instituting or initiating, or urging or ad-  
vocating that another member institute, any  
legal action or administrative proceedings  
against the Union or any of its officers or rep-  
resentatives without first exhausting the reme-  
dies and the rights of appeal provided by this  
Constitution;

(x) maliciously publishing or circulating a-  
mong the membership false reports or misrepre-  
sentations;

(y) willfully wronging any other member of  
the Union;

(z) charging interest directly or indirectly in  
excess of the legal rate to fellow members;

(aa) using the name of the Union or any of  
its officers or agents or the Union label, seal

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ducted and who fails to pay such dues within 7  
days, shall be subject to immediate discipline under  
this Article and the following Article.

Section 3: Such charges shall be in writing and  
shall be signed by the accuser or accusers. Such  
charges must state the exact nature of the offense  
or offenses charged and, if possible, the period of  
time during which the alleged offense or offenses  
took place. Official complaint forms shall be avail-  
able at all Union offices for use by members wish-  
ing to prefer charges under this Section. The charg-  
es shall be filed with the appropriate officer or of-  
ficial as follows:

(a) If the accused be a member of a Ranch  
Community, with the President or, if the Presi-  
dent is unavailable or be the accused, with the  
Secretary of such Ranch Community. Such of-  
ficer shall distribute the charges to all mem-  
bers of the Ranch Committee;

(b) If the accused be a member of an Organ-  
izing Committee, with the Director of such Com-  
mittee, or, if the Director be unavailable, with  
the Secretary of the Committee. Such official  
shall distribute the charges to the trial commit-  
tee created as provided in the following Article;

(c) If the accused be a member of an Ad-  
ministrative Body, with the Secretary-Treasurer  
of the Union. Such officer shall distribute the  
charges to the Executive Committee or to a  
trial panel created by the National Executive  
Board for such purposes.

**Section 4:** Charges must be preferred within 30 days of the time the accuser becomes aware of the alleged offense or offenses or, if the accused member has withdrawn, within 60 days of the time he or she is readmitted to membership.

**Section 5:** After charges have been filed as provided in this Article, it is mandatory that a trial be held unless the charges are withdrawn by the accuser or are considered improper under this Article. Prior to serving the accused with a copy of the charges and a Notice of the time and place of trial, as hereinafter provided, the Ranch Committee, or Trial Committee, or National Executive Committee (or Trial Panel of the National Executive Board) shall review the charges and consider them improper if:

(a) they do not state the exact nature of the alleged offense as required by Section 3 of this Article;

(b) the charges are untimely under Section 4 of this Article, or

(c) the act complained of does not constitute an offense described in Section 1 of this Article.

If the charges are found to be improper, the accuser shall be notified in writing and may appeal such decision to the National Executive Board as provided in Article XX of this Part.

**\*Section 6:** If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the written charges, the officer or official receiving the

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**\*Section 6 amended, see Appendix C, page 6**

accused shall have the right of cross examination. Members may serve as prosecutors or defense counsel. The committee or panel shall make its recommendations to the membership. It shall take two-thirds of the members voting to find the accused guilty, three-fourths of the members voting to expel or suspend the accused, and a majority to impose a lesser punishment. If convicted, the member shall be informed of his right of appeal within 3 days.

**Section 1:** Members shall be tried as provided in this Article.

**Section 2:** Members of Ranch Communities shall be tried by their Ranch Committees in the presence of the membership. The Ranch Committee will take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. It shall require at least three (3) members of the Ranch Committee to conduct the trial. If there are not 3 members available, the Secretary shall appoint one or more members in good standing to serve as trial judges. The accused is disqualified to vote at his or her own trial. Any member appointed to serve as a trial judge, shall be disqualified from serving, if he or she is a party or is related to a party to the case.

**Section 3:** Members of Organizing Committees shall be tried by a Trial Committee in the presence of the Membership. The Director shall appoint at least 3 and no more than 5 members in good standing, not parties or related to any party in the case, to serve as a Trial Committee. The Director will

charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally or, if served by registered mail, by mailing such copy of the charges and notice of trial, return receipt requested, at least 9 days before the date set for trial.

**Section 7:** The officer or official receiving the charges shall be responsible for such service. If the accused is served in person, the party making service shall sign a declaration setting forth the place and time that service was made. If service is made by certified mail, return receipt requested, the return receipt shall be kept on file.

**Section 8:** All of the time periods stated in this Article may be extended by the President where, in his judgment, justice will be served by such an extension.

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## ARTICLE XIX

### TRIAL AND DISCIPLINE OF MEMBERS

**SUMMARY:** Ranch Community members shall be tried by their Ranch Committees in the presence of the membership. Members of Organizing Committees shall be tried in the presence of the membership by a Trial Committee appointed by the Director. Members of administrative bodies shall be tried by the Executive Committee or by a Trial Panel. The trial shall be fair and impartial. The accuser must be present. The accused will have the right to produce witnesses, present evidence and be heard on his or her own behalf. The ac-

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take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. The accused is disqualified to vote at his or her trial.

**Section 4:** Members of Administrative Bodies shall be tried either by the National Executive Committee or by a Trial Panel, created by the National Executive Board from among the membership of his or her Administrative Body. Whether or not such Trial Panels are created shall be determined by the National Executive Board. Whether or not a Trial Panel is appointed, the Secretary-Treasurer will take every step necessary to inform the membership of the Administrative Body of a special meeting to be held at the time and place specified in the Notice of Trial.

**Section 5:** The trial shall be orderly, fair and impartial. The burden of proof shall be on the accuser. The accuser must be present. If the accused has been properly served and fails to appear, the trial shall proceed without the accused. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his or her own behalf. All witnesses shall testify under oath and the accused shall have the opportunity to cross-examine witnesses. No lawyers are permitted. A prosecutor may be appointed, from among the membership, to assist the accuser in the trial and presentation of evidence and the accused may select a member to act as counsel.

**Section 6:** The National Executive Committee or the President shall have a qualified person available



Union for any profit received by him in connection with Union business conducted by him or under his direction;

(f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;

(g) other acts of dishonesty;

(h) conduct detrimental to the welfare of the Union;

(i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;

(j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent;

(k) violating any provision of the Uniform Rules and By-Laws governing Ranch Communities and Organizing Committees;

(l) violating any provision of a Union collective bargaining agreement or failure to observe any such provision;

(m) denying the privileges of membership to any other member;

(n) denying seniority or other contract rights and privileges to any other member;

(o) breach of trust;

(p) working without a dispatch, failing to report to work after being dispatched or recalled without notifying the hiring hall or otherwise violating the hiring hall rules and regulations;

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or membership mark, for any unauthorized purpose;

(bb) furnishing a complete or partial list of the membership of the Union, or of any Ranch Community, Organizing Committee or Administrative Body, to any person or persons other than those whose official position entitles them to such list;

(cc) deliberately interfering with any official of the Union in the discharge of his duties;

(dd) working without Union authorization during the period of an approved strike for a Ranch which is being struck by the Union;

(ee) crossing an authorized Union picket line;

(ff) modifying or attempting to modify a Union contract or otherwise negotiating with an employer, except as provided by Union contract in the case of presentation and adjustment of grievances;

(gg) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

**Section 2:** A member who fails to pay the required dues in the required manner or at the required times may be charged, tried and sentenced as provided in this Article and the following Article before or in addition to being suspended or expelled without trial as provided in Article XII of this Part. A member who refuses to execute the required authorizations for dues deductions prior to earning Union wages, or who receives Union wages from which the required dues have not been de-

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(q) accepting a dispatch or remaining on the job while behind in the payment of required dues, fines or assessments;

(r) intimidating or discriminating against a ranch representative or officer because of actions taken in his or her official capacity;

(s) slandering or libeling the Union or any of its subordinate bodies, officers, officials or representatives;

(t) accusing any body, official, agent, representative or official of any of the offenses listed in this Section without preferring charges or initiating a recall petition against such persons;

(u) obtaining membership through fraudulent means or misrepresentation;

(v) violating established work rules;

(w) instituting or initiating, or urging or advocating that another member institute, any legal action or administrative proceedings against the Union or any of its officers or representatives without first exhausting the remedies and the rights of appeal provided by this Constitution;

(x) maliciously publishing or circulating among the membership false reports or misrepresentations;

(y) willfully wronging any other member of the Union;

(z) charging interest directly or indirectly in excess of the legal rate to fellow members;

(aa) using the name of the Union or any of its officers or agents or the Union label, seal

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ducted and who fails to pay such dues within 7 days, shall be subject to immediate discipline under this Article and the following Article.

**Section 3:** Such charges shall be in writing and shall be signed by the accuser or accusers. Such charges must state the exact nature of the offense or offenses charged and, if possible, the period of time during which the alleged offense or offenses took place. Official complaint forms shall be available at all Union offices for use by members wishing to prefer charges under this Section. The charges shall be filed with the appropriate officer or official as follows:

(a) If the accused be a member of a Ranch Community, with the President or, if the President is unavailable or be the accused, with the Secretary of such Ranch Community. Such officer shall distribute the charges to all members of the Ranch Committee;

(b) If the accused be a member of an Organizing Committee, with the Director of such Committee, or, if the Director be unavailable, with the Secretary of the Committee. Such official shall distribute the charges to the trial committee created as provided in the following Article;

(c) If the accused be a member of an Administrative Body, with the Secretary-Treasurer of the Union. Such officer shall distribute the charges to the Executive Committee or to a trial panel created by the National Executive Board for such purposes.

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**Section 4:** Charges must be preferred within 60 days of the time the accuser becomes aware of the alleged offense or offenses or, if the accused member has withdrawn, within 60 days of the time he or she is readmitted to membership.

**Section 5:** After charges have been filed as provided in this Article, it is mandatory that a trial be held unless the charges are withdrawn by the accuser or are considered improper under this Article. Prior to serving the accused with a copy of the charges and a Notice of the time and place of trial, as hereinafter provided, the Ranch Committee, or Trial Committee, or National Executive Committee (or Trial Panel of the National Executive Board) shall review the charges and consider them improper if:

(a) they do not state the exact nature of the alleged offense as required by Section 3 of this Article;

(b) the charges are untimely under Section 4 of this Article, or

(c) the act complained of does not constitute an offense described in Section 1 of this Article.

If the charges are found to be improper, the accuser shall be notified in writing and may appeal such decision to the National Executive Board as provided in Article XX of this Part.

**Section 6:** If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the written charges, the officer or official receiving the

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\* Section 6 amended, see Appendix C, page 6

accused shall have the right of cross examination. Members may serve as prosecutors or defense counsel. The committee or panel shall make its recommendations to the membership. It shall take two-thirds of the members voting to find the accused guilty, three-fourths of the members voting to expel or suspend the accused, and a majority to impose a lesser punishment. If convicted, the member shall be informed of his right of appeal within 3 days.

**Section 1:** Members shall be tried as provided in this Article.

**Section 2:** Members of Ranch Communities shall be tried by their Ranch Committees in the presence of the membership. The Ranch Committee will take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. It shall require at least three (3) members of the Ranch Committee to conduct the trial. If there are not 3 members available, the Secretary shall appoint one or more members in good standing to serve as trial judges. The accused is disqualified to vote at his or her own trial. Any member appointed to serve as a trial judge, shall be disqualified from serving, if he or she is a party or is related to a party to the case.

**Section 3:** Members of Organizing Committees shall be tried by a Trial Committee in the presence of the Membership. The Director shall appoint at least 3 and no more than 5 members in good standing, not parties or related to any party in the case, to serve as a Trial Committee. The Director will

charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally or, if served by registered mail, by mailing such copy of the charges and notice of trial, return receipt requested, at least 9 days before the date set for trial.

**Section 7:** The officer or official receiving the charges shall be responsible for such service. If the accused is served in person, the party making service shall sign a declaration setting forth the place and time that service was made. If service is made by certified mail, return receipt requested, the return receipt shall be kept on file.

**Section 8:** All of the time periods stated in this Article may be extended by the President where, in his judgment, justice will be served by such an extension.

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## ARTICLE XIX

### TRIAL AND DISCIPLINE OF MEMBERS

**SUMMARY:** Ranch Community members shall be tried by their Ranch Committees in the presence of the membership. Members of Organizing Committees shall be tried in the presence of the membership by a Trial Committee appointed by the Director. Members of administrative bodies shall be tried by the Executive Committee or by a Trial Panel. The trial shall be fair and impartial. The accuser must be present. The accused will have the right to produce witnesses, present evidence and be heard on his or her own behalf. The ac-

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take every step necessary to inform the membership of a special meeting to be held at the time and place specified in the Notice of Trial. The accused is disqualified to vote at his or her trial.

**Section 4:** Members of Administrative Bodies shall be tried either by the National Executive Committee or by a Trial Panel, created by the National Executive Board from among the membership of his or her Administrative Body. Whether or not such Trial Panels are created shall be determined by the National Executive Board. Whether or not a Trial Panel is appointed, the Secretary-Treasurer will take every step necessary to inform the membership of the Administrative Body of a special meeting to be held at the time and place specified in the Notice of Trial.

**Section 5:** The trial shall be orderly, fair and impartial. The burden of proof shall be on the accuser. The accuser must be present. If the accused has been properly served and fails to appear, the trial shall proceed without the accused. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his or her own behalf. All witnesses shall testify under oath and the accused shall have the opportunity to cross-examine witnesses. No lawyers are permitted. A prosecutor may be appointed, from among the membership, to assist the accuser in the trial and presentation of evidence and the accused may select a member to act as counsel.

**Section 6:** The National Executive Committee or the President shall have a qualified person available

to serve as a Trial Examiner, if the Ranch Committee should request such expertise, but such Examiner shall not vote or otherwise participate in the deliberation and verdict of the Committee or membership. A faithful and accurate record of the proceedings shall be made, and a complete file of all documents, records and minutes must be preserved for at least 2 years, in the event of appeals.

**Section 7:** The Committee or the Panel shall fully investigate the charges and shall have the power to call for any papers and documents relevant to the case and to demand the presence of witnesses. After hearing all of the evidence submitted by both the accuser and the accused, the Committee or Trial Panel shall go into Executive Session for deliberation and determination of guilt or innocence of the accused. They shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice and based on all of the evidence presented. If it is decided that the charges have not been sustained, the Committee or Panel shall recommend that the case be dismissed. To recommend conviction and disciplinary action, a majority vote is required of the Committee or Panel.

**Section 8:** The recommendation of the Committee or Panel shall be presented to the Ranch Community or Organizing Committee membership. A motion shall be entertained to accept or reject the recommendation. It shall take two-thirds of the members present and voting to declare the accused guilty, three-fourths of the members present and voting to

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in this Section for filing appeals from the decisions of trial courts may be extended at the discretion of the National Executive Board, for a period not to exceed 30 days, when the Board determines that such extension would serve the interests of justice;

\* (c) The National Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial. The National Executive Board shall decide such appeal within 30 days of receipt of the written appeal, and shall notify the appellant, by registered mail, addressed to the address shown on the appeal, of the Board's decision and, if the conviction and/or sentence be reaffirmed, of his or her right to appeal to the Convention or the Public Review Board, as provided in this Article;

(d) When the appellant has been convicted and reprimanded, censured, suspended or reprimanded or censured or suspended or expelled from membership, such penalty shall not be enforced pending final decision by the National Executive Board on any appeal filed as provided in this Section.

**Section 2:** Any member who has been suspended or expelled from the Union and whose suspension or expulsion is upheld by the National Executive Board, may appeal either to the Public Review Board or to the first Convention following the decision of the National Executive Board, as provided in this Section. A member may not appeal his sus-

expel or suspend the member, and a majority of the members present and voting to impose lesser penalties. The accused shall be informed orally, if he or she be present, and, within 3 days after the close of the trial, shall be served with written notice of the decision and penalty, if any, and of his or her right of appeal.

## 20 ARTICLE XX

**APPEALS TO THE NATIONAL EXECUTIVE BOARD**  
**SUMMARY:** Within 15 days after being tried, a member may file a written appeal with the Secretary-Treasurer. The National Executive Board shall decide the appeal in 30 days. If decision is upheld, member may appeal to Convention. A member suspended or expelled may appeal to Convention or Public Review Board. Members with other complaints and subordinate bodies may appeal to National Executive Board, as provided in Section 4. Certain grievance cases may be taken to Public Review Board.

**Section 1:** Any member tried and disciplined, as provided in the preceding Article, shall have the right to appeal to the National Executive Board, as follows:

(a) The appeal to the National Executive Board shall be in writing, shall contain the return address of the appellant, and shall be directed to the Secretary-Treasurer of the Union, who shall obtain the record of the case;

(b) Such written appeal must be mailed to the Secretary-Treasurer within 15 days of the date of the trial. The 15-day time limit provided

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pension or expulsion to both the Public Review Board and the Convention. Appeal to the National Convention or the Public Review Board shall not stay the suspension or expulsion. The right of appeal to the Convention or the Public Review Board shall be exercised by filing a notice of appeal within 15 days of receipt of notice of the National Executive Board's decision, with the Secretary-Treasurer of the Union. Notice of appeal shall specify to which body the appeal is being taken.

**Section 3:** Any member tried and disciplined, as provided in the preceding Article, but not suspended or expelled by the decision of the National Executive Board on appeal, shall have the right of appeal only to the Convention, in the manner provided in Section 2 of this Article. Such member may not appeal the decision of the National Executive Board to the Public Review Board. An appeal to the Convention shall not suspend enforcement of the discipline affirmed by the National Executive Board.

**Section 4:** All members of the Union and all subordinate bodies of the Union shall be entitled to the right of appeal to the National Executive Board, in addition to the right of appeal specified in Section 1 of this Article, as follows:

(a) Any member of any I Community, Organizing Committee or Administrative Body who wishes to challenge any action or decision of that body, or of any official or representative of that body, must initiate the challenge before that body within 30 days of the time he or she first became aware of the action or de-

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cision. The challenge shall be submitted in writing to the President of the Ranch Community, the Director of the Organizing Committee or the Secretary-Treasurer of the Union, within such 30-day period. The challenge shall be brought before the next general membership meeting for consideration;

(b) If the challenged action or decision is passed upon and upheld by the general membership, the aggrieved member shall be entitled to appeal such action or decision to the National Executive Board, by filing a written appeal with the Secretary-Treasurer of the Union within 15 days of the date of the general membership meeting. Such appeal shall be decided within 60 days or at the next regular meeting of the National Executive Board, whichever first occurs;

(c) Any member or subordinate body, wishing to challenge any action or decision of any National officer or official, or any representative agent or employee of a National officer or official, must initiate the challenge within 30 days of the time he or she first became aware of the action or decision. The challenge shall be initiated by filing a written appeal with the Secretary-Treasurer of the Union, or, if the challenge be directed against such Officer, to the President, within such 30-day period. Such appeal shall be decided within 60 days or at the next regular meeting of the National Executive Board, whichever first occurs;

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## 21 ARTICLE XXI PUBLIC REVIEW BOARD

*SUMMARY: A Public Review Board shall be established to decide appeals from the National Executive Board concerning suspension or expulsion from the Union or cases of fraud, discrimination or collusion with the company in handling grievances. The Convention shall ratify the three members of the board proposed by the President and National Executive Board. It shall hold hearings in certain cases and its decisions shall be final. It shall present an annual report to the membership.*

**Section 1:** To further strengthen democracy and appeal procedures within the Union as they affect the vital rights and privileges of members, there shall be established a Public Review Board consisting of impartial persons, dedicated to the welfare and advancement of farm workers, and not working under the jurisdiction of the Union or full-time for the Union.

**Section 2:** The Public Review Board shall consist of 3 members, including the Chairman. Their terms shall be for the period between regular Conventions. At the First Constitutional Convention, the President shall, subject to the approval of the National Executive Board, propose the names of the Chairman and other members of the Public Review Board for ratification by the Convention. Any vacancy on the Public Review Board shall be filled by the National Executive Board, from the list of

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(d) Any member aggrieved by any action or inaction concerning the processing of a collective bargaining grievance may appeal directly to the National Executive Board by filing a written appeal with the Secretary-Treasurer of the Union within 15 days of the time the challenged action or inaction is alleged to have occurred. Such appeal shall be decided within 60 days or at the next regular meeting of the National Executive Board, whichever first occurs;

(e) The National Executive Board, upon deciding any appeal under this Section, shall promptly notify the appellant of its decision and of the right of appeal to the Convention or the Public Review Board, as provided in the following Section. Such notice shall be sent as provided in Section 1 (c) of this Article.

**Section 5:** Any member or subordinate body wishing to appeal any decision of the National Executive Board may, in all cases, take such appeal to the next Convention in the manner described in Section 2 of this Article. In addition to the members described in Section 2 of this Article, any member unsuccessfully appealing to the National Executive Board pursuant to Section 3 (e), and alleging that the grievance was improperly handled because of fraud, discrimination or collusion with management, shall have the alternative and option of appealing such matter to the Public Review Board. Such appeal shall be filed in the manner described in said Section 2 of this Article.

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names submitted by the remaining members of the Public Review Board.

**Section 3:** The Public Review Board shall have the authority and duty to make final and binding decisions on all cases appealed to it in accordance with Sections 2 and 4 of Article XX of this Constitution.

**Section 4:** Upon receipt of the Notice of appeal to the Public Review Board, the Secretary-Treasurer shall forward, to the Chairman, all documents and records in the case. The Public Review Board shall adopt rules and practices to facilitate its proper functioning.

**Section 5:** In the case of a member appealing suspension or expulsion from the Union, the Board may, after studying the documents and records and preliminary consideration or investigation, decide to dismiss the appeal without a hearing, if it determines that the appeal is insubstantial or that no useful purpose would be served by a hearing. Otherwise the Board shall hold a hearing and, upon due consideration, issue its decision which shall be final and binding upon all parties. Such decision shall be issued within 45 days of the date the Notice of Appeal was filed.

**Section 6:** In cases involving the processing of grievances, the Board shall first determine whether the specific allegation upon which the Board's jurisdiction is to be based is or is not true. If the Board finds that there has been no fraud, discrimination, or collusion with management, it must dismiss the appeal. Otherwise, the Board shall proceed to dis-

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pose of all facets of the appeal; provided that in no event shall the Board have the jurisdiction to review an official collective bargaining policy of the Union.

Section 7: The Public Review Board shall prepare and submit to the membership an annual report of its activities, including a summary of all appeals it has handled during the year. The report shall be published to the membership and, during Convention years, it shall be distributed to all delegates.

#### PART FOUR — CONVENTIONS

##### ARTICLE XXII 22

##### BIENNIAL CONVENTIONS

**SUMMARY:** The Union shall have a Convention every two years.

The Union shall meet in regular Conventions every two years on the Friday preceding Labor Day at a place designated by the National Executive Board. The National Executive Board may, for good cause, change the place or defer the opening date of the Convention to a date not later than October 15.

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##### ARTICLE XXIII CONVENTION CALL

**SUMMARY:** Sixty days before the Convention the Secretary-Treasurer shall mail to each delegation a Convention Call stating the place and date of the Convention, the number of each delegation, and the per capita vote of each delegation.

The Secretary-Treasurer shall not later than 60 days prior to the Convention date, mail to each Ranch Community, Organizing Committee, and Ad-

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of Auditors and the legally elected delegates from the Ranch Communities, Organizing Committees, and Administrative Bodies. The members of the National Executive Board and the Board of Auditors shall serve as accredited delegates by virtue of their office, with all privileges of elected delegates, except they shall not be permitted to vote. No delegate shall be entitled to a seat in the Convention unless:

(a) He or she has been a Union member in good standing for at least one year prior to his or her election; and

(b) He or she has been a member of the Delegate Body which he or she represents for at least three months prior to the Convention; and

(c) The delegate is in good standing at the time of the Convention.

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##### ARTICLE XXVI

##### ELECTION & CERTIFICATION OF DELEGATES

**SUMMARY:** The call shall specify the number of delegates to which each body is entitled based on the below formula. The per-capita vote of each delegation shall be determined as of May 31 of the Convention Year. Members will vote at the ranch where they presently are working or last worked, on the first Sunday in August. The elections will be held at the appropriate Union office.

Section 1: The Call shall specify delegation strength. Each Ranch Community and Organizing Committee shall be entitled to the number of delegates indicated in the following scale:

1-50 members = 1 delegate

51-100 members = 2 delegates

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Administrative Body a Convention Call stating the date and place where the Convention is to be held. The Convention Call shall specify the number of delegates each Ranch Community, Organizing Committee and Administrative Body (hereinafter called "delegation") is entitled to elect as its representatives to the Convention and the per capita voting strength of each delegation.

##### ARTICLE XXIV

##### POWERS OF THE CONVENTION

**SUMMARY:** The Convention shall have the power to decide upon credentials and seating, establish Union policies, interpret and amend this Constitution.

The Convention shall have the power to:

(a) Pass upon the credential and seating of delegates;

(b) Establish the policies to be followed by the Union;

(c) Interpret and amend this Constitution;

(d) Do all things necessary for the proper disposition of any matter which may come before it for consideration.

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##### ARTICLE XXV

##### COMPOSITION OF THE CONVENTION

**SUMMARY:** The National officers and delegates shall constitute the Convention. National officers shall not vote. Delegates must have been Union members for one year and members of the unit they represent for three months.

The Convention shall be comprised of the members of the National Executive Board and the Board

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101-300 members = 3 delegates

301-500 members = 4 delegates

501-700 members = 5 delegates

701-1000 members = 6 delegates

1001-1500 members = 7 delegates

1501-2100 members = 8 delegates

2101-2800 members = 9 delegates

Over 2800 members = 10 delegates

Section 2: Administrative Bodies are administrative units created by the National Executive Board and composed of members serving full-time with the Union as provided in Part Three.

Section 3: Only members in good standing with the Union may participate in delegate elections. During the period of an authorized strike, members working full-time on the boycott shall continue to be members of and vote with their Ranch Community being struck.

Section 4: Each Administrative Body shall be entitled to the following number of delegates:

5-25 members = 1 delegate

26-50 members = 2 delegates

51-100 members = 3 delegates

Over 100 members = 4 delegates

\*Section 5: The membership and per capita vote of each delegation shall be determined and certified by the Secretary-Treasurer and shall be determined as of May 31 of the Convention year, provided, however:

(a) For each Administrative Body not having at least 5 members as of such date, the Secretary-Treasurer shall designate the Administra-

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\*Section 5 Amended, see Appendix C, page 4



tive Body or Bodies with which it is combined for purposes of electing delegates;

(b) The membership of each Ranch Community shall be calculated on the basis of every member having worked at that Ranch during the 12-month period ending May 31; members working at more than one Ranch during the 12-month period shall be assigned for purposes of calculating per-capita vote to the Ranch where they worked the most hours;

(c) Where the subordinate body as determined by the Secretary-Treasurer is not evenly divisible by the number of delegates which such body is entitled to elect pursuant to Sections 1 and 4 above, the Secretary-Treasurer shall allot sufficient additional per capita votes to such body so that each delegate may cast the same number of per-capita votes.

**Section 6:** Elections for all delegates shall be held on the first Sunday in August of the Convention year. Members of Ranch Communities shall vote for delegates at the Ranch where they are employed on said date or at the Ranch where they were most recently employed. Elections will be held at the office of the Organizing Committee or Administrative Body or at the field office having jurisdiction over the Ranch Community. Each body shall elect an alternate delegate for each delegate elected who shall attend the convention in the event the delegate is unable to attend. The alternate receiving the most votes shall be the first alternate, and so forth.

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attached to this Constitution as Appendix A. A majority of all duly selected delegates present and voting shall constitute a quorum. The delegates shall cast their votes, and the same shall be counted by the Secretary of the Convention who shall keep accurate records of all votes and preserve same for one year after the Convention. The Secretary shall announce the result of each vote.

#### ARTICLE XXVIII

##### CONDUCT AT THE CONVENTION

**SUMMARY:** The President shall be the chairman and the Secretary-Treasurer shall be the Secretary of the Convention. The President shall appoint a Sergeant-at-arms.

**Section 1:** The President of the Union shall be chairman of the Convention, but may call any delegate to act in his stead.

**Section 2:** The Secretary-Treasurer of the Union shall serve as Secretary of the Convention and shall maintain an accurate record of the Convention proceedings, and preserve it for one year.

**Section 3:** The President shall appoint a Sergeant-at-arms who shall arrange for the seating of delegates at the Convention. He shall, under the direction of the President, maintain proper order and decorum within the hall, and shall perform such other duties as the President may require.

#### ARTICLE XXIX

##### COMMITTEES OF THE CONVENTION

**SUMMARY:** Prior to the Convention, the President shall appoint five committees and designate

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**Section 7:** The Secretary of each Ranch Committee and Organizing Committee and the Secretary-Treasurer of the Union shall certify the names, addresses, and Ranch of each delegate and alternate, to the President at least 21 days before the Convention.

**Section 8:** Ranch Communities, Organizing Committees and Administrative Bodies created after May 31st shall elect delegates to be assigned a per-capita vote based on the membership on the date of their creation.

**Section 9:** Delegations without a full compliment of delegates may cast the entire per-capita vote to which they are entitled only if so recommended by the Credentials Committee and approved by the Convention. There shall be no proxy voting.

#### ARTICLE XXVII 27

##### VOTING AT THE CONVENTION

**SUMMARY:** Every delegate shall have one vote except on roll-call votes required by this Constitution or permitted under the rules.

Each delegate shall have one vote in the Convention except on a roll-call vote. Voting by roll-call shall be by per-capita vote with each delegate casting the number of votes assigned to him and approved by the Credentials Committee of the Convention. Per-capita votes shall be had in the case of contested elections for National Officers and members of the Board of Auditors, on questions or resolutions concerning dues, assessments or fees, and on amendments to this Constitution. All other voting shall be as provided in the Permanent Rules

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committee chairmen. The National Executive Board shall have the power to appoint additional committees when necessary.

Prior to each Convention, the President shall appoint five committees: Credentials, Rules and Order of Business, Resolutions, Constitution, and Elections. The Resolutions Committee shall be comprised of 25 delegates and all other committees shall be comprised of 5 delegates, provided, however, that no National Executive Board members may serve on the Election Committee.

The President shall designate a member of each committee as chairman. The National Executive Board shall have the authority to appoint those Committees which are not required by this Constitution and which may be necessary to promote the objectives of the Convention. The President of the Union shall ex-officio be a member of every committee, except the Elections Committee.

#### ARTICLE XXX 30

##### CREDENTIALS

**SUMMARY:** Credentials shall be forwarded to all delegate bodies within two weeks after the call. After the delegate elections the credentials shall be forwarded to the Secretary-Treasurer of the Union in the time above-specified.

Credential blanks in duplicate for delegates and alternates shall be forwarded to all delegate bodies. They must be attested as required. Immediately after the election and no later than 21 days before the Convention, the original credentials shall be forwarded to the Secretary-Treasurer. The duplicate

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credentials shall be retained for presentation to the Credentials Committee. The Credentials Committee shall meet prior to the opening of the Convention. The Convention will not be constituted for business until after the Credentials Committee shall have examined and reported on credentials of all delegates present at the scheduled time on the opening date of the Convention. The Credentials Committee shall pass on the validity of all credentials, its decisions being appealable to the Convention.

### ARTICLE XXXI 31 RESOLUTIONS

*SUMMARY: Any delegate body may submit resolutions prior to the Convention by mailing them to the Secretary-Treasurer 21 days or more before the Convention. During the Convention resolutions must be submitted to the Committee on Resolutions, signed by 10% of the delegates.*

\*Any delegate body may submit resolutions prior to the Convention by mailing them to the Secretary-Treasurer at least 21 days before the Convention. The Secretary-Treasurer shall sort and distribute such resolutions to the appropriate committees of the Convention. Protests of delegate elections must be received by the Secretary-Treasurer not more than 7 days after the delegate election in dispute. These protests shall be referred to the Credentials Committee which may waive the foregoing time limitation where the interests of justice would be served. During the Convention, resolutions may be submitted to the Resolutions Committee by 10% or more of the accredited delegates. The President,

*\*These sentences amended<sup>53</sup>, see Appendix C, page 4*

Section 3: In any case where there is only one nominee for an office or position, the unopposed candidate shall be declared elected. In all other instances, election shall be by roll call vote.

Section 4: A majority of the votes cast shall be required to elect a President and a Secretary-Treasurer. If no candidate receives a majority, a run-off election shall be held between the two candidates receiving the greatest number of votes on the first vote. The same requirements shall apply to the election of the First, Second, and Third Vice Presidents.

Section 5: In the election of Executive Board Members, if there are no more than four nominees, the unopposed candidates shall be declared elected. In all other cases, the election shall be by roll call vote. If there are more than twice as many candidates as there are offices, there shall be a run-off election in which there shall be eight candidates; the candidates in the run-off shall be selected on the basis of their showing on the first roll call vote.

Section 6: The Union shall comply with all reasonable requests by any good-faith candidate for office to distribute campaign literature at the candidate's expense to all members in good standing.

### 33 ARTICLE XXXIII

#### ELECTION OF MEMBERS OF BOARD OF AUDITORS

*SUMMARY: Members of the Board of Auditors shall be elected for two years. Nominations and elections shall be in open convention. Any eligible members may be nominated with 5% delegate sup-*

Secretary-Treasurer, and members of the National Executive Board may also submit resolutions. Whenever there is a Majority and Minority Report from the Resolutions Committee, the Minority Report shall be presented to the Convention first for adoption or rejection.

### 32 ARTICLE XXXII

#### ELECTION OF NATIONAL OFFICERS

*SUMMARY: National officers shall be nominated and elected for four years in open convention*

Section 1: The National Officers — the President, Secretary-Treasurer, First, Second, and Third Vice President, and the four Executive Board Members — shall be elected for four year terms beginning with the 1973 Convention. Vacancies shall be filled, as provided in Part Six, for the period during regular Conventions. The next regular Convention shall elect a successor for a term of two or four years, to coincide with the regular quadrennial election of officers.

Section 2: Nominations for officers shall be in open Convention and no nominating committee shall be used. Any member of the National Executive Board and any delegate may nominate any eligible member for any office or position, provided such nomination is made and seconded by delegates representing at least 5% of the accredited delegations and at least 5% of the total accredited per capita vote at the convention. Following nominations, any nominee may decline. Challenges to the eligibility of any nominee may be made orally or in writing to the Chairman of the Elections Committee.

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*port. The election shall be conducted in the same manner as for the Executive Board members.*

The members of the Board of Auditors shall be elected for two year terms beginning with the 1973 Convention. Vacancies shall be filled as provided in the preceding article and elected in the same manner as the Executive Board members, except that the number to be elected shall be five instead of four.

### 34 ARTICLE XXXIV

#### INSTALLATION OF NATIONAL OFFICERS AND MEMBERS OF THE BOARD OF AUDITORS

*SUMMARY: Elected officers and officials shall be installed by an installation officer appointed by the President. They shall each take the required pledge.*

Section 1: Incoming elected National Officers and Members of the Board of Auditors shall be installed by such person as the President may designate.

Section 2: The Installing Officer shall administer the following pledge to each such elected officer and official:

"I do hereby solemnly and sincerely pledge my honor, in the presence of the witnesses here assembled, to perform the duties of my office, as provided in the Constitution and laws of the United Farm Workers of America, to the best of my ability, and to bear true allegiance to this National Union. I will, at all times, conduct myself and carry out the duties of my office in a manner which will lead honor to my Union.

I do further pledge to deliver to my successor in office all books, papers and other property of the Union that may be in my possession or under my control at the close of my official term."

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**ARTICLE XXXV  
SPECIAL CONVENTIONS**

**SUMMARY:** *The National Executive Board or 20% of the membership may call a Special Convention. The Convention shall be held within 30-40 days as specified in the call, and all members shall be notified of the time and place of delegate elections.*

**Section 1:** Special Conventions may be called by the National Executive Board and shall be called upon the request of twenty percent (20%) of the Ranch Communities and Organizing Committees representing 20% of the membership of the Union.

**Section 2:** Within 20 days of receipt of a sufficient request or direction for a Special Convention, the Secretary-Treasurer shall issue a call for such Convention to be held at least 30 days and not later than 40 days after the date of the Call. The date and place of the Convention shall be specified as well as the per-capita voting strength of each delegation, calculated as of the last day of the fourth month preceding the date of the Convention. Delegates shall be elected pursuant to the scale and rules used in Article XXVI. All members shall be given the notice as required by law as to the place and time of the delegate election. Credentials and Resolutions shall be submitted to the Secretary.

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**Section 2:** It shall have the power to interpret the provisions of this Constitution and to review and pass upon the interpretations of the Constitution made by the President.

**Section 3:** It shall have the power to review and pass upon the Executive and Judicial functions and acts of the Officers of the Union.

**Section 4:** It shall have the power to take such action and steps as may be necessary to organize the unorganized.

**Section 5:** In order to promote and conserve the welfare and interest of the Union, it shall have the power to take such action as in its opinion it may deem necessary and beneficial to carry out the objects and purposes of this Union. It shall be empowered and authorized to make such expenditures and payments out of the funds of the Union as are proper and necessary to carry out the objects, purposes and policies of the Union, as set forth in the Constitution.

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**ARTICLE XXXVIII  
EMERGENCY POWERS OF THE NATIONAL  
EXECUTIVE BOARD**

**SUMMARY:** *It is the responsibility of the Convention to make the Union's laws. Between Conventions, in case of an emergency, the Board may pass laws or amend the Constitution under certain conditions and rules.*

**Section 1:** The Board may exercise emergency legislative power when it is necessary to do so in order to comply with the civil law or when, by a

Treasurer within two days of the elections. Once convened, a Special Convention shall be governed by the Permanent Rules and the Constitutional provisions set forth in this Part.

**PART FIVE — THE NATIONAL EXECUTIVE BOARD  
ARTICLE XXXVI 36**

**COMPOSITION AND AUTHORITY**

**SUMMARY:** *The 9 National Officers elected by the Convention shall be the members of the National Executive Board. Between Conventions, the Board shall control the Union's affairs.*

**Section 1:** The National Executive Board shall be composed of the President, the Secretary-Treasurer, 3 Vice Presidents and 4 Executive Board members.

**Section 2:** Subject to review of the Convention, it shall have the authority and control over all of the Executive and Judicial powers of the United Farm Workers of America.

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**ARTICLE XXXVII  
GENERAL POWERS OF THE NATIONAL  
EXECUTIVE BOARD**

**SUMMARY:** *The Board shall supervise the affairs and property of the Union. It shall interpret the Constitution, and review the acts of the Union Officers. It shall spend Union money only when necessary to carry out the purposes and policies of the Union.*

**Section 1:** It shall have general supervision over the affairs and property of the Union, and it shall have all powers necessary or appropriate to effectuate the powers granted to it by this Constitution.

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$\frac{2}{3}$  vote, the Board declares an emergency situation requiring legislative action.

**Section 2:** The Board may exercise this emergency power by adopting new legislation not inconsistent with this Constitution, provided, however, that such emergency legislation shall terminate at the following Convention unless approved and extended by the Convention. The Board may also exercise this emergency power by amending the Constitution, provided, however, that any such Constitutional amendment shall lapse 100 days after the date of its adoption unless it has been approved by a Special Convention or a Referendum vote of the membership within such time period.

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**ARTICLE XXXIX  
SPECIFIC POWERS OF THE NATIONAL  
EXECUTIVE BOARD**

**SUMMARY:** *The Board shall have the power to: submit resolutions to the Convention; acquire and dispose of property; bank and invest the Union's funds; borrow money and use the Union's property as security; make guarantees; submit referenda to the membership; charter subordinate bodies and suspend or revoke such charters under certain conditions; levy limited special assessments; publish a newspaper; and delegate its powers to committees or members of the Board.*

**Section 1:** It shall have the power to formulate proposals and resolutions for submission to the Convention.

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Section 2: It shall have the power to authorize the purchase, sale, rental, lease, or other acquisition or disposition of real and personal property.

Section 3: It shall have the power to designate the depositories for the Union's funds and to regulate the method of withdrawal of such funds, subject to the provisions of Article L of this Constitution. It shall have the power to establish the investment policy of the Union's funds and to regulate the manner in which investments shall be made.

Section 4: It shall have the power to borrow money and to pledge the property, real and personal, of the Union as security for such loans.

Section 5: It shall have the power to make guarantees.

Section 6: It shall have the power to submit referenda to the membership, as provided in Part Nine of this Constitution.

Section 7: It shall have the power to issue charters to subordinate bodies, specifying the jurisdiction, powers and authority to be exercised by such subordinate bodies, when, in its opinion, the issuance of such a charter would further the welfare and best interests of the Union and its membership.

Section 8: It shall have the power to suspend or revoke the charter or other authority of, or to reprimand, discipline or reorganize any subordinate body which has been found guilty of failing to comply with this Constitution, or with the laws, policies and decisions adopted by the Convention or the National Executive Board or by referendum vote, or of other misconduct.

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tive Board shall conduct such other audits as it deems necessary.

Section 1: The National Executive Board shall retain the services of a Certified Public Accountant to assist the elected Board of Auditors in the conduct of the annual audit. The National Executive Board shall provide all possible assistance and cooperation to the Board of Auditors in the carrying out of their Constitutional duties.

Section 2: The National Executive Board shall insure that the required annual audit is made and, if it determines that the Board of Auditors has not met its full responsibilities with respect to such audit, the National Executive Board shall have the power and duty to have an independent audit made by a qualified person or persons. The National Executive Board shall insure that the results of the annual audit are published to the membership by the Secretary-Treasurer, or otherwise.

Section 3: Nothing in this Constitution shall be deemed to prevent the National Executive Board from conducting more frequent or such other audits as it deems necessary or advisable.

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#### ARTICLE XLII

##### ADMINISTRATIVE DEPARTMENTS AND OFFICES

*SUMMARY: The President shall direct the Administrative Departments of the Union. The National Executive Board shall create additional departments as needed to be directed by the President. For purposes of administration, the National Executive Board may divide the Union into*

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Section 9: It shall have the power to levy special assessments for necessary revenue in accordance with Part Three, Article 13 of this Constitution.

Section 10: It shall have the power to publish a newspaper, in one or more languages, and to appoint its editor.

Section 11: It shall have the authority to delegate any of its powers, except where prohibited by other provisions of this Constitution, to any Board member or members or Committee of such members, and it may revoke such delegation of powers at any time.

Section 12: It shall have the power to promulgate Uniform Rules and By-Laws governing Ranch Communities and Organizing Committees for submission to and ratification by such Communities and Committees. These Uniform Rules and By-Laws shall become effective immediately upon approval by Ranch Communities representing a majority of the total Ranch Community *per-capita* vote at the 1973 Convention, and by a majority of the total Organizing Committee *per-capita* vote at said Convention.

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#### ARTICLE XI

##### AUDITS

*SUMMARY: The National Executive Board shall retain the services of an accountant and provide all other necessary assistance to the Board of Auditors for the conduct of the annual audit. The National Executive Board shall insure that the annual audit is made and that the results are published to the membership. The National Execu-*

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regional areas and maintain such field or area offices as the President and the National Executive Board deem necessary. Such offices shall be directed by the President.

Section 1: The Organizing, Boycott, Strike, Legal, Negotiations, Research, Membership, Administrative and other existing Departments of the Union shall be funded by the National Executive Board and directed by the President. The National Executive Board may create and fund such additional or other Departments of the Union as it may from time to time deem necessary or as the President shall recommend. All such Departments shall be directed by the President.

Section 2: For purposes of administration, the National Executive Board may divide the Union into regional areas and operate and maintain such field or area offices as the President shall recommend or as it deems necessary to service the membership, organize the unorganized, and obtain and enforce collective bargaining agreements or otherwise promote the business of this Union or the welfare of its membership. All such field or area offices shall be directed by the President who may appoint such field or area directors and other staff as he deems necessary and appropriate.

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#### ARTICLE XLII

##### TRUSTEES FOR EMPLOYEE BENEFIT PROGRAMS AND UNION SERVICE PROGRAMS

*SUMMARY: The National Executive Board shall appoint trustees and directors to serve on the ne-*

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negotiated Health and Welfare, Pension and other employee benefit plans. Whenever practicable, the Union shall establish additional service programs.

Section 1: Whenever the Union negotiates a health and welfare, pension, legal services, day care or other employee benefit program which is to be funded by employer contributions and governed by a trust or non-profit corporation composed of employer and Union representatives, it shall be the duty and obligation of the National Executive Board to appoint the Union Trustees, Directors or other representatives to serve without compensation on such Board of Trustees or Non-Profit Corporations.

Section 2: This Union shall establish and maintain, whenever practical, a Credit Union, Group Insurance programs, Social Service programs, educational training, retirement programs, and such other programs, including the ones mentioned in the preceding Section which have not been negotiated, as will promote the objects and purposes of this Union and the welfare of its membership.

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#### ARTICLE XLIII

##### DELEGATES TO AFL-CIO CONVENTIONS

**SUMMARY:** The National Executive Board shall select delegates to represent this Union at the Biennial Conventions of the AFL-CIO

The National Executive Board shall select delegates to represent the United Farm Workers of America, AFL-CIO, at the Biennial Conventions of the American Federation of Labor-Congress of Industrial Organizations.

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As specified in this Constitution. Only a majority of the National Executive Board can adjourn a Board meeting.

Section 4: In all matters requiring action by the National Executive Board, and when the Board is not in formal session, the Board may act by telegram, letter or long-distance telephone. When the President requires action by the National Executive Board, which action cannot wait until the next scheduled regular meeting of the Board, and which action does not merit the delay or expense of a special meeting in the view of the President, the President may obtain such action by telegraphing, writing or telephoning the members of the National Executive Board, and the members may take action on the matter brought to their attention in the same manner, provided that all members of the Board be polled. Such action taken by a majority of the Members of the Board shall constitute official action of the Board, provided it is confirmed at the next formal session of the Board.

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#### ARTICLE XLV

##### EXECUTIVE AND OTHER COMMITTEES

**SUMMARY:** The President, Secretary-Treasurer and Vice Presidents shall sit on the Executive Committee. The committee shall have the duties and powers assigned to it by the Convention, the National Executive Board and the Constitution. Meetings shall be called by the President and three members shall constitute a quorum. The Executive Committee shall be the highest authority

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#### ARTICLE XLIV

##### MEETINGS, QUORUMS AND POLLING

**SUMMARY:** The National Executive Board shall meet four times a year. Special meetings shall be called at the request of the President or a majority of the Board. A majority of the Board members shall constitute a quorum. In certain circumstances, the Board may act by telegram, telephone or letter.

Section 1: The National Executive Board shall hold regular meetings at least once every ninety days, at such time and place as it may decide. It shall be mandatory for the Board members to attend all meetings. Board members absent because of illness or actual engagement on special Union business shall be excused.

Section 2: Special meetings shall be called by the Secretary-Treasurer at the request of the President. Upon written request of three (3) Board members, the Secretary-Treasurer, within 72 hours of receipt of such request, shall poll the National Executive Board on the question of a special meeting. Upon a majority vote for such a meeting, the President shall convene the Board within 15 days. Only business specified in the Notice of a Special Meeting shall be considered and acted upon, unless a majority of the Board members present decide otherwise.

Section 3: A quorum shall consist of not less than a majority of the Board members, provided that the President and/or the Secretary-Treasurer must be present. All matters to be voted upon shall require approval by a majority of the quorum unless other-

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of the Union between meetings of the National Executive Board. The President may be authorized to appoint other necessary committees.

Section 1: There shall be an Executive Committee of the Union consisting of the President, the Secretary-Treasurer and the three Vice Presidents. The Executive Committee shall be the highest authority of the Union between meetings of the National Executive Board. It shall have such administrative powers, duties and authorities as may be assigned to it by the Convention, the National Executive Board and this Constitution. The Executive Committee shall have the power to act on all matters on which the National Executive Board is empowered to act, subject to the approval of the National Executive Board at its next meeting; provided, however, that it shall not have the power to levy special assessments or to fill vacancies on the National Executive Board.

Section 2: Meetings shall be called by order of the President. At its meetings, three members shall constitute a quorum provided the President and/or Secretary-Treasurer are present. All matters to be voted upon shall require approval by a majority of the quorum.

Section 3: The National Executive Board may authorize the President to appoint, from among its members, such other committees, and delegate to them such functions and powers as it deems desirable.

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**PART SIX — NATIONAL OFFICERS AND REPRESENTATIVES — TITLES, TERMS OF OFFICE, VACANCIES, DISQUALIFICATIONS, DUTIES, LIMITATIONS ON POWER, AND DISCIPLINE AND REMOVAL FROM OFFICE.**

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**ARTICLE XLVI**

**TITLES AND TERMS OF OFFICE**

**SUMMARY:** *The Convention shall elect a President, a Secretary-Treasurer, 3 Vice Presidents and 4 Executive Board Members. National officers shall serve for four years.*

**Section 1:** Beginning with the 1973 Convention, the Convention shall elect 9 National Officers as follows: a President, a Secretary-Treasurer, three Vice Presidents and four Executive Board Members.

**Section 2:** The National Officers so elected shall serve four-year terms of office or until their successors are elected and assume office.

**ARTICLE XLVII 47**

**VACANCIES**

**SUMMARY:** *A vacancy in the office of President or Secretary-Treasurer shall be filled by a member of the National Executive Committee, elected by the Executive Board. A vacancy in any other National office may be filled by any qualified member elected by the National Executive Board. Officers so elected shall serve until the next regular Convention.*

\* **Section 1:** If the office of President or Secretary-Treasurer becomes vacant, the National Executive Board shall designate a successor from among the members of the ~~Executive Committee~~ <sup>National Executive Board</sup>, who shall

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\* **Section 1 Amended**, see Appendix C, page 5

**Section 4:** National Officers may hold no other elected positions or offices in this Union and National Officers may not be engaged in any outside employment. Members nominated and elected to National Office, who hold another position or office in the Union, must resign from such position or office before being sworn into their elected National Office. Members nominated and elected to National Office, who are engaged in other or outside employment, must terminate such employment relationship before being sworn into their elected National Office.

**Section 5:** No member who has been an employer or who, acting on behalf of any employer, has had the right to hire or fire, shall be eligible for any office in this Union, or in any of the Union's subordinate bodies, during the five-year period following the date on which such member last held a position.

**Section 6:** No member disqualified by Federal or State law from holding elective office in this Union shall be nominated or elected to such office during his or her period of disqualification.

**Section 7:** No member who is not physically present at the Convention shall be nominated and elected to National Office, provided, however, that a member unable to attend the Convention because of illness or official Union business may be nominated and elected to such Office if, prior to nominating of officers, such person files with the Secretary of the Convention an affidavit that he is willing and quali-

serve until the next regular convention at which a successor shall be elected for the balance of the unexpired term, if any.

**Section 2:** If the office of Vice President or Executive Board Member becomes vacant, the National Executive Board shall designate a successor, having the same constitutional qualifications as the officer whose place he takes, who shall serve until the next regular Convention, at which time a successor shall be elected for the balance of the unexpired term, if any.

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**ARTICLE XLVIII**

**DISQUALIFICATIONS FROM NATIONAL OFFICE**

**SUMMARY:** *Only members in good standing for at least three years are eligible for National office. National officers may hold no other office in the Union and may not be engaged in any other employment. Only members willing to serve full time with the Union may be elected to National office. No member who has been an employer or employer representative within the past five years may be elected to National office. No member disqualified by law shall be elected to National office.*

**Section 1:** No person shall be nominated or elected as a National Officer who has not been a member in continuous good standing for a period of three (3) years preceding the date of nomination.

**Section 2:** No member shall be elected to more than one National Office.

**Section 3:** No member shall be elected as a National Officer who is unwilling to serve full time in his elected capacity.

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fied to serve if elected and to take the pledge required of all National Officers. 49

**ARTICLE XLIX**

**DUTIES OF THE PRESIDENT**

**SUMMARY:** *The President shall be the Chief Executive Officer of the Union and shall have full authority to carry out Union policy. The President shall serve as Chairman of the Convention and of National Executive Board and Executive Committee meetings. The President shall be the official Union spokesman. The President may appoint and discharge assistants, administrative personnel and directors of Organizing Committees. The President may appoint committees and representatives and delegate powers and duties. The President shall report his activities to each Convention and to the National Executive Board. The President shall exercise financial responsibility for the Union's property.*

**Section 1:** The President shall be the Chief Executive Officer of the Union and shall have full authority to execute the policies of the Union as established by this Constitution, the Conventions and the National Executive Board.

**Section 2:** Should the President find that the policy of the Union has not been clearly formulated, he shall poll the members of the National Executive Board and the decision of a majority of the Board shall have the force and effect of policy reached in a meeting of the Board, provided the results of the poll are entered in the minutes of the next Board meeting.

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**Section 3:** The President shall enforce this Constitution and all duly adopted laws, rules, decisions, policies and mandates of the Union. The President shall have full power to carry out all of his duties under this Constitution, and to implement the policies of the Convention and of the National Executive Board. Subject to review by the National Executive Board, the President shall interpret the Constitution whenever the need for interpretation arises.

**Section 4:** The President shall direct the work of organizing throughout the jurisdiction of the Union. Subject to budgetary control by the National Executive Board, the President shall have the power to appoint and discharge Directors of Organizing Committees and organizers and the duty to take all necessary and reasonable measures to achieve the organizational policies of the Union.

**Section 5:** The President shall serve as Chairman of and preside over each Convention of the Union.

**Section 6:** The President shall serve as Chairman of and preside over all meetings of the National Executive Board and of the Executive Committee. The President shall call regular and special meetings of the Executive Committee and of the National Executive Board as required by this Constitution. The President may call and attend meetings of the Ranch Communities and their Steering Committees.

**Section 7:** The President shall be the official spokesman for the Union in all of its external relations and may authorize counsel or other agents

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of legal counsel as may be deemed necessary and proper.

**Section 12:** The President shall appoint all Committees not otherwise provided for by this Constitution. The President may delegate any of his powers and duties under this Constitution, subject to disapproval by the National Executive Board.

**Section 13:** The President shall make a report of his activities to each Convention for approval. The President shall also report his activities to each meeting of the National Executive Board and shall bring to the attention of the Board and of the Executive Committee all matters of interest to those bodies.

**Section 14:** The President shall, with the Secretary-Treasurer, exercise financial responsibility over the Union's property and make all expenditures authorized by the Convention, the National Executive Board or incurred in connection with the duties of his office, subject to the provisions of the following Article.

**Section 15:** The President shall, upon expiration of his term of office, surrender to the Union all Union property in his possession. 50

#### ARTICLE I

##### DUTIES OF THE SECRETARY-TREASURER

**SUMMARY:** The Secretary-Treasurer shall be directed by the President and National Executive Board; serve as Secretary at all Conventions and meetings of the National Executive Board and Committees; be custodian of all Union records, documents, and money; be the custodian of the

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of the Union to speak for the Union in his place and stead.

**Section 8:** Subject to budgetary review by the National Executive Board, the President shall appoint and direct such assistants, clerical workers and other personnel as may be necessary to carry out the business of the Union. The President shall have the duty to discharge personnel who are not performing adequately in their assigned responsibilities. The President shall fix the allowances and benefits of all appointed personnel and make reimbursement to such personnel for all necessary, proper and approved expenses incurred in the performance of their Union duties.

**Section 9:** Where, for purposes of administration, the National Executive Board has approved the creation of regional, field or other areas and offices, the President shall, subject to budgetary review by the National Executive Board, appoint and direct Directors of such offices or areas and such other personnel as may be necessary for their function. The President shall direct the activities of such offices and areas and shall discharge personnel who are not performing adequately in their assigned responsibilities.

**Section 10:** The President shall appoint representatives of the Union to other unions' and organizations' conventions, meetings and conferences if he determines that it will further the policies and purposes of this Union.

**Section 11:** The President shall, with the approval of the National Executive Board, retain the services

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Union Seal and the Union Label; maintain membership lists and collect dues, initiation fees and assessments; be responsible for the financial affairs of the Union and the investment of Union funds; prepare complete monthly financial statements and cooperate with the Board of Auditors; submit a report to each Convention and be responsible for all bonding required by law or the National Executive Board; and file all required governmental returns and reports.

**Section 1:** The Secretary-Treasurer shall act under the direction of the President and the National Executive Board, and shall be empowered to issue such instructions to Union personnel as may be necessary to fulfill the duties of the office.

**Section 2:** The Secretary-Treasurer shall attend all meetings of the Convention, the National Executive Board and the Executive Committee and perform the duties of Secretary at such meetings, including the keeping of a faithful record of the proceedings.

**Section 3:** The Secretary-Treasurer shall be the custodian of all books, records, documents, contracts, monies, securities and other property of the Union not otherwise given by this Constitution to someone else.

**Section 4:** The Secretary-Treasurer shall have the custody of the Union Seal and shall cause it to be impressed on such documents as the National Executive Board shall direct, as provided in Part One of this Constitution.

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**Section 5:** The Secretary-Treasurer shall be the custodian of the Union Label, the Union Membership Mark and the Union Flag as provided in Part One of this Constitution.

**Section 6:** The Secretary-Treasurer shall supervise the maintenance of such membership lists as may be required by the Union, and shall cause the collection of all dues, initiation fees, assessments, and other monies due and owing to the Union.

**Section 7:** The Secretary-Treasurer shall keep accurate accounts of all financial transactions of the Union, receive all funds due the Union, and deposit all Union funds in the Union's name in a bank or banks approved by the National Executive Board.

**Section 8:** The Secretary-Treasurer shall cause the payment of proper bills and expenses of the Union, when evidenced by satisfactory vouchers or statements, by checks countersigned by the President or by such other persons who may be authorized and empowered by the National Executive Board to countersign such checks.

**Section 9:** The Secretary-Treasurer, with the approval of the National Executive Board, shall make appropriate regulations relating to the reimbursement of expenses or other obligations incurred by officers or representatives of the Union in the performance of their duties.

**Section 10:** The Secretary-Treasurer shall invest the funds of the Union as instructed by the Convention or, in the absence of such instructions by the Convention, as instructed by the National Executive Board.

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gencies in other states when required by law or by other State or Federal agencies.

**Section 15:** The Secretary-Treasurer shall submit a Financial Report to each Convention of the Union.

**Section 16:** The Secretary-Treasurer shall give bond, in such amount and executed by such surety company as the National Executive Board shall determine, for the faithful performance of the duties of this office and the trust in him or her reposed. The premium on the bond shall be paid by the Union. The Secretary-Treasurer shall also bond all officers and employees of the Union where required by the provisions of the Labor-Management Disclosure Act of 1959 and any other Federal or State laws.

**Section 17:** The Secretary-Treasurer shall turn over all funds, books, records, documents, monies and other property of the Union in his or her custody, possession or control to his or her successor in office.

**Section 18:** The Secretary-Treasurer shall perform all duties imposed upon him or her by this Constitution and such other duties as shall from time to time be assigned to him or her by the Convention, the President or the National Executive Board.

#### ARTICLE LI 51

##### DUTIES OF THE VICE PRESIDENTS

**SUMMARY:** The Vice Presidents shall serve on the Executive Committee and the National Executive Board, and shall perform such duties as may be assigned by the President of the Board.

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**Section 11:** Subject to the approval of the National Executive Board, the Secretary-Treasurer shall have the power to appoint, direct and discharge such personnel as may be necessary to carry out the duties and responsibilities of his or her office, and to purchase and maintain such equipment and supplies as may be necessary for the proper and efficient keeping of accounts and records.

**Section 12:** The Secretary-Treasurer shall prepare, publish and distribute to the National Executive Board a monthly financial statement which shall list the total assets, liabilities, receipts and disbursements of the Union together with such further data and information as the Board may request.

**Section 13:** The Secretary-Treasurer shall cooperate with the elected Board of Auditors and any Certified Public Accountant in the annual audit of his or her books and such other audits as may be directed by the National Executive Board. In the event the National Executive Board determines that the Board of Auditors is not meeting its obligations with respect to the required annual audit, the Secretary-Treasurer shall cause his or her books and accounts to be audited by an independent Certified Public Accountant approved by the Board.

**Section 14:** The Secretary-Treasurer shall establish and maintain the Union's tax-exempt status under Federal and State laws. The Secretary-Treasurer shall file on behalf of the Union all reports and informational returns required by the Department of Labor, the Internal Revenue Service, the California Franchise Tax Board and equivalent a-

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**Section 1:** The three Vice Presidents shall serve on the Executive Committee of the Union and on the National Executive Board.

**Section 2:** The three Vice Presidents shall act under the direction of the President and shall perform such duties as may be assigned to them by the President or the National Executive Board.

#### ARTICLE LII 52

##### DUTIES OF THE EXECUTIVE BOARD

**SUMMARY:** The 4 Executive Board Members shall serve on the National Executive Board and perform the duties assigned to them by the Board or the President.

**Section 1:** The 4 Executive Board Members shall serve on the National Executive Board.

**Section 2:** The 4 Executive Board Members shall perform such duties as may be assigned to them by the President or by the National Executive Board or the Executive Committee.

#### ARTICLE LIII 53

##### LIMITATIONS ON POWER OF NATIONAL OFFICERS AND UNION REPRESENTATIVES

**SUMMARY:** The National Officers shall have only those powers which the Constitution gives them. The power of all other Union representatives and agents shall be limited to the power delegated to them by the National Executive Board, the President, the Secretary-Treasurer or this Constitution.

**Section 1:** The powers of the National Officers shall be those powers specifically provided for in this Constitution or by subsequent Amendment to

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this Constitution approved by the Convention or approved by the Membership in a Referendum.

**Section 2:** The power and acts of all other representatives, agents and employees of the Union shall be limited to and by the power and authority delegated to them by the National Executive Board, the President, the Secretary-Treasurer or as provided in this Constitution.

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#### ARTICLE LIV

#### CHARGES AGAINST AND TRIAL OF NATIONAL OFFICERS AND THEIR AGENTS AND REPRESENTATIVES; DISCIPLINE OF NATIONAL OFFICERS AND THEIR AGENTS AND REPRESENTATIVES AND REMOVAL OF NATIONAL OFFICERS.

**SUMMARY:** Any officer or member may prefer charges against National Officers and their agents and representatives for the offenses listed below. Charges shall be in writing and sworn to by the accuser. Charges shall be specific and detailed. Charges shall be filed with the President, who shall set a trial date and serve the accused party. A National Officer may be immediately suspended under certain circumstances. The accused officer, agent or representative shall be tried by the National Executive Board. The accused shall have the right to confront his accusers, to present evidence and to testify on his own behalf. The National Executive Board shall determine guilt or innocence and the appropriate punishment, if any. Should the National Executive Board remove the

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ties for the purpose of replacing this Union as a collective bargaining agent, or

(k) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

**Section 2:** No member of the Union shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union.

**Section 3:** Any member who commits one of the above-enumerated offenses while in the direct full-time service of the Union or its subordinate bodies may, notwithstanding his or her removal from such service and position in the Union by the President or the National Executive Board, be brought up on charges for such offense.

**Section 4:** Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President or, if the President be the accused party, to the Secretary-Treasurer, or if they both be accused, to the First Vice President. The officer receiving the charges shall promptly submit them to the members of the National Executive Board.

**\*Section 5:** The officers receiving the charges shall, within ten (10) days thereafter, set a time and

\*Section 5 amended, see Appendix C, Page 7

accused from office. It shall appoint a successor. The sole appeal shall be to the Convention.

**Section 1:** Any officer or member in good standing may prefer charges against any elected or appointed National Officer or against any representative or agent of a National Officer or the National Executive Board, for:

- (a) breach of trust;
- (b) violating any provision of this Constitution;
- (c) violating any decision of the Convention or the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the Union for any profit received by him in connection with Union business conducted by him or under his direction;
- (f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;
- (g) other acts of dishonesty;
- (h) conduct detrimental to the welfare of the Union;
- (i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;
- (j) supporting or assisting any person, group of persons or organization in any act or activi-

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place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the date set for the trial, if served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

**Section 6:** A National Officer of the Union against whom charges have been filed for conduct set forth in Section 1 (f) of this Article shall forthwith be suspended, pending a final determination by the National Executive Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings. A substitute for such suspended officer shall be appointed to serve in such officer's stead during his or her suspension, as provided in Article LVII of this Part.

**Section 7:** A National Officer of the Union against whom charges have been filed for any other conduct set forth in Section 1 of this Article may be suspended from office by a two-thirds (2/3) vote of the full National Executive Board, pending a final determination by the Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

**Section 8:** The trial shall be held before the National Executive Board. The officer or member preferring the charges shall be present. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his

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for her own behalf. All witnesses shall testify under oath and the accused shall have the opportunity to cross examine witnesses. The National Executive Board shall fully investigate the charges and shall have the power to call for any books, papers or other documents relevant to the case and to demand the presence of witnesses, provided it pledges to pay their necessary and proper expenses. A faithful and accurate record of the proceedings shall be made. If the accused be a member of the National Executive Board, the accused shall be disqualified to sit at his or her trial.

**Section 9:** After hearing all of the evidence submitted by both the accuser and the accused, the National Executive Board shall go into Executive Session for deliberation and determination of the guilt or innocence of the accused upon every charge and specification. If, after thorough investigation, presentation of all evidence and deliberation, the Board decides that the charges have not been sustained, the case shall be dismissed, subject to an appeal to the next succeeding Convention.

**Section 10:** If the National Executive Board finds that the charges have been sustained and that the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from

**Section 1:** Any National Officer charged with one or more of the offenses listed in Section 1 of Article LIV of this Part, or with other misconduct or activities justifying his or her removal from office, may be recalled by the membership as herein provided in lieu of being tried by the National Executive Board as provided in the foregoing Article. The remedies of trial and recall are mutually exclusive. No officer shall be recalled for an offense or offenses of which he or she has been found innocent by the National Executive Board after trial and full deliberation and investigation as provided in this Part. No officer who has survived a recall referendum may be tried or convicted by the National Executive Board for an offense or offenses described in the unsuccessful recall petition.

**Section 2:** A petition for recall of a National Officer of the Union may be preferred by:

- (a) a majority of the full membership of the National Executive Board, or
- (b) twenty percent (20%) of the Ranch Communities and Organizing Committees representing twenty percent (20%) of the membership of the Union as of the date the petition is filed.

**Section 3:** The petition shall be in writing and signed by the accusing member or members or it may be accompanied by notarized or certified copies of appropriate resolutions adopted by one or more Ranch Communities and/or Organizing Committees. The petition shall contain a description of the offense or offenses charged and the approximate date or dates thereof.

office and expulsion from the Union merited. In the event a National Officer is removed from office by the Board, the Board shall promptly fill the vacancy as provided in this Constitution. Notice of the decision and punishment, if any, shall be served on or sent by registered mail to the person charged within five (5) days after the close of the trial. Should the accused be found guilty, the sole right of appeal shall be to the next succeeding Convention and such appeal shall not serve to stay any discipline or punishment which the National Executive Board may determine and provide.

#### ARTICLE LV 55

##### RECALL PROCEEDINGS AGAINST ELECTED NATIONAL OFFICERS

**SUMMARY:** National Officers charged with any of the offenses listed in the preceding Article may be recalled by the members instead of being tried by the National Executive Board, at the option of the accusing party. No officers may be recalled after being found innocent by the National Executive Board. A recall petition may be preferred by a majority of the National Executive Board or 20% of the Ranch Communities and Organizing Committees representing 20% of the membership. The recall petition shall be signed by the accusers and shall specify the charges against the accused officer. The petition shall be filed with the Secretary-Treasurer. An officer charged with misappropriation of money shall be immediately suspended. The recall shall be conducted as provided in Part Nine.

**Section 4:** The petition shall be filed with the Secretary-Treasurer of the Union or, if the Secretary-Treasurer be the accused party, with the President of the Union. If they both be accused parties, the petition shall be filed with the First Vice President and so forth.

**Section 5:** An Officer of the Union, against whom a petition for recall has been filed on grounds of embezzlement, larceny, willful misapplication of Union assets or other misappropriation of Union money or property, shall be immediately suspended from office, pending the determination of the recall proceedings, and the National Executive Board shall cause a substitute to fill the vacancy, as provided in this Constitution, during such officer's suspension.

**Section 6:** There shall be no appeal from the results of a recall proceeding. The proceedings on a petition for recall shall be in accordance with the provisions of Part Nine of this Constitution.

#### PART SEVEN — BOARD OF AUDITORS

##### ARTICLE LVI 56

##### ELECTION, COMPOSITION AND TERM OF OFFICE

**SUMMARY:** The Convention shall elect a five-member Board of Auditors including a Chairman and a Secretary. The Board of Auditors shall serve a two-year term.

**Section 1:** Beginning with the 1973 Convention, the Convention shall elect a Board of Auditors composed of five (5) members in good standing not otherwise disqualified as provided in this Part. The

elected member receiving the largest number of votes at the Convention shall serve as Chairman of the Board of Auditors. The elected member receiving the second largest number of votes at the Convention shall serve as Secretary of the Board of Auditors. In the event of a tie vote for either or both positions, the Convention shall designate a Chairman, or Secretary, or both from among the elected members to the Board of Auditors.

**Section 2:** The five (5) members of the Board of Auditors so elected shall serve two-year terms or until their successors are elected and assume office.

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#### ARTICLE LVII

##### DISQUALIFICATION FROM OFFICE

**SUMMARY:** Only members in good standing for at least one year may be elected to the Board of Auditors. Board members may not hold any other National Office or position in the Union. Employer representatives and persons disqualified by law may not be elected.

**Section 1:** No member shall be nominated or elected as a member of the Board of Auditors who has not been a member in continuous good standing for a period of one (1) year preceding the date of his or her nomination.

**Section 2:** No member shall be nominated or elected as a member of the Board of Auditors if such member holds another elective or appointive National Office or if such member is an employee, agent or representative of the National Executive Board or of any National Office.

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among the remaining members of such Board, who shall serve until the next regular Convention.

**Section 2:** Should any other position on the Board of Auditors become vacant, the National Executive Board shall designate a successor, having the same constitutional qualifications as the member whose place he or she takes, who shall serve until the next regular Convention.

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#### ARTICLE LIX

##### DUTIES OF THE BOARD OF AUDITORS

**SUMMARY:** The Board of Auditors shall conduct a complete annual audit of the Union's books and finances and submit a report and recommendations to the National Executive Board and to the Convention. The Board's report shall be published to the membership.

**Section 1:** Subject to review by the Convention, the Board of Auditors shall audit the financial records and books of the Union and make recommendations to the Convention and the Secretary-Treasurer.

**Section 2:** The Board of Auditors shall be required to conduct an annual audit of the records, books, financial transactions, income and expenditures and internal control procedures of the Union. The annual audit shall be conducted during the calendar quarter following the close of the Union's fiscal year. The representative auditors shall report the results of the annual audit to the National Executive Board, the Secretary-Treasurer, and to the Convention. The Board of Auditors shall cause a summary of each

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**Section 3:** No member disqualified by law from holding elective office in this Union shall be nominated or elected to the Board of Auditors during his or her period of disqualification.

**Section 4:** No member who has been an employer, or who, acting on behalf of an employer, has had the right to hire or fire, shall be nominated or elected to the Board of Auditors during the five (5) year period following the date on which such member last held such a position.

**Section 5:** No member who is not physically present at the Convention shall be nominated and elected to the Board of Auditors, provided, however, that a member unable to attend because of official Union business or illness may be nominated and elected to such position if, prior to the nominating of members for the Board of Auditors, such person files with the Secretary of the Convention an affidavit that he is willing and qualified to serve in such position if elected and to take the pledge required of all members of the Board of Auditors.

#### ARTICLE LVIII 58

##### VACANCIES

**SUMMARY:** Should the position of Chairman become vacant, the National Executive Board shall designate a new chairman from among the board members. Should any other position become vacant, the National Executive Board shall designate a qualified successor.

**Section 1:** If the position of Chairman of the Board of Auditors becomes vacant, the National Executive Board shall designate a successor from

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annual audit to be published or otherwise reported to the membership.

**Section 3:** The Board of Auditors shall perform such other or more frequent audits and other duties as the Convention, the President, the Secretary-Treasurer or the National Executive Board may assign to it.

**Section 4:** The Board of Auditors shall have the power to demand and receive all books, receipts, records, financial statements and other relevant documents necessary to the performance of its duties, in the possession, custody or control of the Union and its National Officers. The Board of Auditors shall also have the power to demand that any officer, agent, representative or employee of the Union appear before it for the purpose of explaining any financial transaction made by the Union or any other activity, procedure or policy relevant to the conduct of a full and complete audit.

**Section 5:** The Certified Public Accountant retained to assist the Board of Auditors in the preparation of the annual audit shall submit to the Secretary-Treasurer and the National Executive Board such opinions, financial statements and recommendations as said Officer and Board may request or as such accountant deems appropriate or advisable, provided, however, that any such opinions, financial statements, or recommendations submitted by such accountant shall be in addition to the required report of the Board of Auditors, which Body shall bear the primary responsibility for the conduct of the annual audit.

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**ARTICLE LX**  
**LIMITATIONS ON POWER BOARD OF**  
**AUDITORS**

**SUMMARY:** *The power and duties of the Board of Auditors shall be limited to those set forth in the Constitution, unless the National Executive Board, President or Secretary-Treasurer delegate additional powers and authority to such Board.*

**Section 1:** The powers and responsibilities of the Board of Auditors shall be those specifically provided for in this Constitution or by any duly adopted and approved amendment to this Constitution.

**Section 2:** The power and acts of the Board of Auditors shall be limited to and by the power and authority delegated to them by the National Executive Board, the President, the Secretary-Treasurer or as provided in this Constitution.

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**ARTICLE LXI**  
**CHARGES AGAINST MEMBERS OF THE**  
**BOARD OF AUDITORS**

**SUMMARY:** *If a member of the Board of Auditors commits any of the offenses listed in Section 1, he may be charged and tried and, if found guilty, punished. Any member may file charges against any member of the Board of Auditors. The charges must be in writing, must be sworn to, and must contain specific facts and dates on each charge. The written charges should be presented to the President who must set a date and time for trial and serve the charges on the accused Board member. The accused Board member may be immedi-*

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(k) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

**Section 2:** No member of the Board of Auditors shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union.

**\*Section 3:** Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President who shall promptly submit them to the National Executive Board. The President, within 10 days after receiving such charges, shall set a time and place for the trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the date set for the trial. If served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

**Section 4:** A member of the Board of Auditors against whom charges have been filed for conduct set forth in Section 1(f) of this Article shall forthwith be suspended, pending a final determination by the National Executive Board sitting as a trial court or any appeal resulting from such trial or

ately suspended from office under certain circumstances.

**Section 1:** Any officer or member in good standing may prefer charges against any member or members of the Board of Auditors for:

- (a) breach of trust;
- (b) violating any provision of this Constitution;
- (c) violating any decision of the Convention or the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the Union for any profit received by him in connection with Union business conducted by him or under his direction;
- (f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;
- (g) other acts of dishonesty;
- (h) conduct detrimental to the welfare of the Union;
- (i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;
- (j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent, or

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pending the determination of any recall proceedings. A substitute for such suspended member shall be appointed to serve in such member's stead during his or her suspension, as provided in Article LVIII of this Part.

**Section 5:** A member of the Board of Auditors against whom charges have been filed for any other conduct set forth in Section 1 of this Article may be suspended from office by a two-thirds (2/3) vote of the full National Executive Board, pending a final determination by the Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

**ARTICLE LXII 62**  
**TRIAL, DISCIPLINE AND REMOVAL FROM**  
**OFFICE**

**SUMMARY:** *The accused Board Member is entitled to a speedy and fair trial before the National Executive Board. If the National Executive Board finds the accused member guilty, it shall decide the appropriate punishment which may include removal from office and expulsion from the Union. The accused member, if found guilty, may appeal to the next Convention.*

**Section 1:** The trial shall be held before the National Executive Board. The officer or member preferring the charges shall be present. The accused shall have the right to produce witnesses and present documentary evidence and to be heard on his or her own behalf. All witnesses shall testify under

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oath and the accused shall have the opportunity to cross-examine witnesses. The National Executive Board shall fully investigate the charges and shall have the power to call for any books, papers or other documents relevant to the case and to demand the presence of witnesses, provided it pledges to pay their necessary and proper expenses. A faithful and accurate record of the proceedings shall be made.

**Section 2:** After hearing all of the evidence submitted by both the accuser and the accused, the National Executive Board shall go into Executive Session for deliberation and determination of the guilt or innocence of the accused upon every charge and specification. If, after thorough investigation, presentation of all evidence and deliberation, the Board decides that the charges have not been sustained, the case shall be dismissed, subject to an appeal to the next succeeding Convention.

**Section 3:** If the National Executive Board finds that the charges have been sustained and that the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from office and expulsion from the Union merited. In the event a member of the Board of Auditors is removed from his elected position, the National Execu-

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tion of the Board of Auditors shall be recalled for an offense or offenses of which he or she has been found innocent by the National Executive Board after trial and full deliberation and investigation as provided in this Part. No member of the Board of Auditors who has survived a recall referendum may be tried or convicted by the National Executive Board for an offense or offenses described in the unsuccessful recall petition.

**Section 2:** A petition for the recall of a member of the Board of Auditors may be preferred, at any time prior to January 1st of a Convention year, by

- (a) one-third ( $\frac{1}{3}$ ) of the full membership of the National Executive Board, or
- (b) twenty percent (20%) of the Ranch Communities and Organizing Committees representing twenty percent (20%) of the membership of the Union as of the date the petition is filed.

**Section 3:** The petition shall be in writing and signed by the accusing member or members or it may be accompanied by notarized or certified copies of appropriate resolutions adopted by one or more Ranch Communities and/or Organizing Committees. The petition shall contain a description of the offense or offenses charged and the approximate date or dates thereof.

**Section 4:** The petition shall be filed with the Secretary-Treasurer of the Union. Any such petition filed after January 1st of a Convention year shall be untimely and the charges contained in such petition shall be referred to the National Executive Board for mandatory or discretionary suspension

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tion of the Board shall promptly fill the vacancy as provided in Article LXIII of this Part. Notice of the decision and punishment, if any, shall be served on or sent by registered mail to the person charged within five (5) days after the close of the trial. Should the accused be found guilty, the sole right of appeal shall be to the next succeeding Convention and such appeal shall not serve to stay any discipline or punishment which the National Executive Board may determine and provide.

#### ARTICLE LXIII 63

##### RECALL OF MEMBER OF BOARD OF AUDITORS

**SUMMARY:** A member of this Board charged with offense listed in preceding Article may be recalled rather than tried by the National Executive Board. The National Executive Board or 20% of the Ranch Communities and Organizing Committees representing 20% of the membership may file a petition containing the charges with the Secretary-Treasurer. If the charge is misappropriation of Union money, the accused shall be suspended. No recall after January 1 of a Convention year. No appeal from a recall.

**Section 1:** Any member of the Board of Auditors charged with one or more of the offenses listed in Section 1 of the preceding Article, or with other misconduct or activities justifying his or her removal from elected position on such Board, may be recalled by the membership as herein provided in lieu of being tried by the National Executive Board as provided in the foregoing Article. The remedies of trial and recall are mutually exclusive. No mem-

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trial and appropriate discipline and punishment, if any, as provided for in the preceding Article.

**Section 5:** A member of the Board of Auditors against whom a petition for recall has been filed on grounds of embezzlement, larceny, willful misapplication of Union assets or other misappropriation of Union money or property, shall be immediately suspended from such position, pending the determination of the recall proceedings, and the National Executive Board shall cause a substitute to fill the vacancy, as provided in this Constitution, during such member's suspension.

**Section 6:** There shall be no appeal from the results of a recall proceeding. The proceedings on a petition for recall shall be in accordance with the provisions of Part IX of this Constitution.

#### PART EIGHT — RANCH COMMUNITIES AND ORGANIZING COMMITTEES

##### ARTICLE LXIV 64

##### CREATION OF RANCH COMMUNITIES

**SUMMARY:** Ranch Communities are unchartered subordinate bodies of the Union. Members working under Union contract are members of the Ranch Communities where they work. Ranches too small to have their own Ranch Community shall be combined together or with a larger Ranch Community.

**Section 1:** Ranch Communities are unchartered subordinate bodies of the Union created by the National Executive Board. A Union Ranch is an employer party to a United Farm Workers of America collective bargaining agreement.

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Section 2: Members working under Union collective bargaining agreements shall be organized in and members of Ranch Communities. A member working under more than one Union collective bargaining agreement shall be a member of the Ranch Community at each Ranch where he or she works under Union contract.

Section 3: The National Executive Board shall organize and create a Ranch Community at each and every Union Ranch which

(a) employs ten(10) or more Union members in each calendar quarter, or

(b) employs twenty-five (25) or more Union members in each of three (3) calendar quarters out of each year.

A Union Ranch which has more than one farming operation (non-contiguous geographical areas or substantially different work forces) may be divided into more than one Ranch Community by the National Executive Board when the Board determines that each such farming operation meets the requirements of this Section; provided, however, that for purposes of Part Four of this Constitution, there shall be a single Ranch Community at each Union Ranch for purposes of electing delegates to Conventions and for purposes of calculating the per capita vote such single Ranch Community shall be entitled to cast.

Should two or more Union Ranches be consolidated by a change of ownership or otherwise, the National Executive Board shall determine whether or not the existing Ranch Community should be

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\* Rules and By-Laws, <sup>and the local rules</sup> ratified by the Ranch Communities and Organizing Committees.

Section 2: Each Ranch Community shall elect a President, a Secretary, and three Committeemen including one who shall serve as Sergeant at Arms. These five (5) Ranch Officers shall comprise the Ranch Committee. The Ranch Officers and Ranch Committees shall have the powers and duties specified in this Constitution and in the Uniform Rules and By-Laws, and such additional powers and duties as shall be assigned by the Convention, the National Executive Board, or the President. Elections of Ranch Officers and the conduct of Ranch Committee business shall be as provided in the Uniform Rules and By-Laws.

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#### ARTICLE LXVI

#### CHARGES AGAINST RANCH COMMUNITY OFFICERS, TRIAL, DISCIPLINE, AND REMOVAL FROM OFFICE

*SUMMARY: Charges may be preferred against any Ranch Officer for the offenses listed in Part Three and Part Six of this Constitution. Charges shall be in writing, signed, and sworn to by the accuser and shall specify the offenses and dates on which they were committed. The written charges shall be filed with the appropriate officer who shall set a time and place for trial. The accused officer shall be served with the charges. A Ranch Officer so accused may be suspended by the National Executive Board pending trial. The trial shall be held by the Ranch Community in the same man-*

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\* This sentence amended, see Appendix C, page 5

consolidated or merged. It shall be the policy of the Union not to consolidate or merge such Ranch Communities where they represent distinct work forces or non-contiguous farming operations. Provided, however, that for purposes of Part Four of this Constitution there shall be a single Ranch Community at each Union Ranch for purposes of electing delegates to Conventions and for purposes of calculating the per capita vote such single Ranch Community shall be entitled to cast.

Section 4: A Union Ranch, which is too small to be organized into a Ranch Community as provided in Section 3 of this Article, shall either be consolidated with an existing Ranch Community in the same area or shall be combined with one or more similarly small Union Ranches to create a new Ranch Community, as the National Executive Board shall deem best.

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#### ARTICLE LXV

#### AUTHORITY, STRUCTURE AND GOVERNMENT OF RANCH COMMUNITIES

*SUMMARY: Each Ranch Community shall elect a President, a Secretary, and three Committeemen including a Sergeant at Arms. The five Ranch Officers shall be the Ranch Committee. This Constitution and the uniform rules and by-laws ratified by the Ranch Communities and Organizing Committees specify how Ranch Communities are governed and the powers and duties of the Ranch Officers and Committees.*

Section 1: Ranch Communities shall be governed as provided in this Constitution and the Uniform

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*ner as members are tried. If found guilty, the Ranch Community shall provide the appropriate punishment including removal from office for serious offenses. A Ranch Officer who is found guilty may appeal to the National Executive Board and to the Public Review Board in certain cases.*

Section 1: Any member in good standing may prefer charges against any elected Officer of his or her Ranch Community for any offense enumerated in Article XVIII, Section 1 of Part Three or in Article LIV, Section 1 of Part Six of this Constitution.

Section 2: No Ranch Officer shall be immune from penalty for committing any of these offenses by reason of the position or office he or she holds in the Union.

\* Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President or, if the President be the accused party, to the Secretary. If both of these Ranch Officers are charged with such offenses, the charges shall be filed with the Secretary-Treasurer of the Union. The Ranch Officer receiving the charges, or the Secretary-Treasurer shall, within 10 days thereafter, set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the

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\* Section 3 amended, see Appendix C, page 10

date set for the trial, if served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

**Section 4:** A Ranch Officer against whom charges have been filed may be suspended from office by a two-thirds (⅔) vote of the National Executive Board, pending trial by the Ranch Community and any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

**Section 5:** The trial shall be held before the Ranch Community in the manner set forth in Part Three, Article XIX. The accused shall be disqualified to sit at his or her trial.

**Section 6:** If the Ranch Community finds that the charges have been sustained and that the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from office and expulsion from the Union merited. In the event a Ranch Officer is removed from office by the Community, the Community shall promptly fill the vacancy as provided in the Uniform Rules and By-Laws. Should the Ranch Officer be found guilty, he or she may exercise the rights of appeal as provided in Part Three, Articles XX and XXI, provided

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and full deliberation and investigation as provided in this Part.

**Section 2:** A petition for recall of a Ranch Officer may be preferred by twenty percent (20%) of the members of the Ranch Community.

**Section 3:** The petition shall be in writing and signed by the accusing member or members. The petition shall contain a description of the offense or offenses charged and the approximate date or dates thereof.

**Section 4:** The petition shall be filed with the Secretary of the Ranch Community or, if the Secretary be the accused party, with the President of the Ranch Community or, if both be charged, with the Secretary-Treasurer of the Union.

**Section 5:** A Ranch Officer, against whom a petition for recall has been filed on grounds of embezzlement, larceny, wilful misapplication of Union assets or other misappropriation of Union money or property, shall be immediately suspended from office, pending the determination of the recall proceedings, and the Ranch Community shall cause a substitute to fill the vacancy, as provided in the Uniform Rules and By-Laws, during such Ranch Officer's suspension.

**Section 6:** There shall be no appeal from the results of a recall proceeding. The proceeding on a petition for recall shall be in accordance with the provisions of Part Nine of this Constitution.

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such appeal shall not serve to stay any discipline or punishment which the Ranch Community may determine and provide.

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#### ARTICLE LXVII

##### RECALL PROCEEDINGS AGAINST RANCH OFFICERS

**SUMMARY:** A Ranch Officer may be recalled from office by the Ranch Members for any of the offenses listed in Part Three and Part Six. A Ranch Officer may not be recalled after trial and acquittal by the Community and neither may he be tried by the Community after defeating the recall. Twenty percent (20%) of the members may initiate a recall. The recall petition shall describe the offenses charged and shall be signed by the accusers. The petition shall be filed with an appropriate officer. A Ranch Officer charged with misappropriation of Union money will be immediately suspended, pending the recall referendum. There shall be no appeal from the results of a recall.

**Section 1:** Any Ranch Officer charged with one or more of the offenses referred to in Section 1 of the preceding Article, or with other misconduct or activities justifying his or her removal from office, may be recalled by his or her Ranch Community in lieu of being tried as provided in the foregoing Article. The remedies of trial and recall are mutually exclusive. No Ranch Officer shall be recalled for an offense or offenses of which he or she has been found innocent by the Ranch Community after trial

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#### ARTICLE LXVIII

##### CREATION AND AUTHORITY OF ORGANIZING COMMITTEES

**SUMMARY:** Organizing Committees are unchartered subordinate bodies of the Union created by the National Executive Board in areas where there are workers who want to work under a Union Contract. The President shall appoint a Director and supervise the activities of each Organizing Committee. Farm workers not members of a Ranch Community and willing to work to build this Union shall be admitted to membership in Organizing Committees. This Constitution and the Uniform Rules and By-Laws ratified by the Ranch Communities and Organizing Committees specify how Organizing Committees are governed and the powers and duties of such committees and their directors.

**Section 1:** Organizing Committees are unchartered subordinate bodies of the Union created by the National Executive Board.

**Section 2:** The National Executive Board may create an Organizing Committee in any area where there are workers within the Union's jurisdiction and not covered by a Union contract. The President shall appoint a Director, define the territorial jurisdiction and supervise the activities of each Organizing Committee created by the Board.

**Section 3:** In areas where an Organizing Committee exists, agricultural laborers otherwise eligible for membership, and not members of any Ranch Community, shall be admitted to membership in

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th Union and in such Organizing Committee, provided they volunteer a substantial portion of their time to the organizing efforts and activities of the Union in their area.

\*Section 4: Organizing Committees and their Directors shall have the powers and duties specified in this Constitution and in the Uniform Rules and By-Laws ratified by the Ranch Communities and Organizing Committees. Organizing Committees and their directors shall have such additional powers and duties as may be assigned to them by the Convention, the National Executive Board or the President. Organizing Committee business shall be conducted as provided in such Uniform Rules and By-Laws.

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#### ARTICLE LXIX

#### CHARGES AGAINST DIRECTOR OF ORGANIZING COMMITTEES, TRIAL DISCIPLINE, AND REMOVAL FROM OFFICE

**SUMMARY:** Any member may prefer charges against the Director of his Organizing Committee for offenses listed in Part Three and Part Six. Such charges shall be in writing, shall specify the offenses and dates on which they were committed and shall be signed by the accusers. The written charges shall be filed with the President who may suspend the Director and who shall set a trial date. The accused Director shall be served with the written charges. The accused Director shall be tried by the National Executive Board and punished, if found guilty, as the Board shall decide.

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\*Section 4 amended, see Appendix C, page 5

Section 4: The accused shall be tried by the National Executive Board in the manner provided in Part Six, Article LIV.

Section 5: If the National Executive Board finds that the charges have been sustained and the accused is guilty, it shall have the power and duty to provide the appropriate discipline or punishment including removal from office and expulsion from the Union if the offense merits such action. The Board's decision may provide for any other appropriate punishment, including a fine not to exceed five hundred dollars (\$500.00), if the Board does not deem removal from office or removal from office and expulsion from the Union merited. Nothing herein shall be construed to require the President to reappoint a Director whom he has suspended from office and who is later acquitted by the National Executive Board, or, if found guilty by the Board, punished otherwise than by removal from office. In the event a Director is removed from office, the President shall promptly fill the vacancy. Should the Director be suspended or expelled from the Union, he or she may exercise the right of appeal to the Public Review Board as provided in Part Three, Article XXI.

Section 6: As an Official appointed by the President, the Director of an Organizing Committee shall not be subject to recall proceedings.

The Director of an Organizing Committee is not subject to recall.

Section 1: Any member in good standing may prefer charges against the Director of his or her Organizing Committee for any offense enumerated in Article XVIII, Section 1 of Part Three or in Article LIV, Section 1 of Part Six of this Constitution.

Section 2: No Director of an Organizing Committee shall be immune from penalty for committing any of these offenses by reason of the position or office he or she holds in the Union.

\*Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President. The President, as the Chief Executive Officer directly responsible for the appointment of the accused Director, shall determine whether or not such Director should be suspended pending full trial by the National Executive Board. Within 10 days after receiving the charges, the President shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 10 days before the date set for the trial, if served personally, or, if served by registered mail, by mailing such copy of the charges and notice at least 12 days before the date set for the trial.

\*Section 3 amended, see Appendix C, page 10

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#### PART NINE — REFERENDUM AND RECALL ARTICLE LXX 70

##### REFERENDUM

**SUMMARY:** The Convention, the National Executive Board or 20% of the Ranch Communities and Organizing Committees, representing 20% of the membership may request a referendum. The National Executive Board shall conduct the referendum. The Secretary-Treasurer shall send ballots to each Ranch Community, Organizing Committee and Administrative Body with a notice of the proposal to be voted upon. The members shall be given 15 days' notice of the referendum election which must be held within 60 days after receipt of the ballots and official notice from the Secretary-Treasurer. The results of the election shall be certified to the Secretary-Treasurer by each voting body. The Secretary-Treasurer shall publish the final results.

Section 1: The Convention or the National Executive Board may order a referendum with respect to any matter within their jurisdiction or as otherwise provided in or required by this Constitution.

Section 2: A referendum shall also be ordered by the National Executive Board of the Union if 20% or more of the Ranch Communities and Organizing Committees, representing 20% or more of the members of the Union, shall certify in writing to the Secretary-Treasurer of the Union of their desire for a referendum on any particular matter.

Section 3: All referendum elections shall be held under the supervision of the National Executive



Board, unless the National Executive Board delegates such supervision to Ranch Communities, Administrative Bodies, or Organizing Committees.

**Section 4:** The Secretary-Treasurer shall prepare referendum ballots and transmit them to each Ranch Community, Organizing Committee, and Administrative Body, together with a Notice of the Referendum Election. The Notice of Referendum shall also be published in the Union newspaper. The Notice of Referendum and the Ballots shall contain the proposition to be voted upon.

**Section 5:** Within 60 days of the date of Notice of Referendum, each Ranch Community, each Administrative Body, and each Organizing Committee shall conduct a secret vote among its members, on the ballots furnished by the Secretary-Treasurer, after first giving at least 15 days notice to all members of the body electorate of the proposition to be voted upon and of the place and time of the referendum election. Before any member is allowed to vote, he shall be required to identify himself as a member in good standing.

**Section 6:** The Secretary of each voting body shall be responsible for tabulating and certifying the results of the election. The Secretary of each voting body shall appoint an election board to assist in counting the ballots.

**\*Section 7:** The results of each referendum election shall be forwarded to the Secretary-Treasurer by receipted registered mail, within 5 days after the election is held, together with the original ballots. The Secretary-Treasurer shall compile the total vote

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**Section 7 amended, see Appendix C, page 11**

votes cast in such referendum constitute a majority of the membership eligible to vote in same.

**Section 2:** Any member of the Board of Auditors may be recalled by a general referendum if two-thirds ( $\frac{2}{3}$ ) of the votes cast in such referendum favor recall, provided the total votes cast in such referendum constitute a majority of the membership eligible to vote in same.

**Section 3:** Ranch Officers may be recalled by an affirmative vote of two-thirds ( $\frac{2}{3}$ ) of the Ranch Community, provided the total vote cast in such referendum constitutes a majority of the membership eligible to vote in same.

#### **PART TEN — COLLECTIVE BARGAINING— NEGOTIATIONS, CONTRACTS. GRIEVANCES**

##### **ARTICLE LXXII 72**

#### **NEGOTIATIONS — AUTHORITY AND DIRECTION**

**SUMMARY:** The Union shall be the sole bargaining agent of its members. Negotiations shall be directed by the President or his representative. The President may create crop divisions for purposes of standardizing contracts.

**Section 1:** The United Farm Workers of America shall be the sole collective bargaining agent of the members of the Union.

**Section 2:** Collective bargaining shall be conducted under the direction of the President and all contracts shall bear the signature of approval of the President or one of his authorized agents or representatives.

**Section 3:** For purposes of Negotiations, the President may create and organize crop divisions, with-

of the membership, announce the vote to the National Executive Board, and forward such final result to the Secretary of each electoral body. The Secretary-Treasurer shall also cause to be published in the Union newspaper the total vote of the membership as well as the vote of each electoral body. These results shall be announced and published by the Secretary-Treasurer within 90 days of the date on which the Notice was issued.

**Section 8:** Except as otherwise provided in this Constitution, all referendum elections shall be determined by a majority of the votes cast.

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##### **ARTICLE LXXI**

#### **RECALL OF OFFICERS, AND MEMBERS OF BOARD OF AUDITORS**

**SUMMARY:** Any National Officer may be recalled by a two-thirds ( $\frac{2}{3}$ ) vote of the Convention or by a two-thirds ( $\frac{2}{3}$ ) vote of the membership, provided a majority of members cast votes. Any member of the Board of Auditors may be recalled by a two-thirds vote of the membership, provided a majority of members cast votes. Any Officer of a Ranch Community or Chartered Subordinate Body may be recalled by a two-third vote of the Community or Subordinate Body membership.

**Section 1:** Any National Officer and member of the National Executive Board may be recalled by two-thirds ( $\frac{2}{3}$ ) of those voting at the Convention or in a general referendum, conducted as hereinabove provided, if two-thirds ( $\frac{2}{3}$ ) of the votes cast in such a referendum favor recall, provided the total

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in the existing structure and departments of the Union or otherwise, when, in his judgment, such crop division will promote the standardization of Union contracts within such crops or otherwise improve the collective bargaining process.

##### **ARTICLE LXXIII 73**

#### **NEGOTIATIONS — PARTICIPATION BY THE MEMBERSHIP**

**SUMMARY:** The President shall insure that all members are fairly represented in contract negotiations. Any member may submit proposals and suggestions to the President. Only the President and his authorized agents have the authority to negotiate Union contracts.

**Section 1:** Collective bargaining proposals shall reflect the will of the membership. The President shall establish such procedures and committees, including Negotiating Committees, as, in his judgment, will best insure that all segments of the bargaining unit membership are fully consulted and represented in contract negotiations.

**Section 2:** Subjects for negotiations may be initiated at any time by the membership of the bargaining unit or units affected, by forwarding proposals or suggestions to the President or such agent as he may designate for this purpose. Any such proposals or suggestions must be approved by the President or his authorized agent or representative before submission to any employer.

**Section 3:** No Ranch Community or Organizing Committee, and no Officer of such Community or Director of such Committee, shall have the author-

it, to negotiate the terms of contract, or any contract supplement, with any employer, without first obtaining authorization and approval from the President or his designated agent or representative.

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#### ARTICLE LXXIV

##### CONTRACTS — REQUIREMENTS, APPROVAL AND RATIFICATION, PERFORMANCE

**SUMMARY:** No contract shall be valid unless it names the Union and is properly signed, has been approved by the Executive Committee and has been ratified by the members. Ratification shall require approval by a majority of the members voting on the contract. The Union shall insist that all contracts be respected and obeyed. No member or representative of any Ranch Community shall modify any contract without authorization from the President or cause or approve any violation of a Union contract.

**Section 1:** No agreement, or amendment to any agreement, between this Union and employer shall become effective or be, or be deemed to be, valid, unless such agreement

(a) has been first approved by the National Executive Committee;

(b) has been signed by the President, or his authorized agent or representative, on behalf of the Union which is named as a party to the agreement, and

(c) has been ratified by the vote of the majority of the members covered by the agreement who vote on the question.

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provided in their Union contract and this Constitution.

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#### ARTICLE LXXV GRIEVANCES

**SUMMARY:** Members and Ranch Representatives shall participate in the grievance procedure specified in their contract. Full-time Union Representatives shall process grievances above ranch level. Dissatisfied members and Ranch Communities may appeal.

**Section 1:** Members and their Ranch officers and representatives shall participate in the presentation, submission and resolution of grievances as provided in their collective bargaining agreements, and in this Constitution.

**Section 2:** The President shall appoint and direct one or more full-time Union representatives who shall be responsible for the processing and disposing of contract grievances above the Ranch level, for supervising and enforcing collective bargaining agreements, and for coordinating matters of common concern and interest with respect to contract, wages, hours of employment and other working conditions.

**Section 3:** Any member dissatisfied with the action or inaction of his Ranch representatives, and/or any member or Ranch Community dissatisfied with the action or inaction of the Union representative or representatives, in the processing or disposing of a contract grievance shall have the right to appeal to the National Executive Board and, in the case of alleged fraud, discrimination or collusion with management, the right to further

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**Section 4:** Any contract entered into through collective bargaining, or otherwise dealing with wages, hours, terms of employment or other conditions of employment, must be ratified by the members covered by such agreement. A majority of the members present and voting must approve and ratify any such contract before it can go into full force and effect.

**Section 5:** Copies of all duly executed, approved and ratified contracts shall be filed with the Secretary-Treasurer of the Union.

**Section 6:** It shall be the established policy of this Union to recognize the spirit, intent and terms of all contractual relations existing between the Union and employers. Each Ranch Community, its Officers, Committee and representatives, shall be required to abide by the terms of their Union contracts and to insure that the provisions of such contracts are carried out and honored by all parties concerned.

**Section 7:** No member, officer, representative or agent of any Ranch Community shall have the authority or power to:

(a) modify or amend any contract without the approval of the President, or one of his authorized agents or representatives, or

(b) counsel, cause, initiate, participate in or ratify any action which constitutes a violation of such contract.

**Section 8:** Nothing in this Article shall be construed or deemed to prohibit the participation by members and/or their representatives in the presentation, submission and resolution of grievances as

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appeal to the Public Review Board, as provided in Part Three of this Constitution.

#### PART ELEVEN — STRIKES

##### ARTICLE LXXVI 76

##### STRIKE AUTHORIZATION

**SUMMARY:** Union members shall strike as provided by this Constitution. No strike action may be taken without prior approval of the National Executive Committee. No assistance will be given to any unauthorized strike.

**Section 1:** Union members shall only strike as provided in this Constitution.

**Section 2:** Authorization and approval of the National Executive Committee must be obtained before any strike action may be taken.

**Section 3:** Neither the Union, nor any of its Communities, Committees or other subordinate bodies shall have the power or authority to instigate, call, lead, or engage in any strike except as provided in this Constitution. Such power and authority resides solely in the President and the National Executive Committee and may only be exercised by the collective action of such Committee.

**Section 4:** The Union shall provide no financial or other assistance to any unauthorized strike.

#### ARTICLE LXXVII

##### STRIKE ACTION BY RANCH COMMUNITIES

**SUMMARY:** No Ranch Community shall take strike action without the prior approval of the National Executive Committee. The President shall recommend strike action where necessary to obtain a new contract. Members of the Community

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may approve a strike by majority vote. In case of unauthorized strikes, the National Executive Board can dissolve the Ranch Committee, revoke the authority of the Ranch Community, and discipline the officers and members.

**Section 1:** Ranch Communities shall strike only as provided in this Article.

**Section 2:** Before recommending a strike to the National Executive Committee, the President shall try and effect a negotiated settlement of the problem, except where such attempt would, in the judgment of the President, be futile or impossible.

**Section 3:** In the event the President is unable to reach a negotiated settlement of the outstanding issues or is otherwise convinced that a new contract cannot be negotiated prior to the expiration of the existing contract or that an acceptable contract cannot be obtained without a strike, he shall report to the National Executive Committee on the matters in controversy and give such Committee his recommendation concerning strike action. The National Executive Committee shall either approve or disapprove strike action by the Ranch Communities involved.

**Section 4:** Should the National Executive Committee approve strike action, all Union members affected shall be called together to decide on a course of action. Only members in good standing shall be entitled to vote on the question of declaring a strike. A majority of those present and voting must approve strike action before a strike may be declared.

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**Section 3:** Should the National Executive Committee approve strike action, the President or his authorized agent or representative shall consult with the Director of the Committee and the members, if any, involved, before any strike is officially declared.

**Section 4:** An Organizing Committee which continues to engage in an unauthorized strike, or which refuses to terminate a strike when so ordered by the National Executive Committee or the National Executive Board, may be dissolved by the National Executive Board, its Director suspended by the President, and its Director and members subjected to discipline as provided in this Constitution.

**Section 5:** An authorized strike by an Organizing Committee may only be called off and terminated by action of the National Executive Committee. The National Executive Committee shall not terminate a strike until the President has consulted with the members affected and made his recommendation to such Committee.

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**ARTICLE LXXIX**  
**STRIKE BENEFITS**

**SUMMARY:** The National Executive Committee shall authorize such strike benefits as are reasonable and as the Union can afford, subject to the policies of the National Executive Board. Eligibility shall be established by the National Executive Committee.

**Section 1:** The National Executive Board shall establish a policy concerning the amount and duration

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**Section 5:** When Ranch Community continues to engage in a strike that is not authorized as provided in this Constitution, or refuses to terminate a strike when so ordered by the National Executive Board or the National Executive Committee, the National Executive Board may revoke the authority of such Community and dissolve its committee and discipline the officers and members involved as provided in this Constitution.

**Section 6:** An authorized strike by one or more Ranch Communities may only be called off and terminated by action of the National Executive Committee. The National Executive Committee shall not terminate a strike until the President has consulted with the members affected and made his recommendation to such Committee.

**ARTICLE LXXVIII 78**

**STRIKE ACTION BY ORGANIZING COMMITTEES**

**SUMMARY:** Organizing Committees shall not strike without prior approval of the National Executive Committee. The President shall consult with the members and Director of the Committee before declaring a strike. In case of an unauthorized strike, the Organizing Committee may be dissolved and the director and members disciplined.

**Section 1:** Organizing Committees and their members shall strike as provided in this Article.

**Section 2:** The National Executive Committee may authorize strikes by Organizing Committees when the President reports that recognition and/or a contract cannot be obtained without strike action, and recommends such action to the Committee.

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of strike benefits which may be authorized by the National Executive Committee.

**Section 2:** The National Executive Committee shall authorize strike benefits, in such amounts and for such duration, as shall seem reasonable in light of all the circumstances, including the economic condition of the strikers and the financial condition of the Union. Should the National Executive Committee desire to authorize strike benefits which exceed the limits as to amount or duration established by the National Executive Board, it shall obtain the prior approval of the Board.

**Section 3:** Eligibility for strike benefits shall be established by the National Executive Committee at the time strike benefits are authorized.

**PART TWELVE — AMENDMENTS TO THE CONSTITUTION**

**ARTICLE LXXX 80**  
**AMENDMENT BY THE CONVENTION OR BY REFERENDUM**

**SUMMARY:** This Constitution may be amended by the Convention or by referendum. Amendments by the Convention shall require a majority of the per-capita vote if advance notice was given to the membership; otherwise three-fourths (3/4) of the per-capita vote shall be required. Amendment by referendum shall require a majority vote.

**Section 1:** This Constitution may be amended by the Convention or by referendum submitted to the members as provided in Part Nine.

**Section 2:** A proposed amendment of this Constitution, submitted to the Ranch Communities, Or-

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gaizing Committees and Administrative Bodies prior to or concurrent with the Convention Call shall require a majority of the per-capita vote at the Convention to effectuate such proposed amendments.

**Section 3:** Any amendment proposed at the Convention, and not submitted to the membership prior to or concurrent with the Convention Call as provided in Section 2, shall require approval by three-fourths (3/4) of the per-capita vote on the proposed amendment at the Convention to effectuate such proposed amendment, but in no event shall the three-fourths (3/4) of the per-capita vote favoring such amendment be less than a majority of the approved per-capita vote at the Convention.

**Section 4:** Any amendment submitted by referendum to the members shall require a majority of those voting thereon to effectuate the proposed amendment.

**Section 5:** Repeal of any provision of this Constitution shall be by amendment procedure.

#### ARTICLE LXXXI §1

#### EFFECTIVE DATE OF CONSTITUTION AMENDMENTS

**SUMMARY:** Amendments shall become effective thirty (30) days after adoption unless sooner attacked by referendum in which case they shall become effective thirty days after defeat of the referendum.

\* Amendments or repeals adopted in a Convention shall become effective on the thirtieth (30th) day following the adjournment of the Convention, provided the Convention does not specify a later date.

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\* This sentence amended, see Appendix C, page 5

Convention or Referendum prior to the expiration of such period.

#### APPENDIX A PERMANENT RULES GOVERNING CONDUCT AT UFW CONVENTIONS

##### Rule 1 — Source of Rules

The UFW Convention shall be conducted in accordance with these rules and the UFW Constitution and if these rules and the UFW Constitution do not specifically cover a matter, Roberts' Rules of Order shall apply.

##### Rule 2 — Hours of Convention

The Convention shall be called to order at the hour specified in the Convention Call. The hours of the convention, recesses and other arrangements relating to the Convention shall be established by resolution or motion by each Convention.

##### Rule 3 — Conduct during the Convention

The Chairman shall be responsible for maintaining order in the Convention. He may request the Convention to act on the question of expelling a person for misconduct. A delegate may request the Chairman to have the Convention act on expelling a person for misconduct. A majority of delegates voting shall decide the question of expulsion for misconduct.

##### Rule 4 — Order of Business

The Order of Business at a Convention shall be as follows:

1. Call to Order;
2. Report on Credentials;
3. Reading of Convention Rules;

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or unless within 30 days a referendum vote on the amendment or repeal is initiated, in which event the amendment or repeal shall not become effective unless it is sustained by such referendum. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified.

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#### ARTICLE LXXXII EMERGENCY AMENDMENT BY THE NATIONAL EXECUTIVE BOARD

**SUMMARY:** The National Executive Board may only amend the Constitution if required by law or in a declared emergency. Any emergency amendment must be approved within 100 days by a referendum.

**Section 1:** The National Executive Board may not amend the Constitution except where necessary to comply with the law or in a declared emergency as provided in Section 1 and 2 of Article XXXVIII of Part Five.

**Section 2:** In the event the National Executive Board amends the Constitution in the exercise of its emergency legislative power, such amendment shall immediately be published to all Ranch Communities, Organizing Committees and Administrative Bodies.

**Section 3:** Any such emergency amendment to the Constitution not required by law shall only be effective for a period of 100 days from the date of adoption by the Board, unless approved by a Special

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4. Reports of the President, Secretary-Treasurer, and National Executive Board of the Union and the Board of Auditors;
5. Report of Committees;
6. Unfinished Business;
7. Nomination and Election of Officers;
8. Installation of Officers;
9. New Business;
10. Adjournment.

The order of business may be suspended by a two-thirds (2/3) vote of the delegates present.

##### Rule 5 — Delegates to the Convention

###### Section 1 — Election and Certification

Delegates shall be elected and certified as provided in Part Four of the Constitution.

###### Section 2 — Seating of Delegates

Delegates shall be seated by acting on the Credentials Committee Report. In the case of a credentials challenge, the delegates under dispute shall not vote on the question of their seating.

##### Rule 6 — Procedures for Delegates Wishing to Speak

(a) Delegates desiring the floor must announce their names and the unit they represent in order to be recognized by the chair. If a delegate, while speaking, has to be called to order, he shall, at the request of the Chair, take his seat until the question of order is decided.

(b) No delegate shall speak more than once on the same question, until all who desire to speak on that question shall have been heard, nor more than twice on the same question, except by consent of

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the majority. Nominating speeches for officers shall be limited to two (2) minutes. Speeches of delegates on the debate of any question shall be limited to three (3) minutes, but the time of speaking may be extended by majority vote of the Convention.

(c) Should two (2) or more delegates rise at the same time to speak, the Chair shall decide who is entitled to the floor.

(d) Any delegate may appeal from a decision of the Chairman, without waiting for recognition by the Chairman, even though another delegate has the floor. No appeal is in order when another is pending or when other business has been transacted by the Convention prior to the appeal being taken.

#### **Rule 7 — Motions and Debate**

(a) When a motion to table is made, the motion shall not be put until the Introducer of the original motion is given an opportunity to speak on the question.

(b) No delegate shall interrupt another in his remarks, except to raise a point of order.

(c) A motion shall not be open to discussion until it has been seconded and stated from the Chair.

(d) A motion to lay on the Table shall not be debatable except as limited by Roberts' Rules of Order. When such a motion is made and amendments are pending to the original motions before the Convention, the motion to table shall apply to the amendments, and it shall require a new motion to table the original motion.

(e) A motion to reconsider shall not be entertained unless made by a delegate who voted with the

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(c) A roll-call vote may be had on any question before the Convention at the request of 10% of the delegates present.

(d) Voting by roll call shall be by per-capita vote with each delegate casting the number of votes assigned to him and approved by the Credentials Committee and the Convention.

(e) When a roll call has been taken and all delegates present have had an opportunity to record their votes, the ballot shall be declared closed.

(f) When a roll call has been ordered, no adjournment shall take place until the result has been announced.

#### **Rule 10 — Convention Committees, Reports and Resolutions**

(a) A majority of the Committee members shall constitute a quorum for the transaction of its business.

(b) At least a majority of all members present and voting shall be required to adopt a recommendation, a report or a resolution.

(c) All resolutions shall bear the signature of the introducer and the title of the unit he represents and shall be submitted in triplicate form.

(d) All Committees shall report on all resolutions submitted to them.

(e) A majority of the delegates present and voting shall be required to act on a Committee Report or a Resolution, except a Constitutional amendment which must be approved by a roll-call vote as provided in Part Twelve of the Constitution.

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majority on the original question and shall require a majority vote.

(f) No motion or resolution shall be voted upon until the mover or introducer has had an opportunity to speak upon it if he or she so desires.

#### **Rule 8 — Precedence of Motions During Debate**

When a question is under debate or before the Convention, no motion shall be received but the following, which shall take precedence in the order named:

First: To adjourn;

Second: To recess to a given time;

Third: To raise a point of order;

Fourth: For the previous question;

Fifth: To postpone to a definite time;

Sixth: To postpone indefinitely;

Seventh: To refer to committee;

Eighth: To divide or amend;

Ninth: To set a special order of business.

#### **Rule 9 — Voting at Conventions**

A delegate in the Convention shall vote as follows:

(a) Each delegate shall have 1 vote in the Convention, except on a roll-call vote.

(b) A roll-call vote must be had

i. On the election of National Officers or members of the Board of Auditors, provided such elections are contested;

ii. On any resolution or proposal concerning dues, assessments or fees;

iii. On any Constitutional amendment as provided in the Constitution.

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(f) The reports of Committees shall be subject to amendments and substitutes from the floor of the Convention, the same as other motions and resolutions.

(g) The five regular Committees of the Convention established under the Constitution and any other Committee established by the Convention shall make themselves available between the hours of 2:00 p.m. and 6:00 p.m. on the day preceding the Convention for the purpose of establishing a schedule for delegates wishing to appear before such committees. All Committees shall notify delegates who appear before them as to the results of the Committees' action upon any suggestion or request the delegate made of the Committee. This shall be done as expeditiously as possible by the Committee.

#### **Rule 11 — Visitors to the Convention**

All persons, other than delegates certified by the Credentials Committee and approved by the Convention, shall be permitted to attend the Convention upon the following conditions:

(a) They present themselves to the Credentials Committee and secure approval of the Committee;

(b) They not be permitted in the section of the Convention reserved for voting delegates.

#### **Rule 12 — General Information and Committee Booth**

There shall be a booth established in a convenient place within or on the premises of the Convention building to be known as "General Information and Committee Booth" which shall be utilized by all

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delegates to seek information or ask questions with regard to any matter before the Convention. Each Committee of the Convention shall have a representative in the Booth, or available to come to the Booth immediately upon request. The Booth shall be open during the convention hours and also one hour before and after regular established Convention sessions where feasible.

#### Rule 13 — Suspension of Rules

Any one or all of these rules may be temporarily suspended for any subject before the Convention by a majority of the delegates voting on the question.

#### Rule 14 — Amendment of Permanent Rules

No Permanent Rule of the Convention, upon adoption, shall be amended except by an affirmative vote of a majority of the duly qualified delegates to the Convention, present and voting. No such amendment shall be considered until it shall have been referred to and reported by the Committee on Rules.

Amendments shall be effective immediately upon their adoption. In case of any conflict between these rules and the Constitution, the Constitution shall govern.

### APPENDIX B

#### DEATH BENEFIT PROGRAM FOR MEMBERS COVERED PRIOR TO OCTOBER 1, 1973

##### COVERAGE

Initial coverage under this program shall go into effect for each member qualified on the first day of the month following of initial dues payment, if made after the 15th of the month. If the payment

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the event of the death of one of the family dependents, only one dependent benefit will be paid.

##### LIMITATIONS ON PAYMENT

In the event the Union has insufficient money with which to pay benefits due at any particular time, highest priority shall be given to the benefit for the earliest person to die and next priority shall be given to the next person who died thereafter, when there are pending claims for more than one person.

This program and the United Farm Workers of America shall have no liability to pay any amount of claims in excess of funds on hand through this program at the time the benefits become due.

However, claims may be paid from funds collected after the date of death, or accruing after the date of death of any particular person covered under this program. Provided, however, that the Union may terminate the program without liability to unpaid claimants on the part of the United Farm Workers of America.

##### BENEFITS

#### MEMBERS WHO JOINED BEFORE THEIR FIFTY-FIRST BIRTHDAY

The following is the schedule of benefits for members who joined the Union and became covered by this program before reaching their 51st birthday. The higher benefits are paid to those members who pay their dues no later than midnight of the 30th day after their dues become due and payable. The lower benefits are payable to members who pay their dues after midnight of the 30th day and be-

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for dues is made before the 15th of the month coverage shall begin on the 1st of the same month.

A member covered under this program shall continue to be eligible for the benefits hereunder, even though he has completed more than sixty-one years of age, subject to the termination provisions as explained below.

#### EXCLUSIONS

Union members (and their dependents) who do not pay their dues for a period of sixty days, are automatically disqualified from this death benefit program on midnight of the 60th day of delinquency. Members and dependents who are on active duty in the Armed Forces are excluded from coverage under this program immediately when they obtain active duty status. Members and dependents serving a sentence in jail are excluded from the benefits of this program immediately upon the commencement of service of the sentence. Dependents who marry, whether or not with a marriage ceremony, are excluded from the benefits of this program immediately upon the celebration of the marriage, or, if there is no ceremony, upon their living together as man and wife.

#### EXPLANATIONS

If a husband and wife are both members then both qualify for the member benefit, but in the event of the death of one of their dependents, only one benefit shall be paid for that dependent.

A family dependent who is a member qualifies for the member benefit. In such case, however, in

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fore midnight of the 60th day after their dues become due and payable. After sixty days delinquency no claim will be honored.

Higher	Lower	Explanation
\$1000	\$750	Member
\$ 500	\$400	Dependent spouse
\$ 500	\$400	Dependent child who is aged 6 mos. to 18 years.
\$ 100	\$ 75	Dependent child aged fifteen days to 6 months

No coverage for dependent child under fifteen days or newborn child not yet discharged from hospital after birth or born with a fatal defect at birth.

#### MEMBERS WHO JOINED AFTER THEIR 51ST AND BEFORE THEIR 61ST BIRTHDAY

Higher	Lower	Explanation
\$500	\$250	Member
\$250	\$150	Dependent spouse
\$500	\$400	Dependent child who is aged 6 mos. to 18 years
\$100	\$ 50	Dependent child, aged 15 days to 6 mos.

#### TERMINATION

A member who has reached his or her 61st birthday is permanently terminated from this program at midnight of the 60th day of delinquency in dues payment, and such member may not thereafter enter into coverage under this program.

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APPENDIX C - CONSTITUTIONAL AMENDMENTS

(changes are in italics)

1977 Amendments

NEW ARTICLE 8-A

HONORARY AND CONTRIBUTING MEMBERS

Section 1. *Honorary members. Any person, who because of his or her highly meritorious service to the Union, may be elected as a life-time honorary member of the Union upon nomination by the President and approval by the National Executive Board.*

Section 2. *Contributing Members. Any person, who, while making a monthly contribution to the Union in a sum designated by the National Executive Board, so petitions the National Executive Board, may be elected as a contributing member of the Union by the Board.*

Section 3. *Honorary and contributing members, because of their particular assistance to the Union, have an honored place within the Union. All other provisions of this Constitution are inapplicable to honorary and contributing members.*

ARTICLE 9

SUPERVISORS

Section 3 (p. 10) is amended to read:

No person acting on behalf of any employer or having the right to hire and/or fire shall be eligible for membership in this Union; provided; however, that with regard to persons otherwise eligible for membership who during part of the year act on behalf of any employer or have the right to hire and/or fire pursuant to a collective bargaining agreement with the Union.

the National Executive Board may on its behalf, or upon petition by the Ranch Community, suspend as to such persons the ineligibility established by this section upon such terms and conditions as the Board may deem appropriate and just. Any attempt by such person to undermine the Union's activity, welfare, or interest shall subject such person to expulsion.

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APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 2)

NEW ARTICLE 10-A

MEMBERS IN SERVICE TO THE UNION

The following sections, which presently deal with members in service would be deleted:

- A. The last sentence in Article 8 (p.0), beginning with the word Any and ending with Service.
- B. The last sentence in Section 2, of Article 10 (p.9), beginning with the word Persons and ending with fee.
- C. Subsection (d) of Section 3 of Article 11 (p.15), beginning with the word by and ending with occur.
- D. Section 2 of Article 12 (pp. 16-17), beginning with the word Members and ending with service.

The following new Proposed Article 10-A dealing with Members in Service to the Union would read as follows:

Section 1. Any person, having served the Union, or any of its subordinates or affiliated bodies, full time and without salary for an uninterrupted period of one (1) year shall be eligible for membership in this Union for the duration of his or her continuous full-time service.

Section 2. Any person eligible under Section 1 of this Article and not ineligible under Article 9 shall be admitted to membership on the day a completed and signed application is accepted by the President, and the oath, as set forth in Article 10, Section 1, is administered in a manner approved by the President.

Section 3. Persons obtaining Union membership by reason of full-time Union service shall be exempt from any initiation fee. Members serving full-time with the Union, or its subordinates or affiliated bodies, shall be exempt from dues and assessments for the duration of their full-time Union service.

Section 4. Members in service to the Union shall terminate their membership by leaving the full-time service of the Union and accepting a position outside of the Union's jurisdiction without first securing a leave of absence from the President.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 3)

NEW ARTICLE 10-A (continued)

MEMBERS IN SERVICE TO THE UNION

Section 5. *Members on authorized leaves of absence from their service with the Union or its subordinates or affiliated bodies may continue to be active Union members without regard to their separation from Union services, provided such leaves of absence are approved by the President, and renewed upon such terms and conditions as are required by the President.*

ARTICLE 11

ADMISSION OF NEW MEMBERS

Section 1 is amended to read:

An applicant is admitted to membership on the day his completed and signed application is accepted by the Ranch Community in a manner approved by the National Executive Board, and the oath, as set forth in Article 10, Section 1, is administered in a manner approved by the President.

Section 3 (pp. 14-15) is amended to read:

Membership in this Union shall be terminated:

- (a) by death;
- (b) by expulsion as provided in this Constitution;
- (c) by accepting a position which renders the member ineligible for membership, provided, however, that
  - (i) a member who temporarily assumes such a position may retain membership for a period not to exceed thirty (30) days, or
  - (ii) a member who would be ineligible under Article 9, Section 3 may retain membership if his or her ineligibility is suspended under the provisions of Article 9, Section 3,

on the condition such member may not hold any office within the Union or participate in any Union elections during such period.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 4)

ARTICLE 26

NUMBER OF DELEGATES

Section 5 is amended by adding new subsections (c) and (d) and renumbering former subsection (c) as (e), as follows:

- (c) *The membership of each Organizing Committee shall be calculated on the basis of peak agricultural employment during the 12 month period ending May 31;*
- (d) *The membership of each Administrative Body shall be composed of those members in service assigned to a particular Administrative Body at the time of the delegate election.*

ARTICLE 31

RESOLUTIONS

The first sentence in Article 31 (pp. 53-54) is amended to read as follows:

*Any Ranch Community, Organizing Committee, or Administrative Body may submit resolutions prior to the Convention by mailing them to the Secretary-Treasurer at least 21 days before the Convention. Protests of delegate elections must be received by the Secretary-Treasurer not more than 7 days after the delegate election in dispute. These protests shall be referred to the Credentials Committee which may waive the foregoing time limitations where the interests of justice would be served.*

The fourth sentence of Article 31 (pp. 53-54) is amended to read as follows:

*Beginning with the Fourth Constitutional Convention, in 1979, resolutions may be submitted to the Resolutions Committee by 30% or more of the accredited delegates. The President, Secretary-Treasurer, and members of the National Executive Board may also submit resolutions. Whenever there is a Majority and Minority Report from the Resolutions Committee, the Minority Report from the Resolutions Committee. the Minority Report shall be presented to the Convention first for adoption or rejection.*

ARTICLE 47

SUCCESSORS IN OFFICE

Section 1 (pp. 69-70) is amended to read:

If the office of President or Secretary-Treasurer becomes vacant, the National Executive Board shall designate a successor from among the members of the *National Executive Board*, who shall serve until the next regular convention at which a successor shall be elected for the balance of the unexpired term, if any.

ARTICLE 65

RANCH COMMITTEE AND ORGANIZING COMMITTEES

Section 1 (pp. 102-103) is amended to read:

Ranch Communities shall be governed as provided in this Constitution, the Uniform By-Laws, and the *Local Rules* ratified by the Ranch Communities.

ARTICLE 68

Section 4 (p. 109) is amended to read:

Organizing Committees shall have the powers and duties specified in this Constitution and the *Local Rules* ratified by the Organizing Committees. Organizing Committees and their directors shall have such additional powers and duties as may be assigned to them by the Convention, the National Executive Board, or the President. Organizing Committee business shall be conducted as provided in such *Local Rules*.

ARTICLE 81

EFFECTIVE DATE OF AMENDMENTS

Article 81 is amended to read:

Amendments or repeals adopted in a Convention shall become effective *immediately, unless otherwise specified in the amendment or repeal*. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified.

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1979 Amendments

ARTICLE 18

CHARGES AGAINST MEMBERS

(SECTIONS 1 - 5 SAME)

Section 6: If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the written charges, the officer of official receiving the charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally, or, if served by *certified mail, Return Receipt Requested*, by mailing such copy of the charges and notice of trial, *Return Receipt Requested*, at least 9 days before the date set for trial.

(SECTIONS 7 - 8 SAME)

ARTICLE 20

APPEALS TO THE NATIONAL EXECUTIVE BOARD

Section 1: Any member tried and disciplined, as provided in the preceding Article, shall have the right to appeal to the National Executive Board, as follows:

(a) the appeal to the National Executive Board shall be in writing, shall contain the return address of the appellant, and shall be directed to the Secretary-Treasurer of the Union, who shall obtain the record of the case;

(b) such written appeal must be mailed to the Secretary-Treasurer within 15 days of the date of the trial. The 15-day time limit provided in this Section for filing appeals from the decisions of trial courts may be extended at the discretion of the National Executive Board, for a period not to exceed thirty (30) days, when the Board determines that such extension would serve the interest of justice;

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 5)

ARTICLE 47

SUCCESSORS IN OFFICE

Section 1 (pp. 69-70) is amended to read:

If the office of President or Secretary-Treasurer becomes vacant, the National Executive Board shall designate a successor from among the members of the *National Executive Board*, who shall serve until the next regular convention at which a successor shall be elected for the balance of the unexpired term, if any.

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Amendments or repeals adopted in a Convention shall become effective *immediately, unless otherwise specified in the amendment or repeal*. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified.

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1979 Amendments

ARTICLE 18

CHARGES AGAINST MEMBERS

(SECTIONS 1 - 5 SAME)

Section 6: If the charges are not found to be improper, the trial must be held as provided in the following Article. Within 5 days after receipt of the written charges, the officer of official receiving the charges shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least 7 days before the date set for the trial, if served personally, or, if served by *certified mail, Return Receipt Requested*, by mailing such copy of the charges and notice of trial, *Return Receipt Requested*, at least 9 days before the date set for trial.

(SECTIONS 7 - 8 SAME)

ARTICLE 20

APPEALS TO THE NATIONAL EXECUTIVE BOARD

Section 1: Any member tried and disciplined, as provided in the preceding Article, shall have the right to appeal to the National Executive Board, as follows:

(a) the appeal to the National Executive Board shall be in writing, shall contain the return address of the appellant, and shall be directed to the Secretary-Treasurer of the Union, who shall obtain the record of the case;

(b) such written appeal must be mailed to the Secretary-Treasurer within 15 days of the date of the trial. The 15-day time limit provided in this Section for filing appeals from the decisions of trial courts may be extended at the discretion of the National Executive Board, for a period not to exceed thirty (30) days, when the Board determines that such extension would serve the interest of justice;

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 7)

ARTICLE 20

APPEALS TO THE NATIONAL EXECUTIVE BOARD  
(continued)

(c) The National Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial. The National Executive Board shall decide such appeal within thirty (30) days of receipt of the written appeal, and shall notify the appellant, by *Certified Mail, Return Receipt Requested*, addressed to the address shown on the appeal, of the Board's decision and, if the conviction and/or sentence be reaffirmed, of his or her right to appeal to the Convention or the Public Review Board, as provided in this Article;

(d) When the appellant has been convicted and reprimanded, censured, suspended or expelled from membership, such penalty shall not be enforced pending final decision by the National Executive Board on any appeal filed as provided in this Section.

(SECTIONS 2 - 5 SAME)

ARTICLE 54

CHARGES AGAINST AND TRIAL OF NATIONAL OFFICERS AND THEIR  
AGENTS AND REPRESENTATIVES: DISCIPLINE OF NATIONAL  
OFFICERS AND THEIR AGENTS AND REPRESENTATIVES AND REMOVAL  
OF NATIONAL OFFICERS

*Section 5:* The officers receiving the charges shall, within ten (10) days thereafter, set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if served personally, or, if served by *Certified Mail, Return Receipt Requested*, by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

(SECTIONS 6 - 10 SAME)

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ARTICLE 61

CHARGES AGAINST MEMBERS OF THE BOARD OF AUDITORS

*Section 1:* Any officer or member in good standing may prefer charges against any member or member of the Board of Auditors for:

- (a) breach of trust;
- (b) violating any provision of this Constitution;
- (c) violating any decision of the Convention or the National Executive Board;
- (d) committing an act calculated to embarrass or impair the dignity of the Union;
- (e) holding or acquiring any financial or personal interest which conflicts with the interests of the Union or for failure to account to the Union for any profit received by him in connection with Union business conducted by him or under his direction;
- (f) misappropriating money or property of the Union including larceny, embezzlement or willful misapplication of Union assets;
- (g) other acts of dishonesty;
- (h) conduct detrimental to the welfare of the Union;
- (i) supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with this Union's jurisdiction;
- (j) supporting or assisting any person, group of persons or organization in any act or activities for the purpose of replacing this Union as a collective bargaining agent, or;
- (k) committing such other offenses, equally serious, which tend to bring the Union into disrepute.

*Section 2:* No member of the Board of Auditors shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union.

## APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 9)

66

ARTICLE

## ARTICLE 61

## CHARGES AGAINST MEMBERS OF THE BOARD OF AUDITORS

Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President who shall promptly submit them to the National Executive Board. The President, within ten (10) days after receiving such charges, shall set a time and place for the trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if served personally, or, if served by Certified Mail, Return Receipt Requested, by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

Section 4: A member of the Board of Auditors against whom charges have been filed for conduct set forth in Section 1 (f) of this Article shall forthwith be suspended, pending a final determination by the National Executive Board sitting as a trial court or any appeal resulting from such trial or pending the determination of any recall proceedings. A substitute for such suspended member shall be appointed to serve in such member's stead during his or her suspension, as provided in Article 60 of this Part.

Section 5: A member of the Board of Auditors against whom charges have been filed for any other conduct set forth in Section 1 of this Article may be suspended from office by a two thirds (2/3) vote of the full National Executive Board, pending a final determination by the Board sitting as a trial court of any appeal resulting from such trial or pending the determination of any recall proceedings, where such suspension is determined by the Board to be in the best interest of the Union.

## ARTICLE

66

## CHARGES AGAINST RANCH COMMUNITY OFFICERS, TRIAL, DISCIPLINE AND REMOVAL FROM OFFICE

(SECTIONS 1 - 2 SAME)

ARTICLE 66

CHARGES AGAINST RANCH COMMUNITY OFFICERS, TRIAL,  
DISCIPLINE AND REMOVAL FROM OFFICE  
(continued)

Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each charge and shall contain an allegation of the facts constituting each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President or, if the President be the accused party, to the Secretary. If both of these Ranch officers are charged with such offenses, the charges shall be filed with the Secretary-Treasurer of the Union. The Ranch Officer receiving the charges, or the Secretary-Treasurer shall, within ten (10) days thereafter, set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if *Certified Mail, Return Receipt Requested*, by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

(SECTIONS 4 - 6 SAME)

ARTICLE 69

CHARGES AGAINST DIRECTOR OF ORGANIZING COMMITTEES, TRIAL,  
DISCIPLINE AND REMOVAL FROM OFFICE

(SECTIONS 1 - 2 SAME)

Section 3: Such charges shall be in writing, signed and sworn to by the accuser or accusers. The writing shall set forth separately and specifically each separate offense charged and the approximate date or dates each separate offense is alleged to have occurred. Such written charges shall be presented to the President. The President, as the Chief Executive Officer directly responsible for the appointment of the Accused Director, shall determine whether or not such Director shall be suspended pending full trial by the National Executive Board. Within ten (10) days after receiving the charges, the President shall set a time and place for trial. A copy of the charges, together with a notice of the time and place of trial, shall be served upon the accused at least ten (10) days before the date set for the trial, if served personally, or, if served by *Certified Mail, Return Receipt Requested* by mailing such copy of the charges and notice at least twelve (12) days before the date set for the trial.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 11)

ARTICLE 69

CHARGES AGAINST DIRECTOR OF ORGANIZING COMMITTEES, TRIAL,  
DISCIPLINE AND REMOVAL FROM OFFICE

(SECTIONS 4 - 6 SAME)

ARTICLE 70

REFERENDUM

(SECTIONS 1 - 6 SAME)

Section 7: The results of each referendum election shall be forwarded to the Secretary-Treasurer by *Certified Mail, Return Receipt Requested*, within five (5) days after the election is held, together with the original ballots. The Secretary-Treasurer shall compile the total vote of the membership, announce the vote to the National Executive Board and forward such final results to the Secretary of each electoral body. The Secretary-Treasurer shall also cause to be published in the Union newspaper the total vote of the membership as well as the vote of each electoral body. These results shall be announced and published by the Secretary-Treasurer within ninety (90) days of the date on which the Notice was issued.

(SECTION 8 SAME)

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1981 Amendments

ARTICLE 12

MEMBERSHIP DUES

*Section 1:* Each member of this Union shall pay the membership dues established by the Convention. Membership dues shall be collected in the manner as determined by the Convention or the National Executive Board.

*Section 2:* The National Executive Board may exempt members of Organizing Committees, strikers and boycotters from the payment of the required membership dues, by reason of their inability to pay dues, their volunteered Union service, and/or their inability to reap the benefits of working under a Union contract.

*Section 3:* Dues structure;

(a) The 1973 Convention shall adopt a dues structure based on a fixed percentage of each members' Union wages. Union wages are defined as wages earned by a Union member while working for an employer or employers party to a Union collective bargaining agreement. Union wages shall include vacation pay, holiday pay, overtime pay and any other form of payment or compensation due a Union member under the provisions of a Union collective bargaining agreement. The Convention shall set the precise percentage of every member's Union wages which shall be payable as membership dues. The Convention shall also establish the apportionment of Union dues between the General Fund of the Union and the Union's STRIKE Fund, and it shall be the duty of the Secretary-Treasurer to so apportion and deposit all membership dues received by the Union.

(b) The Union shall set aside each year's Rufino Contreras dues payment as a civic and political fund to be used for the purpose of strengthening democracy by encouraging members, and citizens generally, to register and vote in community, state, and national elections and to carry on organizational and educational programs directed toward the achievement of an even higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.

APPENDIX C - CONSTITUTIONAL AMENDMENTS (Page 13)

ARTICLE 12

MEMBERSHIP DUES  
(continued)

**Section 4:** Right to object to the expenditure of dues for causes primarily political in nature:

(a) Any member shall have the right to object to the expenditure of a portion of *her/his* dues money for activities or causes primarily political in nature. The approximate proportion of dues spent for such political purposes shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member may perfect *her/his* objection by individually notifying the National Secretary-Treasurer of the objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of Union membership and during the fourteen (14) days following each anniversary of Union membership. An objection may be continued from year-to-year by individual notifications given during each annual fourteen (14) day period.

(b) If an objecting member is dissatisfied with the approximate proportional allocation made by the committee of the National Executive Board or the disposition of *her/his* objection by the National Secretary-Treasurer, *s/he* may appeal directly to the full National Executive Board and the decision of the National Executive Board shall be appealable to the Public Review Board or the Convention Appeals Committee at the option of said member.

**Section 5:** The percentage of Union wages dues structure shall take effect January 1, 1974, unless the Convention adopts a later date.

**Section 6:** Dues payment structure:

(a) Under the percentage of Union wages dues structure, each member's dues shall be deducted and paid over to the Union each and every week in which the member receives Union wages.

(b) Under the Rufino Contreras dues payment structure each member's dues shall be deducted and paid over to the Union each and every year.

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ARTICLE 12

MEMBERSHIP DUES  
(continued)

Section 6 (continued)

(c) It shall be the duty and obligation of every Union member to execute the necessary authorization or authorizations for the dues deduction from his or her paycheck before earning any Union wages. In the event a Union member receives Union wages from which the dues deduction has not been made, such member shall pay his required membership dues at the nearest Union office within seven (7) days of receipt of such Union wages. Failure to execute the necessary authorization or authorizations or to pay the required dues within seven (7) days, in the event the authorized deduction is not made, shall subject a Union member to suspension and expulsion as provided in Section 8.

Section 7: Between regular Conventions, membership dues may be changed or increased only by a referendum or by a Special Convention. Should the National Executive Board desire to change or increase the membership dues established by the Convention, it shall either call a Special Convention for such purpose, as provided in PART FOUR, or it shall submit the proposed change or increase to a referendum vote, in accordance with PART NINE.

Section 8: Delegates to a regular Special Convention representing Administrative Bodies or Organizing Committees whose memberships pay no dues shall not be entitled to vote on any question or proposal concerning membership dues. The dues structure and the amount of dues shall be established, and any changes in same approved, by a majority of the per-capita vote not so disqualified from voting on such issues. Should the National Executive Board submit a dues change or increase to a referendum vote, only the membership of the Ranch Communities and of those Organizing Committees, if any, whose members pay dues, shall be entitled to vote in such referendum.

Section 9: A member in default in the payment of any installment of dues for thirty (30) days from the date such amount becomes due shall be automatically expelled from the Union. A member so expelled shall not be readmitted without payment of all dues owing at the time of expulsion, any assessments accruing during the period of expulsion, and the regular Initiation Fee of \$25; neither shall such expelled member be readmitted until the lapse of ninety (90) days from the date of expulsion. Under the Union dues structure, dues shall become due any payable on the date Union wages are received.

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**ALCAZAR**

## **SPECIAL ISSUE**

# **C.P.D. RUFINO CONTRERAS POLITICAL ACTION FUND**

## **MANDATORY PAYMENT FOR CITIZEN PARTICIPATION DAY: NOW APPROVED BY LAW IN SETTLEMENT AGREEMENT**

In the year 1972, a fund for political action was established by the Union declaring any holiday, a Sunday for example, as "Citizenship Participation Day". Although union members do not work on this day, the employer is required to pay that full day wages to the fund. This contribution enables the Union to move forward in the extremely important area of political action.

The procedure of collecting contributions for the political action fund has been followed since the passage of the Agricultural Labor Relations Act, the union's most important political achieve-

ment. This collection of dues for political action was challenged by the Agriculture Labor Relations Board. In a recent decision, the Board decided that the union can legally do this, guarding the member's freedom of choice and their settlement agreement which recognizes as a matter of law the right of the union to demand the payment of the contributions as mandatory dues. The Board's decision, its legal precedents, the fundamentals of political action, what the Rufino Contreras funds have already made possible and what must be done in the future will all be explained in this special issue.

Ex.  
B

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of: )

UNITED FARM WORKERS OF )  
AMERICA, AFL-CIO, )

Respondent, )

and )

CERVANDO PEREZ, et al., )

Charging Parties. )

Case No. 78-CL-21-M

STIPULATED SETTLEMENT AGREEMENT

8 4 0 4 0 4 5 3 2 2  
The United Farm Workers of America, AFL-CIO (hereinafter called Respondent), and the General Counsel of the Agricultural Labor Relations Board (hereinafter ALRB or Board), by and through the ALRB Regional Director for the Salinas Regional Office, hereby STIPULATE AS FOLLOWS:

A. Upon charges filed by the Charging Parties in case number 78-CL-21-M, receipt of which charges is hereby acknowledge by Respondent, the General Counsel of the ALRB, by the Regional Director of the Salinas office, acting pursuant to authority granted in California Labor Code section 1140 through section 1166.3 of the Agricultural Labor Relations Act (hereinafter the Act) and section 20220 of the Board' Regulations, contained in Part II of Title 8 of the California Administrative Code, issued a complaint against the Respondent on April 16, 1979 together with a Notice of Hearing thereon and a First Amended Complaint on July 4, 1979 with Notice of Hearing thereon. True copies of the aforesaid complaints were served on Respondent and Charging Parties on April 16,

1979 and July 6, 1979, respectively, receipt of which copies is hereby acknowledge by all parties.

B. Respondent is now and has been at all times material herein, a labor organization within the meaning of Labor Code section 1140.4(f).

C. Charging Parties are agricultural employees employed by West Coast Farms and J.J. Crosetti, agricultural employers within the meaning of Labor Code section 1140.4(c).

D. For the purposes of this case, all parties hereto waive the hearing, Administrative Law Officer's decision, the filing of exceptions and briefs, oral arguments before the Board and all further findings of fact and conclusions of law by the Board, and all further and other proceedings to which the parties may be entitled under the Act and the Regulations of the Board except that the Board's power to apply to the court for enforcement under the final paragraph of Labor Code section 1160.8 is not waived.

E. The entire record herein shall consist of the following documents: this Stipulated Settlement Agreement and the Notice to Employees; the charges, the complaint and Notice of Hearing, and amendments thereto, copies of which pleadings are attached hereto as exhibits A through D and incorporated herein by reference; the order dismissing portion of First Amended Complaint, dated November 2, 1979 and attached hereto as exhibit E; the order dismissing portion of First Amended Complaint dated January 15, 1982 and attached hereto as exhibit

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F; the Respondent's administrative letter dated December 3, 1981 which established the rebate procedure described in paragraph 2(i)(1) of this Stipulated Settlement Agreement, and is attached hereto as exhibit G; the administrative letter no. 2 volume 27 of the United Auto Workers, dated June 5, 1975, attached hereto as exhibit H, and the United Farm Workers constitution, attached hereto as exhibit I.

F. Upon this Stipulated Settlement Agreement (hereinafter settlement or agreement) and said record, and without any further notice of proceedings herein, the Board may enter an order approving this settlement and ordering compliance with its provisions and a superior court in a county referred to in the final paragraph of Labor Code section 1160.8 may, upon application of the Board, order the following, to which Respondent hereby agrees: Respondent and each of its officers, agents successors and assigns, (each) shall:

1. Cease and desist from:

a) failing to adopt the rebate procedure for Citizenship Participation Day dues set forth in paragraph 2(i)(1) and declaring a member in bad standing and causing him/her to be discharged, disciplined or fined for refusing to authorize his/her holiday pay to be paid to Respondent's "Citizenship Participation Day Committee" (hereinafter CPD) unless the member has first been afforded the opportunity to object as provided in paragraph 2(i)(1);

b) restraining and coercing an agricultural employee in the exercise of his/her rights guaranteed in Labor



c) causing or attempting to cause an agricultural employer to discriminate against an employee or to discriminate or attempt to discriminate against an employee by imposing as a membership requirement an unreasonable term and condition. In any other manner interfering with, restraining, or coercing employees in the exercise of their California Labor Code section 1152 rights to self-organization and to engage in concerted activities or to refrain from engaging in any and all such activities.

2) Take the following affirmative action which will effectuate the policies and purposes of the Act:

a) Respondent shall immediately reinstate to good standing without the necessity to make any payment for back dues for the period of expulsion, if any, or without the necessity to make any back payment for CPD monies, if any, all Charging Parties herein and so notify each Charging Party's respective employer;

b) Respondent shall cease and desist from conducting any trial or utilizing any internal union procedure currently pending against any of the Charging Parties that arise from the charges underlying the complaint being resolved by this settlement agreement;

c) Respondent shall see to it that Charging Party, Cervando Perez, if he has not already been reinstated or declined reinstatement, is reinstated to his same or substantially equivalent job with West Coast Farms without prejudice to his

seniority and other benefits and at the hourly wage rate he would have been entitled to had he continued to work in his previous job. The agreement to reinstate shall terminate upon Charging Party's declining reinstatement or upon Charging Party's failure to respond to recall, whichever comes first. The offer of reinstatement shall not be extended or revived;

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d) Respondent will make Cervando Perez whole for any lost wages since the date it caused his discharge. Respondent will make whole any other Charging Party who has lost wages as the result of any actions taken by the Respondent with respect to CPD. The backpay period for Cervando Perez shall be calculated from the date of discharge, July 26, 1978, to ten (10) days following receipt of the Respondent's offer of reinstatement, November 10, 1980. This agreement shall not waive any appropriate defense to backpay, including but not limited to failure to mitigate damages. Additionally, backpay shall be calculated according to ALRB precedent and shall include the Respondent's right to set off any and all income as defined by the Internal Revenue Code, received during the backpay period. If Respondent and Charging Parties fail to reach an agreement on backpay, the backpay owing any Charging Party shall be determined by backpay proceedings pursuant to section 20290 of the Board Regulations.

e) Respondent shall cause the attached Notice to Employees to be signed by an authorized representative. Upon its translation by a board agent into appropriate languages as determined by the Regional Director, Respondent shall cause

the translation to be signed by an authorized representative.

f) Respondent shall post copies of the attached notice for sixty (60) consecutive days on Respondent's premises at places to be determined by the Regional Director. Respondent shall inspect each posted notice at least every other day, replace forthwith any altered or defaced notice with a fresh notice and uncover forthwith any posted notice that has become covered.

g) Respondent shall mail copies of the attached Notice to Employees of J.J. Crosetti and West Coast Farms in all appropriate languages, within thirty (30) days from Board approval of the settlement or upon receipt of the notices and employee addresses from the Regional Director. In the event that J.J. Crosetti Company is out of the row crop business, no notice will be required to J.J. Crosetti Company employees.

h) At times and places to be determined by the Regional Director, who is to strive for maximum exposure of the notice to the Respondent's members, permit board agents or Respondent's representative chosen by the Regional Director to distribute and read the attached notice in appropriate languages to the assembled members of Respondent of J.J. Crosetti and West Coast Farms. Following the reading, allow the board agent the opportunity, outside the presence of Respondent, to answer any questions employees may have concerning the notice of their rights under the Act.

i) (1) Respondent will institute the procedure described in this paragraph and in the attached Notice to

Employees by which a union member may object to the use of any dues for activities or causes primarily political in nature. The member may perfect his objection by individually notifying the National Secretary-Treasurer of his objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of union membership and during the fourteen (14) days following each anniversary of union membership. An objection may be continued from year to year by individual notification given during each annual fourteen (14) day period. The approximate proportion of the member's dues spent for such activities or causes primarily political in nature to which the member objects shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of the National Executive Board. The member will be refunded this proportion of his/her dues. If an objecting member is dissatisfied with the approximate proportional allocation made by the committee of the Board or the disposition of his objection by the National Secretary-Treasurer, the member may appeal directly to the full National Executive Board and the decision of the Board shall be appealable to the Public Review Board or the United Farm Workers constitutional convention at the option of the member. The determination made by the committee of the Board shall be sufficiently detailed and substantiated by documentation so as to allow a member to process a meaningful appeal, should he desire.

(2) CPD funds collected subsequent to the date of this agreement from objecting members will be placed in an



escrow account pending determination of the proportionate refund by the Committee of the National Executive Board.

(3) This procedure is substantially identical to that employed by the United Auto Workers Union as described in its administrative letter no. 2 volume 27, dated June 5, 1978 and attached hereto as exhibit H.

(4) Consistent with the ALRB's analysis in J. Jesus R. Conchola (1980) 6 ALRB No. 16, the parties agree the CPD constitutes dues which may be collected in full, subject to a proportional rebate as outlined in this paragraph.

(5) Availability of the rebate procedure outlined in this paragraph shall be communicated by administrative letter to all Union Ranch Committees who shall notify their respective Ranch Communities at regular membership meetings.

G. This agreement, together with the other documents constituting the record as described above, shall be filed with the Board. This settlement is subject to the approval of the Board, and it shall be of no force of effect until the Board has granted such approval. Upon the Board's approval, the Respondent shall comply with the provisions of the order as set forth above immediately, or as otherwise stated, except to the extent that compliance has already occurred.

H. Notify the Regional Director of the Salinas Region, in writing, with thirty (30) days after the date of approval by the Board of this settlement agreement, of the steps it has taken to comply herewith, and continue to report periodically thereafter at the Regional Director's request, until full

compliance is achieved.

I. The superior court for the appropriate county may, upon petition and motion of the Board, immediately and summarily enter judgment pursuant to Labor Code section 1160.8 enforcing the order of the Board in the form set forth in paragraph F hereof. The time for review of the order of the Board may be deemed to have lapsed immediately upon issuance thereof, and Respondent expressly waives and all defenses and objections to the immediate entry of a judgment of enforcement, including compliance with the Board's order and notice of the filing of a petition, entry of a judgment of enforcement, provided that the judgment is in the words set forth in paragraph F hereof. However, Respondent reserves its right to raise any and all defenses it may have to any subsequent enforcement of that judgment by contempt proceedings. Respondent shall be required to comply with the affirmative provisions of the Board's order after the entry of the judgment only to the extent that it has not already done so.

J. The entering into the execution of this settlement agreement does not constitute an admission by the United Farm Workers that it has engaged in any unfair labor practices or violated the Agricultural Labor Relations Act or any statute or regulation.

K. The parties agree that this agreement constitutes a full and complete settlement of any and all ALRA claims litigable before the Board and arising out of the Respondent's act and conduct as set forth in the First Amended Complaint, attached hereto.

L. Upon determination by the Regional Director that Respondent has fully complied with all the terms of the settlement the Regional Director will close the case.

M. This Stipulated Settlement Agreement contains the entire agreement among the parties, there being no other agreement of any kind, verbal or otherwise, which varies, alters or adds to it.

N. All parties agree that in those matters concerning which the Regional Director is given discretion, his/her decision shall be final and binding on the parties.

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Ellen Eggers  
ELLEN EGGERS  
UNITED FARM WORKERS OF  
AMERICA, AFL-CIO

May 7, 1982  
DATE

Louis Martinez  
LOUIS MARTINEZ  
REGIONAL DIRECTOR  
For General Counsel

5/10/82  
DATE

James W. Sullivan  
JAMES W. SULLIVAN  
STAFF COUNSEL  
Agricultural Labor Relations  
Board

May 3, 1982  
DATE



STATE OF CALIFORNIA  
4040453  
AGRICULTURAL LABOR RELATIONS BOARD

# NOTICE TO EMPLOYEES

## SETTLEMENT AGREEMENT

A COMPLAINT BASED ON CHARGES FILED BY TWELVE (12) FARM WORKERS WAS ISSUED BY THE AGRICULTURAL LABOR RELATIONS BOARD ALLEGING THAT WE VIOLATED THE LAW BY DECLARING UNION MEMBERS TO BE IN BAD STANDING WITH THE UNION AND BY THREATENING THE CHARGING PARTIES WITH DISCIPLINE AND FINES AND EXPULSIONS, AND IN ONE CASE ACTUALLY SECURING THE TERMINATION OF A MEMBER FROM EMPLOYMENT BECAUSE THE CHARGING PARTIES REFUSED TO AUTHORIZE THEIR HOLIDAY PAY TO BE PAID TO OUR "CITIZENSHIP PARTICIPATION DAY" FUND (CPD).

IN ORDER TO RESOLVE THE DISPUTE COVERED BY THIS COMPLAINT, THE UNITED FARM WORKERS AND THE GENERAL COUNSEL OF THE ALRB HAVE AGREED TO A SETTLEMENT. AS PART OF THIS SETTLEMENT, WE ARE DISTRIBUTING AND POSTING THIS NOTICE TO YOU.

THE AGRICULTURAL LABOR RELATIONS ACT IS A LAW THAT GIVES FARM WORKERS THE FOLLOWING RIGHTS:

- (1) TO ORGANIZE THEMSELVES:
- (2) TO FORM, JOIN, OR HELP UNIONS:
- (3) TO BARGAIN AS A GROUP AND TO CHOOSE WHOM THEY WANT TO SPEAK FOR THEM:
- (4) TO ACT TOGETHER WITH OTHER WORKERS TO TRY TO GET A CONTRACT OR TO HELP AND PROTECT ONE ANOTHER; AND
- (5) TO DECIDE NOT TO DO ANY OF THESE THINGS.

BECAUSE THIS IS TRUE, WE WILL NOT INTERFERE WITH, RESTRAIN, OR COERCE YOU IN THE EXERCISE OF YOUR RIGHTS UNDER THE ACT.

PLEASE BE ADVISED THAT THE FOLLOWING PROCEDURE IS AVAILABLE FOR MEMBERS WHO OBJECT TO DUES BEING SPENT FOR ACTIVITIES OR CAUSES PRIMARILY POLITICAL IN NATURE:

THE MEMBER MAY PERFECT HIS OBJECTION BY INDIVIDUALLY NOTIFYING THE NATIONAL SECRETARY-TREASURER OF HIS OBJECTION BY REGISTERED OR CERTIFIED MAIL, PROVIDED, HOWEVER, THAT SUCH OBJECTION SHALL BE TIMELY ONLY DURING THE FIRST FOURTEEN (14) DAYS OF UNION MEMBERSHIP AND DURING THE FOURTEEN (14) DAYS FOLLOWING EACH ANNIVERSARY OF UNION MEMBERSHIP. AN OBJECTION MAY BE CONTINUED FROM YEAR TO YEAR BY INDIVIDUAL NOTIFICATION GIVEN DURING EACH ANNUAL FOURTEEN (14) DAY PERIOD. THE APPROXIMATE PROPORTION OF THE MEMBER'S DUES SPENT FOR SUCH ACTIVITIES OR CAUSES PRIMARILY POLITICAL IN NATURE TO WHICH THE MEMBER OBJECTS SHALL BE DETERMINED BY A COMMITTEE OF THE NATIONAL EXECUTIVE BOARD, WHICH SHALL BE APPOINTED BY THE PRESIDENT, SUBJECT TO THE APPROVAL OF THE BOARD.

THE MEMBER WILL BE REFUNDED THIS PROPORTION OF HIS DUES. IF AN OBJECTING MEMBER IS DISSATISFIED WITH THE APPROXIMATE PROPORTIONAL ALLOCATION MADE BY THE COMMITTEE OF THE BOARD OR THE DISPOSITION OF HIS OBJECTION BY THE NATIONAL SECRETARY - TREASURER, THE MEMBER MAY APPEAL DIRECTLY TO THE FULL NATIONAL EXECUTIVE BOARD AND THE DECISION OF THE BOARD SHALL BE APPEALABLE TO THE PUBLIC REVIEW BOARD OR THE UFW'S CONSTITUTIONAL CONVENTION AT THE OPTION OF THE MEMBER.

IF YOU HAVE ANY QUESTION CONCERNING THIS SETTLEMENT, CONTACT THE FOLLOWING OFFICE OF THE AGRICULTURAL LABOR RELATIONS BOARD: SALINAS REGIONAL OFFICE, 112 BORONDA ROAD, SALINAS, CA 93907, (408) 443-3145.

DATED:

SIGNED:

FOR THE UNITED FARM WORKERS OF  
AMERICA, AFL-CIO





# UNITED FARM WORKERS of AMERICA AFL-CIO

National Headquarters: La Paz, Keene, California 93531  
(805) 822-5571

U F W

## ADMINISTRATIVE LETTER

Volume 1

December 3, 1981

Letter No. 6

### IN THIS ISSUE

National Executive Board (NEB) Amendment of UFW Constitution pursuant to Article 84 and a determination of political expenditures pursuant to Article 14, Section 9. *This letter is an amendment to Administrative Letter #1 dated May 30, 1981. The report of the NEB and the amendment to the National Constitution are in all respects identical to the original letter. However, due to an oversight, a portion of the explanatory statement beginning on Page 7 was omitted.*

TO: All Ranch Communities

### Greetings:

Pursuant to Article 84, Sections 1, 2 and 3 of the National Union Constitution, the National Executive Board (NEB) during its meeting of May 23, 1981 amended the National Union Constitution by adding Section 9(a) and (b) to Article 14 (Membership Dues). The NEB Amendment to the Constitution appears in full on page 4 of this Administrative Letter.

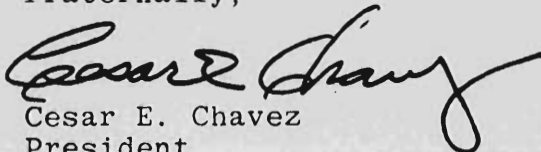
Pursuant to the requirements of Article 14, Section 9, the NEB appointed a National Committee on Political Expenditures. The Committee analyzed all UFW expenditures for partisan political purposes for the

fiscal years 1979 - 1980 and 1980 - 1981 (ten months) in order to establish the approximate average proportion of UFW dues money spent by the UFW annually for "activities or causes primarily political in nature."

The NEB Committee report appears in full, beginning on page 2 of this Administrative Letter.

With all good wishes.

Fraternally,

  
Cesar E. Chavez  
President

CEC:ew

Ex.  
D



REPORT OF NATIONAL EXECUTIVE BOARD COMMITTEE  
ON POLITICAL EXPENDITURES

Preliminary Statement

The National Executive Board Committee on Political Expenditures was appointed by the President, pursuant to Article 14, Section 9 of the National Constitution, to determine the approximate proportion of UFW dues money spent for "activities or causes primarily political in nature."

We believe that it is a normal and traditional trade union function essential to the proper realization of the UFW's basic goals, to support programs and political candidates dedicated to the improvement of the economic, social and political conditions of life for workers and their families and to promote the general welfare and the democratic way of life for all the people.

Indeed, sections j, k, l, p and q of Article 6 of the National Constitution specifically require the UFW to act in these areas. Those sections read as follows:

Article 6, section (j): To promote a better understanding by government and the public of the purposes and objects of this Union and the labor movement as a whole.

Article 6, section (k): To engage in legislative activity to promote, protect and advance the physical, economic and social welfare of the workers.

Article 6, section (l): To promote registration, voting, political education and other citizenship activities involving the membership and their families and communities, which will secure the election of candidates and the passage of improved legislation in the interest of all labor and the defeat or repeal of those laws which are unjust to labor and detrimental to the membership.

Article 6, section (p): To distribute information to the membership concerning economic, social, political and other matters which affect their well being.

Article 6, section (q): To protect the civil rights and liberties of its members and all other people and to guarantee to them a powerful voice in the institutions and decisions which govern their lives.

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The UFW has a deep and abiding obligation to engage in activities designed to promote a better life for workers and their families and to help achieve economic and social justice for all people both at home and in the world. We recognize, however, that reasonable men might differ as to programs and methods in achieving these worthy goals. Therefore the UFW has striven at all times to be sensitive to the need for full freedom of belief and the preservation of the delicate balance between institutional rights and individual rights.

In construing the term expenditures "for activities or causes primarily political in nature" the Committee has, of course, deliberated within the framework of the language of Article 14, section 9. The Committee has, moreover, been directed by the legislative history of this constitutional amendment which is described in the next section of this report.

On May 23, 1981, the National Executive Board amended the National Union Constitution by adding Section 9(a) and (b) to Article 14. The authority for this action is found in Article 84 of the National Union Constitution:

#### ARTICLE 84

##### EMERGENCY AMENDMENT BY THE NATIONAL EXECUTIVE BOARD

*SUMMARY: The National Executive Board may only amend the Constitution if required by law or in a declared emergency. Any emergency amendment must be approved within 100 days by a referendum.*

Section 1: The National Executive Board may not amend The Constitution except where necessary to comply with the law or in a declared emergency as provided in Section 1 and 2 of Article 40 of PART FIVE.

Section 2: In the event the National Executive Board amends the Constitution in the exercise of its emergency legislative power, such amendment shall immediately be published to all Ranch Communities, Organizing Committees and Administrative Bodies.

Section 3: Any such emergency amendment to the Constitution not required by law shall only be effective for a period of 100 days from the date of adoption by the Board, unless approved by a Special Convention or Referendum prior to the expiration of such period.

The amendment reads as follows:

Article 14 - MEMBERSHIP DUES - section 9: Right to object to the expenditure of dues for causes primarily political in nature:

(a) Any member shall have the right to object to the expenditure of a portion of her/his dues money for activities or causes primarily political in nature. The approximate proportion of dues spent for such political purposes shall be determined by a Committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member may perfect her/his objection by individually notifying the National Secretary-Treasurer of the objection by registered or certified mail: provided, however, that such objection shall be timely only during the first fourteen (14) days following each anniversary of Union membership. An objection may be continued from year-to-year by individual notifications given during each annual fourteen (14) day period.

(b) If an objecting member is dissatisfied with the approximate proportional allocation made by the Committee of the National Executive Board or the disposition of his/her objection by the National Secretary-Treasurer, s/he may appeal directly to the full National Executive Board and the decision of the National Executive Board shall be appealable to the Public Review Board or the Convention Appeals Committee at the option of said member.

#### Legislative History

In 1970, the National Executive Board of the National Union ordered the establishment of a Citizen Participation Day Fund to be supported by voluntary member contributions through Collective Bargaining Agreements which provide for a holiday known as Citizen Participation Day. The employer is required to pay the employees for that day, although they do not work. If the employee executes an authorization, however, his or her holiday pay is remitted by the employer directly to the Citizen Participation Committee.

At the Union's National Convention held on August 26 - 28, 1977,

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ADMINISTRATIVE LETTER  
December 3, 1981  
Page Five

the NEB submitted Resolution No. 45 asking that CPD contributions be made mandatory dues. Resolution 45 reads as follows:

RESOLUTION 45

MANDATORY CONTRIBUTIONS TO CITIZEN PARTICIPATION DAY FUND

*Submitted by the National Executive Board*

WHEREAS, Farm workers face abuse and discrimination every day, both on the job and in the community, and

WHEREAS, Through good union contracts farm workers can stop the abuses and discrimination on the job, and

WHEREAS, The fight for justice and dignity does not stop at the end of the work day, but extends into the community, and

WHEREAS, Farm workers must build active political power to protect the gains won on the job through contracts and fight the problems of the community, and

WHEREAS, Active political power means that farm workers can lobby to pass good laws, that will benefit farm workers, and fight to block the passage of bad laws, which are sponsored by the rich lobby of growers, and

WHEREAS, Active political power means voter registration and campaigns to elect good public officials, who know and understand the problems of farm workers, and

WHEREAS, Active political power means civic action in the community to stop discrimination, bad housing, police brutality, and other problems that must be changed, and

WHEREAS, A crucial element to building active political power is financial support,

THEREFORE BE IT RESOLVED THAT the Third Constitutional Convention of the United Farm Workers of America, AFL-CIO, in an effort to provide the financial support that is crucial to building active political power to better the lives of all farm workers, does hereby vote to provide that contributions to the Participation Day Fund shall be mandatory.

Resolution No. 45 was adopted on August 28, 1977. The purpose of Resolution 45 was to provide the financial base needed for the achievement of active political power for farm workers. The goals of the CPD Fund include helping to improve farm workers' lives off the job, ensuring that benefits won through collective bargaining are not lost by action of the legislature, and financing civic activities of union members.

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The manner of financing activities through the CPD fund is the subject of resolutions passed by the UFW's National Executive Board in September, 1978. A CPD Board, composed of the members of the NEB, is empowered to allocate money in the Fund consistent with UFW policies and resolutions. The NEB created two different programs through which CPD money would be expended. The National UFW Civic Action Program (CAP), was designated to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families, and to promote the "general welfare" and "democratic way of life" for all people. The money which is allocated to CAP cannot be spent for activities regulated by state or federal election laws. CAP is empowered to endorse candidates and to recommend contributions to the other CPD program, the National UFW Political Action Committee (PAC). PAC was created to make political expenditures and contributions to influence the nomination and election of state, local, and party officials, and the passage or defeat of ballot propositions.

In 1978, in Case No. 78-CL-21-M, Cervando Perez and the General Counsel of the Agricultural Labor Relations Board, through the Salinas Regional Office, challenged the validity of the Union's CPD program. The objection was based on the contention that mandatory dues money was being used for political activities with which the member did not agree. To meet this objection the NEB passed a resolution in September 1978 establishing a procedure whereby members could object to the expenditures of money contributed to CPD for political or ideological purposes which they oppose. In accordance with this resolution a member may object to the portion of his or her contributed funds which is spent for particular candidates or programs. To do so, the member must notify the UFW's National Secretary-Treasurer within the first fourteen (14) days of union membership, or during fourteen (14) days of each anniversary of membership. An NEB Committee then determines the proportion of the individual's deduction which goes to such candidate or program. The individual has the option of contributing that portion of the deduction to one of three charitable funds designated by the NEB. The member may appeal aspects of this procedure to the full NEB, and then to the UFW's Public Review Board (PRB) or to the UFW Convention.

The three charitable funds to which a dissenting employee may choose to contribute are the Martin Luther King Farm Workers Fund (King Fund), the National Farm Workers Health Group (Health Group) and the National Farm Workers Service Center (Service Center).

The ALRB, however, objected to this method (using the three charitable funds) and ordered that a rebate system be established. Article 14, section 9(a) and (b) was added to the Constitution in order to conform with the ALRB rebate order.

Statement On Article 14, Section 9  
*(Presented to the NEB on May 23, 1981 by the  
Committee on Political Expenditures)*

"The tradition of the UFW is to afford all members the widest possible right of individual democratic dissent. As to certain matters affecting the interest of the Union as an institution or the basic principles of the labor movement, the decision democratically arrived at by majority vote must control and apply to all. Decisions relating instead to candidates for public office and partisan political matters are different in kind, and, therefore, the individual member, as a matter of conscience, should have the right of choice not to be bound by majority will.

"We believe that the support of programs and candidates dedicated to the improvement of the quality of American life, in general, and the economic, political and social conditions of workers in particular, is a solemn obligation of an enlightened and responsible labor movement. The UFW must, in the opinion of the Committee, continue and, indeed, expand all of its activities to promote a better life for all working people.

"Nevertheless, because we recognize that reasonable men might differ on programs, parties and methods, and because we are fully sensitive to the need for full freedom of conscience and to the delicate balance of institutional rights and individual rights, we propose to provide machinery to permit those few members, whose conscience so directs them, individually to object to the expenditure of that part of their dues money approximated to be spent for partisan political purposes.

"The proposed amendment permits 'members' to object. Moreover, the amendment provides for the President to appoint a Committee of the National Executive Board to set the approximate proportion of income spent for partisan political purposes. We intend that the Committee arrive at its approximate allocation by common sense, reasonable judgement and evaluation, rather than by detailed accounting and precise calculation.

"The UFW has been in the forefront of the labor movement in protecting individual members within the framework of the institutional needs of the total Union. The amendment proposed now can also be a source of the strength of the UFW, for it will enable us to further refine and protect the delicate balance of institutional rights and individual rights."

#### Construction of Terms

##### "Activities Or Causes Primarily Political In Nature" -- "Political Purposes"

Section 9 of Article 14 speaks of "activities or causes primarily political in nature" and of "political purposes." The legislative history further teaches that the expenditures for activities, causes or purposes we are to consider are those which are partisan political in nature. We have included contributions to political candidates, to partisan political organizations and to social, economic and ideological groups, unrelated to trade union activities to which reasonable objection might be made.

(It should be noted that contributions to candidates for national office are not made from funds of the National Union or other subordinate bodies. Such contributions are made only from funds collected by the voluntary donations of members of the Union or citizens at large.)

Excluded from consideration as political expenditures, of course, are expenditures for such activities as collective bargaining, strike activity, organizing, housekeeping and administration, minimizing or eliminating competition to members from foreign unions by helping to improve such workers' pay and conditions, inter-union support and relationships, education and training, general community relations, support for programs of social and economic importance to the membership and the community and the



nation at large, recreation and conservation, charity, workers' and unemployment compensation and safety work, public relations and information and all membership services.

"Approximate Proportion Of Dues Spent"

We are charged by the UFW Constitution and the President of the UFW to determine the "approximate" portion of dues spent for "activities or causes primarily political in nature."

We have attempted to minimize difficult accounting problems and to act with common sense and fairness, on the basis of reasonable judgement. We have, therefore, tended to treat the subject broadly as we believe the Constitution and the NEB discussions instructed us and indeed if we err, we believe it to be in favor of the conscious needs of dissenters. To simplify accounting problems and to ease the administration of section 9, Article 14, we have, on the basis of experience, familiarity with the Union, and reasonable judgement, arrived at a total dollar amount of disbursements determined to be partisan "political" for the purpose of this section and have translated the proportion which that dollar figure bears to average dues income per year to the same proportion of average dues payment per year.

The Basis of Proportionment

We have analyzed the operations of expenditures of the National Union over the two year period (1979-1980 and 1980-1981) and have determined that certain expenditures in the following categories need to be considered in determining partisan political expenditures.

Specific Donations For Partisan Political Purposes

While we believe that many of these are charitable and in no way reasonably objectionable, we have included the entire donation schedule (see "Summary").

Civic Action Program And Legislative Activity

Monies are spent from the Civic Action Program for the purpose of strengthening democracy by encouraging members and citizens generally to register and vote in community, state and national elections and to carry on organizational and educational programs directed toward the achievement of an ever higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.

The Civic Action Program spends the greatest share of time and money in educational and civic activities encouraging maximum citizenship responsibility and participation. It engages also in efforts with other civic minded organizations to encourage registration and citizen participation. During major election campaigns, a portion of the Civic Action program relates to partisan political activities on behalf of the UFW. These activities have been included in the calculation of "activities primarily political in nature" (see "Summary").

General Election Year Activity

Because of the concern of the UFW for the kind of society in which we live and its dedication to the improvement of general social and economic conditions, the UFW does not limit its activities in the area of political action tightly within the confines of a particular department of the Union. From time to time, segments of the UFW other than those we are able to pinpoint engage in some political activity with members.

The UFW engages in political and citizenship action before primary and general elections. Most of this activity is directed toward the non-partisan activities of registration and voting and encouraging good citizenship through the broadest participation of the membership. However, the Union may be involved in activities, some of which may be considered partisan political in nature.

Although we are unable to make precise calculations, we have made a generous allocation for political expenditures on an annual basis (see "Summary").

Sacramento - Legislative

The Sacramento Office - Legislative maintains an important contact with other unions, performs necessary public relations and

educational work and serves as the headquarters of officers and staff when they are in Sacramento. The primary activity, however, is legislative. That activity is directly related to institutional interests and the interests of working people, and is therefore not of a character to be regarded as "partisan political." Some of its activities, however, are partisan political in nature, especially during major election campaigns, and therefore we have allocated 30% of these expenditures on Civic Action and Legislative toward partisan political activity (see "Summary").

SUMMARY

1. The expenditure for Civic Action Program and Legislative Activity for 1979-1980 and 1980-1981 respectively was \$14,900 and \$56,107 for an average per year of \$35,504. 30% of this expenditure is allocated to partisan political activities: \$10,651.
2. The expenditures for administration of the Political Funds for 1979-1980 and 1980-1981 respectively was \$3,700 and \$12,268 for an average per year of \$7,984.
3. The expenditure for specific donations for Partisan Political purposes for 1979-1980 and 1980-1981 respectively was \$149,459 and \$217,970 for an average per year of \$182,714.
4. The estimated UFW expenditure for partisan political activities for 1979-1980 and 1980-1981 respectively was \$88,033 and \$80,959 for an average per year of \$84,546.
5. The total average annual disbursement for partisan political activity is \$285,845. This represents 10.93% of the total average annual dues income.
6. The dues income of the National Union for 1979-1980 and 1980-1981 respectively was \$2,372,174 and \$2,858,950 for an average per year of \$2,615,562.
7. Average annual membership dues based on figures for fiscal year 1979-1980 and 1980-1981 was approximately \$2,615,562 (based on 1979-1980 and 1980-1981 dues).

ADMINISTRATIVE LETTER  
December 3, 1981  
Page Twelve

8. Since the proportion of annual expenditures for partisan political activity is 10.93% of total dues income, we apply this 10.93% to the individual member's average annual dues of \$74.73, which comes to \$8.17.
9. Therefore the amount subject to objection under Article 14, Section 9 of the Constitution is \$8.17 per year.

UFW expenditures at the National Union level for partisan political purposes are of necessity a variable which may shift and change yearly. Accordingly we propose that for future evaluations the Committee analyze expenditures annually based on a previous three-year roll period and recommend a change in the amount of dues subject to objection under Article 14, Section 9 as may be necessary.

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SUMMARY

Expenditures For Partisan Political Activity

National Civic Action and Legislative	\$	10,651.00
Administration		7,984.00
National Political Action Committee (Campaign Contributions to Political Candidates)		182,714.00
General Election Year Activity		<u>84,496.00</u>
TOTAL	\$	285,845.00

Average Annual Dues Income (Based on 1979-1980 and 1980-1981)	\$2,615,562.00
--	----------------

Proportion of Expenditures for Partisan Political Activity (\$285,845 divided by \$2,615,562)	10.93%
--	--------

Average Annual Dues - 1981 (\$2,615,562 divided by 35,000 members (estimated))	\$ 74.73
---	----------

Proportion for Partisan Political Expenditure	\$ 8.17
---	---------



Form 450  
1982

RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM  
Government Code Section 84200-84217

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 1/1/82 through 3/17/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE:

National UFW Political Action Committee

I.D. NUMBER

782630

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca. 93531

805/822-5571

NAME OF TREASURER:

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca. 93531

805/822-5571

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT	
	Californians for Mario Obledo, ID# 811622 Box 1026 Sacramento, Ca. 95805	Contribution	Mario Obledo Governor	X	2620.	2620.
	Friends of Tom Hayden ID#810577 2506 Santa Monica Santa Monica, Ca. 90404	Contribution	Tom Hayden State Assembly	X	4000.	4000.
	Californians for Brown ID#781372 1125 W. 6th St., 3rd Fl. L. A. Ca. 90017	Contribution	(Alderman State Committee for Brown's Governatorial race. Now used to support State races *)	X	2000.	2000.
	Accounting Services UFW/La Paz P. O. Box 62 Keene, California 93531				200.	200.

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 8820.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE  
ONLY

C

D

E

F

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign F  
of the Political Reform Act," Part X.

Group  
Ex.  
E

\* For further information you may contact

Ms. Jodie Krajewski, Committee for California, 1125 W. 6th St. L.A. Ca 90017

**LOANS MADE TO: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one				
N/A		Support Oppose		0	
				0	
Attach additional information on appropriately labeled continuation sheets.				0	
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV)				\$	

**III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
N/A	0	
	0	
Attach additional information on appropriately labeled continuation sheets.		0
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV)		\$

**IV. SUMMARY**

**EXPENDITURES**

1. Expenditures of \$100 or more this period (Part I)	\$ 8820.
2. Expenditures under \$100 (Not itemized)	0.
3. Loans made this period (Part II)	0.
4. Subtotal (Line 1 + 2 + 3)	\$ 8820.
5. Loans repaid this period (Part III)	0.
6. Net expenditures this period (Line 4 - 5 may be negative amount)	\$ 8820.
7. Cumulative expenditures from prior statement	0.
8. Cumulative expenditures to date (Line 6 + 7)	\$ 8820.

**RECEIPTS**

9. Monetary contributions received this period	\$ 20,000.
10. Non-monetary contributions received this period	0.
11. Cumulative total from previous period	0.
12. Cumulative contributions received to date (Line 9 + 10 + 11)	\$ 20,000.

**CASH FLOW STATEMENT**

13. Cash on hand at beginning of period	\$ 904.
14. Cash receipts this period (Line 5 + 9)	20,000.
15. Cash expenditures this period (Line 4)	8,820.
16. Cash on hand at end of period (Line 13 - 14 - 15)	\$ 12,084.

**VERIFICATION**

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 9/22/82 at Keene, Calif. - by Peter Pham  
(DATE) (CITY AND STATE) (SIGNATURE OF TREASURER)  
 Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF CANDIDATE OR OFFICER-ELDER)



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-34217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.

A OFFICIAL USE ONLY

NAME OF COMMITTEE OR CANDIDATE:

National UFW Political Action Committee

I.D. NO. (IF APPLICABLE)

782630

ADDRESS OF COMMITTEE OR CANDIDATE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P.O. Box 62

La Paz Keene, Ca.

93531

(805) 822-5571

NAME OF TREASURER (IF APPLICABLE):

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER (IF APPLICABLE):

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P.O. Box 62

La Paz

Keene

Ca.

93531

(805) 822-5571

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82 for the period Jan. 1, 1982 to March 17, 1982.

III. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

added complete addresses where previously omitted

V. Reason for amendment: Per request in letter to NUFW-PAC from Political Reform Div. dated Oct. 21, 1982.

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached     )

C

## VERIFICATION

D

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

E

Executed on Nov. 12, 1982 at Keene, Ca.

by

F

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on                      at                     

by

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.





Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-84217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.						A OFFICIAL USE ONLY	
NAME OF COMMITTEE OR CANDIDATE: National UFW Political Action Committee						I.D. NO. (IF APPLICABLE) 782630	
ADDRESS OF COMMITTEE OR CANDIDATE: P.O. Box 62		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571	
NAME OF TREASURER (IF APPLICABLE): Peter G. Velasco							
PERMANENT ADDRESS OF TREASURER (IF APPLICABLE): P.O. Box 62		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571	

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82  
for the period March 18, 1982 to May 22, 1982

III. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

added complete addresses where previously omitted

Reason for amendment: Per request in letter to NUPW-PAC from

Political Reform Div. dated Oct. 21, 1982

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached     )

## VERIFICATION

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

Executed on 11-12-82 at Keene, Ca.

by

*Peter G. Velasco*

(SIGNATURE OF TREASURER)

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on

at

by

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
Government Code Section 84200-842171

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 3/18/82 through 5/22/82

**A OFFICIAL USE ONLY**

<b>NAME OF COMMITTEE:</b> National UFW Political Action Committee					<b>I.D. NUMBER:</b> 782630	
<b>ADDRESS OF COMMITTEE:</b> P. O. Box 62		<b>NO. AND STREET:</b> La Paz	<b>CITY:</b> Keene	<b>STATE:</b> Ca.	<b>ZIP CODE:</b> 93531	<b>AREA CODE PHONE NUMBER:</b> 805/822-5571
<b>NAME OF TREASURER:</b> Peter G. Velasco						
<b>PERMANENT ADDRESS OF TREASURER:</b> P. O. Box 62		<b>NO. AND STREET:</b> La Paz	<b>CITY:</b> Keene	<b>STATE:</b> Ca.	<b>ZIP CODE:</b> 93531	<b>AREA CODE PHONE NUMBER:</b> 805/822-5571
<b>DATE OF ELECTION (MO., DAY, YEAR) (if applicable):</b>			<b>TOTAL PAGES:</b>		<b>SPONSORING ORGANIZATION (if applicable):</b>	

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one: Sup. Gov. Not Sup.	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1001	Jansco Inc. 4670 No. Elston Chicago, Ill. 60630	Buttons	Mario Obledo Governor	X	1854.	1854.
1002	Arturo Rio Seco P. O. Box 1940 Calexico, Ca.	Contribution	Calexico City Council	X	500.	500.
1003	Frank Valenzuela ID#742891 1544 E. Fedora Ave. Fresno, Ca.	Contribution	Fresno Board of Supervisors	X	1000.	1000.
1004	Accounting Services UFW/La Paz P. O. Box 62 Keene, Ca. 93531	Fees			200.	400.
1005	Jim Hightower Millie Bruner, Treas. P. O. Box 13516 Austin, Tx. 78711	Contribution	Jim Hightower Agriculture Commissioner, Tx	X	500.	500.
1006	Antonio Tirado 809 Beach Avenue Calexico, Ca. 92231	Contribution	Calexico City Council	X	500.	500.

**SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV):** **\$ 4554.**

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
Government Code Section 84200-84217

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 3/18/82 through 5/22/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER

ADDRESS OF COMMITTEE: NO. AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER: NO. AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sponsor Opponent None	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Obledo Campaign ID#813622 Box 1026 Sacramento, Ca. 95805	Contribution	Mario Obledo Governor	X	50,000.	52,620.
	Garcia Campaign ID# 743451 P. O. Box 3092 L A Ca 90051	Contribution	Alex Garcia State Senate	X	40,000.	40,000.
	Wilson Riles ID# 810332 1030 K. Street Sacramento, Ca. 95814	Contribution	Wilson Riles State Superint. Public Instr.	X	5,000.	5,000.
	Support our Senate ID#810665 Shirley Wechsler, Treas 11783 Laurel Crest Drive, Studio City, Ca. 91604	Contribution			1,500.	1,500.
	Friends of Roberti ID# 744789 11783 Laurelcrest Drive Studio City, Calif. 91604	Contribution			9,500.	9,500.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 106,000.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE  
ONLY

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See information required to be provided to you pursuant to the Information Practices Act of 1977, in "Information Manual on Campaign Disclosure Provisions" State Political Reform Act, Part X.

STATEMENT - SHORT FORM

Government Code Section 84200-84217

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 3/18/82 through 5/22/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE:						I.D. NUMBER	
ADDRESS OF COMMITTEE: NO. AND STREET						CITY	
STATE						ZIP CODE	
NAME OF TREASURER:						AREA CODE	
PERMANENT ADDRESS OF TREASURER: NO. AND STREET						CITY	
STATE						ZIP CODE	
DATE OF ELECTION (MO., DAY, YR.): (if applicable)						TOTAL PAGES	
SPONSORING ORGANIZATION (if applicable)							

I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Said Or Not Said	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	Richard Polanco Campaign ID# 820208 5417 E. Whittier Road L. A. Ca. 9022	Contribution	Richar Polanco State Assembly	X	5,000	5,000.
2	Manuel Arrendondo Campaign ID# 821208 52-681 Avenida Mendoza La Puente, Ca. 92253	Contribution	Manuel Arredondo State Assembly	X	1,000	1,000.
3						
4						
5						
6						
7						
8						
9						

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$

6,000

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE ONLY	C	D	E	F
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



(Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT <small>(Committee enter I.D. Number or Treasurer's name and address)</small>	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER <small>Check one</small>	INTEREST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
Richard Polanco Campaign #820208 5417 E. Whittier Road L. A. Ca. 90022	Richard Polanco Assembly X		10,000.	10,000.
Alex Garcia Campaign #743451 P. O. Box 3092 L. A. Ca. 90051	Alex Garcia State Assembly X		10,000.	10,000.
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S			20,000.	

III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT <small>(If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)</small>	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

IV SUMMARY

EXPENDITURES

1. Expenditures of \$100 or more this period (Part I) ..... S
2. Expenditures under \$100 (Not itemized) ..... S
3. Loans made this period (Part III) ..... S
4. Subtotal (Line 1 + 2 + 3) ..... S
5. Loans repaid this period (Part III) ..... S
6. Net expenditures this period (Line 4 - 5 may be negative amount) ..... S
7. Cumulative expenditures from prior statements ..... S
8. Cumulative expenditures to date (Line 6 + 7) ..... S

RECEIPTS

9. Monetary contributions received this period ..... S
10. Non-monetary contributions received this period ..... S
11. Cumulative total from previous period ..... S
12. Cumulative contributions received to date (Line 9 + 10 + 11) ..... S

CASH FLOW STATEMENT

13. Cash on hand at beginning of period ..... S
14. Cash received this period (Line 5 + 2) ..... S
15. Cash expenditures this period (Line 4) ..... S
16. Cash on hand at end of period (Line 13 + 14 - 15) ..... S

VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF TREASURER)  
Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF CANDIDATE OR OFFICER/CLERK)

DE TO: (Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT (Committee enter I.O. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER <i>Check one</i>	INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
Montoya Campaign #743451 1001 E. Valley Mall #204 El Monte, Ca. 91731	Support Oppose X		10,000.	10,000.
Paul Carpenter Campaign #742891 5851 Karen Avenue Cyprus, Ca. 90630	Support Oppose X		10,000.	10,000.
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S			40,000.	

### III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.O. Number. If the committee I.O. Number is unknown list the treasurer's full name and street address)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

### IV SUMMARY

#### EXPENDITURES

1. Expenditures of \$100 or more this period (Part II) .....	\$ 116,554.
2. Expenditures under \$100 (Not itemized) .....	0
3. Cash made this period (Part III) .....	40,000.
4. Subtotal (Line 1 + 2 - 3) .....	\$ 156,554.
5. Loans made this period (Part III) .....	0.
6. Net expenditures this period (Line 4 + 5 may be negative amount) .....	\$ 156,554
7. Cumulative expenditures from prior statement .....	8,820.
8. Cumulative expenditures to date (Line 6 + 7) .....	\$ 165,374.

#### RECEIPTS

9. Monetary contributions received this period .....	\$ 200,000.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	20,000.
12. Cumulative contributions received to date (Line 9 + 10 + 11) .....	\$ 220,000.

#### CASH FLOW STATEMENT

13. Cash on hand at beginning of period .....	\$ 12,084.
14. Cash received this period (Line 9 + 2) .....	200,000.
15. Cash expenditures this period (Line 6) .....	156,554.
16. Cash on hand at end of period (Line 13 + 14 - 15) .....	\$ 55,530.

#### VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Witness on 9-22-82 at Keene, Ca. by [Signature]  
 Witness on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-84217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.

A OFFICIAL USE ONLY

NAME OF COMMITTEE OR CANDIDATE:

National UFW Political Action Committee

I.D. NO. (IF APPLICABLE)

782630

ADDRESS OF COMMITTEE OR CANDIDATE:

P.O. Box 62

NO. AND STREET

La Paz

CITY

Keene

STATE

Ca.

ZIP CODE

93531

AREA CODE PHONE NUMBER

(805) 822-5571

NAME OF TREASURER (IF APPLICABLE):

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER (IF APPLICABLE):

P.O. Box 62

La Paz

Keene

Ca.

93531

(805) 822-5571

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82 for the period May 23, 1982 to June 30, 1982

III. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

Added complete addresses where previously omitted

V. Reason for amendment: Per request in letter to NUFW-PAC from

Political Reform Div. dated Oct. 21, 1982

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached     )

## VERIFICATION

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

Executed on 11-12-82 at Keene, Ca. by Peter G. Velasco

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on            at            by           

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
Government Code Section 34200-842171

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 5/23/82 through 6/30/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

National UFW Political Action Committee

I.D. NUMBER

782630

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca. 93531

805/822-5571

NAME OF TREASURER:

Dorot G. Velasco

PERMANENT ADDRESS OF TREASURER: NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

P. O. Box 62

La Paz

Keene

Ca. 93531

805/822-5571

DATE OF ELECTION (MO., DAY, YR.): (If Applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (If Applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sub. Of Section	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Cal Coastal/Charter Bus 2557 Cortez Avenue Oxnard, Ca. 93030	Bus Rental	Alex Garcia State Senate Richard Polanco Assembly	X	5140.	5140.
	Committee for Better Education, Rosa Maria Ybarra Fillon, Treas. 1639 Cherokee Drive Salinas, Ca. 93906	Contribution	Salinas School Board Candidates	X	2000.	2000.
	Jose Rodriguez UFW Field Office 917 E. Cooper Oxnard, Ca. 93030	Billboards	Alex Garcia State Senate Richard Polanco Assembly	X	170.	170.
	Pico Produce 9535 E. Whittier Blvd. Pico Rivera, Ca. 90660	Food	Alex Garcia State Senate Richard Polanco Assembly	X	379.	379.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) **S**

7689.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
ONLY

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**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

Form 420  
1982

(Type or Print in Ink)

Statement covers period from 5/23/82 through 6/30/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE: <b>National UFW Political Action Committee</b>					I.D. NUMBER <b>782630</b>	
ADDRESS OF COMMITTEE: NO. AND STREET <b>P. O. Box 62</b>		CITY <b>La Paz</b>	STATE <b>Ca.</b>	ZIP CODE <b>93531</b>	AREA CODE <b>805</b>	PHONE NUMBER <b>822-5571</b>
NAME OF TREASURER: <b>Peter G. Velasco</b>						
PERMANENT ADDRESS OF TREASURER: NO. AND STREET <b>P. O. Box 62</b>		CITY <b>La Paz</b>	STATE <b>Ca.</b>	ZIP CODE <b>93531</b>	AREA CODE <b>805</b>	PHONE NUMBER <b>822-5571</b>
DATE OF ELECTION (MO., DAY, YR.): (if applicable)			TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)	

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Alicia Hernandez La Paz P. O. Box #62 Keene, Ca. 93531	Travel	Alex Garcia State Senate Richard Polanco Assembly X	160.	160.
	Casa Ganzalez 3687 San Frando Rd. Glendale, Ca. 91204	Food	Alex Garcia X State Senate Richard Polanco Assembly	2933.	2933.

Attach additional information on addressee's separate continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) S

3093.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE  
ONLY

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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

MADE TO: (Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER	INTER- EST RATE		AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
		Check one			
German Campaign Committee I.D.# 742083 360 So. Kenmore Avenue #306 L.A. Ca 90020	Former Assembly Committee - used only for State races.	Support	Oppose	10,000	10,000
Alex Garcia Campaign I.D.#743451 P. O. Box 3092 L.A. Ca 90051	Alex Garcia State Senate	X		20,000	20,000
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S					

### III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DESTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

### IV SUMMARY

#### EXPENDITURES

- Expenditures of \$100 or more this period  
(Part II) ..... S
- Expenditures under \$100 (Not limited) .....
- Loans made this period (Part III) .....
- Subtotal (Line 1 - 2 - 3) ..... S
- Loans repaid this period (Part III) .....
- Net expenditures this period (Line 4 - 5 may  
be negative amount) ..... S
- Cumulative expenditures from  
prior statements .....
- Cumulative expenditures to date  
(Line 6 - 7) ..... S

#### RECEIPTS

- Monetary contributions received this period ..... S
- Non-monetary contributions received this  
period .....
- Cumulative total from previous periods .....
- Cumulative contributions received to date  
(Line 9 - 10 - 11) ..... S

#### CASH FLOW STATEMENT

- Cash on hand at beginning of period ..... S
- Cash received this period (Line 5 - 9) .....
- Cash expenditures this period (Line 4) .....
- Cash on hand at end of period  
(Line 13 - 14 - 15) ..... S

#### VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF TREASURER)  
Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF CANDIDATE OR OFFICE-HOLDER)

ANS MADE TO: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER <i>Check one</i>	INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
Central Labor Council, COPE ID #744711 2102 Almaden Road #102 San Jose, California 95125	Jerry Estruth Assembly Support <input checked="" type="checkbox"/> Oppose <input type="checkbox"/>	X	10,000.	10,000.
Attach additional information on appropriately labeled continuation sheet.	SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) S	40,000.	40,000.	

III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DESTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
N/A	0	
	0	
Attach additional information on appropriately labeled continuation sheet.	SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S	0

IV SUMMARY

EXPENDITURES

1. Expenditures of \$100 or more this period (Part II) .....	\$ 10,782.
2. Expenditures under \$100 (Not itemized) .....	2,193.
3. Loans made this period (Part III) .....	40,000.
4. Subtotal (Line 1 - 2 - 3) .....	\$ 52,975.
5. Loans repaid this period (Part III) .....	0
6. Net expenditures this period (Line 4 - 5 may be negative amount) .....	\$ 52,975.
7. Cumulative expenditures from prior statement .....	165,374.
8. Cumulative expenditures to date (Line 6 - 7) .....	\$ 218,349.

RECEIPTS

9. Monetary contributions received this period .....	\$ 0.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	220,000.
12. Cumulative contributions received to date (Line 9 - 10 - 11) .....	\$ 220,000.

CASH FLOW STATEMENT

13. Cash on hand at beginning of period .....	\$ 55,530.
14. Cash receipts this period (Line 9 - 11) .....	0.
15. Cash expenditures this period (Line 6) .....	52,975.
16. Cash on hand at end of period (Line 13 - 14 - 15) .....	\$ 2,555.

VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 9-22-92 at Keene, Ca.

Executed on \_\_\_\_\_ at \_\_\_\_\_

by [Signature]

by \_\_\_\_\_



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 24200-217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

i. The information required in Section I must correspond to the information provided on the campaign statement.

A OFFICIAL USE ONLY

NAME OF COMMITTEE OR CANDIDATE:

National UFW Political Action Committee

I.D. NO. (IF APPLICABLE)  
782630

ADDRESS OF COMMITTEE OR CANDIDATE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE PHONE NUMBER

P.O. Box 62

La Paz

Keene

Ca.

93531

(805) 822-5571

NAME OF TREASURER (IF APPLICABLE):

Peter G. Velasco

PERMANENT ADDRESS OF TREASURER (IF APPLICABLE):

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE PHONE NUMBER

P.O. Box

La Paz

Keene

Ca.

(3531

(805) 822-5571

ii. The following information amends campaign disclosure statement, Form No. 450, Executed on 9-22-82 for the period July 1, 1982 to Sept. 17, 1982

iii. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

iv. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

Added complete addresses where previously omitted

v. Reason for amendment:

To conform with other amended reports

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached 1)

## VERIFICATION

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.

Executed on 11-12-82 at Keene, Ca.

by

*Peter G. Velasco*

(DATE)

(CITY AND STATE)

(SIGNATURE OF TREASURER)

A candidate or officeholder who controls a committee must also verify the campaign statement.

I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.

Executed on

at

by

(DATE)

(CITY AND STATE)

(SIGNATURE OF CANDIDATE OR OFFICEHOLDER)

For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 7/1/82 through 9/17/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE: <b>National UFW Political Action Committee</b>					I.D. NUMBER <b>782630</b>	
ADDRESS OF COMMITTEE: P. O. Box 62		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER 805/822/5571
NAME OF TREASURER: <b>Peter G. Velasco</b>						
PERMANENT ADDRESS OF TREASURER: P. O. Box 62		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER 805/822-5571
DATE OF ELECTION (MO., DAY, YR.): (if applicable)			TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)	

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Supp. Op- pon. Cont.	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Cal Coastal Charter 2557 Cortez Avenue Oxnard, Ca. 93030	Bus Rental	Alex Garcia State Senate Richard Polanco Assembly	X	968.	6,108.
	Gloria Saldana 972 So. Goodrich L. A. 90022	Car Repair	Alex Garcia State Senate Richard Polanco Assembly	X	130.	130
	Pacific Telephone C/O. S. Minn 2445 Daly, L. A. 90031	Phone Calls	Alex Garcia State Senate Richard Polanco Assembly	X	141.	141.
	Friends of Fernando Sanga 690 No. 5th Ave. Berkeley, Ca. 94707	Contribution	Fernando Sanga Assembly	X	2,600.	2,600.
	Accounting Service La Paz/UFW P. O. Box 62 Keene, Ca. 93531	Fees			400.	800.
	United Democratic Campaign Task Force ID#741666 1731 I. Street Sacramento, Ca. 95814			X	50,000.	50,000.

**SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) S**

**54,239.**

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 7/1/82 through 9/17/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER

ADDRESS OF COMMITTEE: NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER: NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Support Oppose	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Willie Brown Campaign Committee ID#741757 1515 Vallejo San Francisco, Ca. 94109	Contribution		X	150,000.	150,000.

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 150,000.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

MADE TO: (Amounts may be rounded off to whole dollars)

NAME AND ADDRESS OF RECIPIENT (Committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one				
N/A	Support	Oppose		0	
				0	
Attach additional information on appropriately labeled continuation sheets.				0	
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) \$				0	

### III LOANS REPAID BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAID THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
N/A	0	
	0	
Attach additional information on appropriately labeled continuation sheets.		0
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) \$		0

### IV SUMMARY

#### EXPENDITURES

1. Expenditures of \$100 or more this period (Part II) .....	\$ 204,239.
2. Expenditures under \$100 (Not itemized) .....	24.
3. Loans made this period (Part III) .....	0.
4. Subtotal (Line 1 + 2 + 3) .....	\$ 204,263.
5. Loans repaid this period (Part III) .....	0.
6. Net expenditures this period (Line 4 - 5 may be negative amount) .....	\$ 204,263.
7. Cumulative expenditures from prior statement .....	218,349.
8. Cumulative expenditures to date (Line 6 + 7) .....	\$ 422,612.

#### RECEIPTS

9. Monetary contributions received this period .....	\$ 320,000.
10. Non-monetary contributions received this period .....	0.
11. Cumulative total from previous period .....	220,000.
12. Cumulative contributions received to date (Line 9 + 10 + 11) .....	\$ 540,000.

#### CASH FLOW STATEMENT

13. Cash on hand at beginning of period .....	\$ 2,555.
14. Cash receipts this period (Line 9 - 8) .....	320,000.
15. Cash expenditures this period (Line 4) .....	204,263.
16. Cash on hand at end of period (Line 13 + 14 - 15) .....	\$ 118,292.

#### VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 9/22/82 at Keene, Calif.

by [Signature]

Executed on \_\_\_\_\_ at \_\_\_\_\_

by \_\_\_\_\_



Form 405  
1982

# AMENDMENT TO CAMPAIGN DISCLOSURE STATEMENT

For use by persons amending statements filed pursuant to Government Code Section 84200-84217. This form must be filed with all filing officers who received the statement being amended.

(Type or Print in Ink)

I. The information required in Section I must correspond to the information provided on the campaign statement.						A. OFFICIAL USE ONLY	
NAME OF COMMITTEE OR CANDIDATE: National UFW Political Action Committee						I.D. NO. (if applicable) 782630	
ADDRESS OF COMMITTEE OR CANDIDATE: P.O. Box 62,		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571	
NAME OF TREASURER (if applicable): Peter G. Velasco							
PERMANENT ADDRESS OF TREASURER (if applicable): P.O. Box 62		NO. AND STREET La Paz	CITY Keene	STATE Ca.	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571	

II. The following information amends campaign disclosure statement, Form No. 450, Executed on 10-21-82 for the period Sept. 18, 1982 to Oct. 16, 1982

III. The amended information affects items on the:

☒ Front Page

☐ Summary

☐ Schedule(s)

IV. Describe the changes below. Include in detail all information you wish to become a part of your official campaign statement.

Added complete addresses where previously omitted

Reason for amendment: To conform with other amended reports

Include additional information on reverse side or on appropriately labeled continuation sheets. (Number of pages attached 1)

C. VERIFICATION	
D.	I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and that I have used all reasonable diligence in their preparation.
E.	Executed on <u>11-12-82</u> at <u>Keene, Ca.</u> by <u>Peter G. Velasco</u>
F.	A candidate or officeholder who controls a committee must also verify the campaign statement.
	I declare under penalty of perjury that to the best of my knowledge this statement and its schedules are true, correct and complete and the treasurer of this committee has used all reasonable diligence in the preparation of this statement and its schedules.
Executed on _____ at _____ by _____	



# STATEMENT - SHORT FORM

(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE: <b>National UFW Political Action Committee</b>				I.D. NUMBER <b>782630</b>	
ADDRESS OF COMMITTEE: NO. AND STREET <b>P. O. Box 62 La Paz</b>		CITY <b>Keene</b>	STATE <b>Ca.</b>	ZIP CODE <b>93531</b>	AREA CODE PHONE NUMBER <b>805/822/5571</b>
NAME OF TREASURER: <b>Peter G. Velasco</b>					
PERMANENT ADDRESS OF TREASURER: NO. AND STREET <b>P. O. Box 62 La Paz</b>		CITY <b>Keene,</b>	STATE <b>Ca.</b>	ZIP CODE <b>93531</b>	AREA CODE PHONE NUMBER <b>805/822-5571</b>
DATE OF ELECTION (MO., DAY, YR.): (if applicable)		TOTAL PAGES		SPONSORING ORGANIZATION (if applicable)	

## I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup. or Gen. Elec.	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT
	Friends of Pete Chacon ID#741730 P. O. Box 1328 San Diego, Ca. 92112	Contribution	Pete Chacon Assembly	X	6,000.	6,000.
	Support Our Senate ID#810665 11783 Laurelcrest Drive Studio City, Ca. 91604	Contribution			110,000.	111,500.
	Friends of Tom Hayden ID# 810557 2506 Santa Monica Blvd. Santa Monica, Ca. 90406	Contribution	Tom Hayden Assembly	X	10,000.	14,000.
	Floyd Campaign Committee ID# 791816 4141 W. Rosecrans, #116 Hawthorne, Ca. 90250	Contribution			20,000.	20,000.
	Lockyer for Senate ID# 741735 1213 A. Street Hayward, Ca. 94541	Contribution	Lockyer California Senate	X	40,000.	40,000.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 186,000.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE ONLY

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For information required to be provided to you pursuant to the Information Practices Act of 1977, see Information Manual on Campaign Disclosure Provisions at the Political Reform Act, Part X.

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 230.

9/18/82

10/16/82

Statement covers period from 9/18/62 through

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

**I.D. NUMBER:**

782630

ADDRESS OF COMMITTEE: NO. AND STREET

5177

STATE

315 0035

AREA 6000

\_\_\_\_\_

NAME OF TAXPAYER:

PERMANENT ADDRESS OF TREASURER: NO. AND STREET

5179

STATE

ZIP CODE

055-5815

\_\_\_\_\_

DATE OF ELECTION (MO., DAY, YR.): (IF APPLICABLE)

**TOTAL PAGES**

SPONSORING ORGANIZATION (if applicable)

## EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

החלטתו של בית דין זה, תהיה כעבור שנה, ביום שבת, כ"ב שבט, תש"ח.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$

3750.

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Management Campaign Disclosure Provisions" of the Political Reform Act, Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER

ADDRESS OF COMMITTEE: NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER: NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (if applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (if applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	United Democrats '82 ID# 822041 542 A. Castro Street San Francisco, Ca. 94114	Contribution		500.	500.
	Friends of Bill Maher ID# 760348 220 Diamond Street San Francisco, Ca. 94114	Contribution	Bill Maher San Francisco Supervisor	750.	750.
	Willie Brown Committee ID# 741757 1515 Vallejo San Francisco, Ca. 94109	Contribution		100,000.	250,000.
	Accounting Services UFW/La Pax P. O. Box 62 Keene, Ca. 93531	Fees		100.	900.
	Alwan's Shell Service 2925 Brooklyn L. A., Ca.	Travel	Alex Garcia Ca. Senate Richard Polanco Assembly	1,747.	1,747.
	Friends of Tony Estremara ID# 810471 275 E. Taylor Street San Jose, Ca. 95122	Contribution	Tony Estremara San Jose City Council	250.	250.
SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV):				103,347.	

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Requirements" and the Political Reform Act, Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

Form 450  
1982

(Type or Print in Ink)

Statement covers period from 9/18/82 through 10/16/82

**A OFFICIAL USE ONLY**

NAME OF COMMITTEE:

I.D. NUMBER

782630

ADDRESS OF COMMITTEE:

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

NAME OF TREASURER:

PERMANENT ADDRESS OF TREASURER: NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE

PHONE NUMBER

DATE OF ELECTION (MO., DAY, YR.): (If Applicable)

TOTAL PAGES

SPONSORING ORGANIZATION (If Applicable)

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number of Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Friends of Van De Camp ID# 746447 1010 Westwood Blvd. Suite 200 Los Angeles, Ca. 90024	Contribution	John Van De. Ca. Attorney General	10,000.	10,000.
	Californians for Bilateral Nuclear Freeze ID #810912 7265 Franklin Avenue Los Angeles, Ca. 90046	Contribution	Proposition 12	3,000.	3,000.

ADDED ADDITIONAL INFORMATION ON ADDITIONAL SUBTOTALS CONTRIBUTION SHEET.

SUBTOTAL (Carry with any additional subtotals to Line 3, Part IV) S

13,000.

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE  
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



LOANS MADE TO: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one Support Oppose				
Attach additional information on appropriately labeled continuation sheets.					
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) \$					

III LOANS REPAYED BY: (Amounts may be rounded off to whole dollars)

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAYED THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
Attach additional information on appropriately labeled continuation sheets.		
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) S		

IV SUMMARY

EXPENDITURES

1. Expenditures of \$100 or more this period (Part I) . . . . .	306,097
2. Expenditures under \$100 (Not itemized) . . . . .	0
3. Loans made this period (Part II) . . . . .	0
4. Subtotal (Line 1 - 2 - 3) . . . . .	306,097
5. Loans repaid this period (Part III) . . . . .	0
6. Net expenditures this period (Line 4 - 5 may be negative amount) . . . . .	306,097
7. Cumulative expenditures from prior statement . . . . .	422,632
8. Cumulative expenditures to date (Line 6 - 7) . . . . .	728,709

RECEIPTS

9. Monetary contributions received this period . . . . .	250,000
10. Nonmonetary contributions received this period . . . . .	0
11. Cumulative total from previous period . . . . .	540,000
12. Cumulative contributions received to date (Line 9 - 10 - 11) . . . . .	790,000

CASH FLOW STATEMENT

13. Cash on hand at beginning of period . . . . .	118,292
14. Cash received this period (Line 9 - 11) . . . . .	250,000
15. Cash expenditures this period (Line 4) . . . . .	306,097
16. Cash on hand at end of period (Line 13 - 14 - 15) . . . . .	62,195

VERIFICATION

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 10-21-82 at Keene, Ca.

By [Signature]

Executed on [ ] at [ ]

By [Signature]



Form 450  
1982

RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

Chris

Statement covers period from 10/17/82 through 12/31/82

A OFFICIAL USE ONLY

NAME OF COMMITTEE: National UFW Political Action Committee				I.D. NUMBER 782 630	
ADDRESS OF COMMITTEE: P.O. Box 62	NO. AND STREET	CITY Keene,	STATE CA	ZIP CODE 93531	AREA CODE PHONE NUMBER (805) 822-5571
NAME OF TREASURER: Peter G. Velasco					
PERMANENT ADDRESS OF TREASURER: NO. AND STREET CITY STATE ZIP CODE AREA CODE PHONE NUMBER P.O. Box 62 Keene, CA 93531 (805) 822-5571					
DATE OF ELECTION (MO., DAY, YR.): (IF APPLICABLE)		TOTAL PAGES		SPONSORING ORGANIZATION (IF APPLICABLE)	

I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup- Op- port pose	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Tony Garcia Campaign c/o Tony Garcia, Treas. 414 S. Gage Pharr, TX 78577	contribution			500.00	500.00
	Alex Moreno Campaign c/o Albino Rodriguez, Treas. 121 E. Park Pharr, TX 78577	contribution			500.00	500.00
	Juan Hinojosa Campaign c/o Dr. Bill Bicker, Treas. 5921 N. 23rd St. McAllen, TX 78501	contribution			500.00	500.00
	Carlos Truan Campaign c/o Jake Sanchez, Treas. P.O. Box 5445 Corpus Christi, TX 78405	contribution			500.00	500.00
	Jim Hightower Campaign c/o Millie Bruner, Treas. P.O. Box 13516 Austin, TX 78711	contribution			500.00	1,000.00
	Bill Hobby Campaign c/o Searcy Bracewell, Treas. P.O. Box 567 Austin, TX 78767	contribution			500.00	500.00

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 3,000.00

YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2

OFFICIAL USE ONLY	C	D	E	F
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

Form 450  
1982

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

**A OFFICIAL USE ONLY**

Statement covers period from 10/17/82 through 12/31/82

<b>NAME OF COMMITTEE:</b> National UFW Political Action Committee						<b>I.D. NUMBER</b> 782 630	
<b>ADDRESS OF COMMITTEE:</b> NO. AND STREET P.O. Box 62		<b>CITY</b> Keene,	<b>STATE</b> CA	<b>ZIP CODE</b> 93531	<b>AREA CODE</b> (805)	<b>PHONE NUMBER</b> 822-5571	
<b>NAME OF TREASURER:</b> Peter G. Velasco							
<b>PERMANENT ADDRESS OF TREASURER:</b> NO. AND STREET P.O. Box 62		<b>CITY</b> Keene,	<b>STATE</b> CA	<b>ZIP CODE</b> 93531	<b>AREA CODE</b> (805)	<b>PHONE NUMBER</b> 822-5571	
<b>DATE OF ELECTION (MO., DAY, YR.):</b> (if applicable)			<b>TOTAL PAGES</b>		<b>SPONSORING ORGANIZATION</b> (if applicable)		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup- port	Op- pose	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
1	Calif. for Demo Represent' 1435 So La Crenaga Bl. Los Angeles, CA 90035 #821685	contribution				10,000.00	10,000.00
2	Senate Victory Fund 1731 I St. Sacramento, CA 95814 #741-666	contribution				6,582.00	56,582.00
3	Friends of Joseph Montoya 11001 E. Valley Mall #204 El Monte, CA 91731 #741-818	contribution				5,000.00	5,000.00
4	Friends of Ralph Dills 16921 Southwestern Ave. #201 Gardena, CA 90247 #741-684	contribution				2,000.00	2,000.00
5	Hart for Senate Committee 3917 State St. B Santa Barbara, CA 93105 #742-255	contribution				9,000.00	9,000.00
6	Leroy Greene Camp. Comm. 5925 Fair Oaks #4 Carmichael, CA 95608 #743-543	contribution				2,000.00	2,000.00

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL** (Carry with any additional subtotals to Line 1, Part IV) **\$ 34,582.00**

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F	
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



Form 450  
1982

**RECIPIENT COMMITTEE CAMPAIGN  
STATEMENT - SHORT FORM**  
(Government Code Section 84200-84217)

For use by recipient committees which do not receive contributions or loans from any single source totaling \$100 or more. Recipient committees which receive individual or cumulative contributions or loans of \$100 or more from a single source must file Form 420.

(Type or Print in Ink)

**A OFFICIAL USE ONLY**

Statement covers period from 10/17/82 through 12/31/82

<b>NAME OF COMMITTEE:</b> National UFW Political Action Committee					<b>I.D. NUMBER</b> 782 630	
<b>ADDRESS OF COMMITTEE:</b> NO. AND STREET P.O. Box 62		<b>CITY</b> Keene,	<b>STATE</b> CA	<b>ZIP CODE</b> 93531	<b>AREA CODE</b> (805)	<b>PHONE NUMBER</b> 822-5571
<b>NAME OF TREASURER:</b> Peter G. Velasco						
<b>PERMANENT ADDRESS OF TREASURER:</b> NO. AND STREET P.O. Box 62		<b>CITY</b> Keene,	<b>STATE</b> CA	<b>ZIP CODE</b> 93531	<b>AREA CODE</b> (805)	<b>PHONE NUMBER</b> 822-5571
<b>DATE OF ELECTION (MO., DAY, YR.): (if applicable)</b>		<b>TOTAL PAGES</b>		<b>SPONSORING ORGANIZATION (if applicable)</b>		

**I EXPENDITURES AND CONTRIBUTIONS MADE TO: (Amounts may be rounded off to whole dollars)**

OFFICIAL USE ONLY	NAME AND ADDRESS (If committee, enter I.D. Number or Treasurer's name and address)	DESCRIPTION OF EXPENDITURE OR CONTRIBUTION MADE	NAME OF CANDIDATE & OFFICE OR NAME OF BALLOT MEASURE & BALLOT NUMBER OR LETTER	Check one Sup- Op- port pose	AMOUNT THIS PERIOD	CUMU- LATIVE AMOUNT
	Friends of Frank Barbero 826 N. Broadway Santa Ana, CA 92701 #820-774	contribution			9,000.00	9,000.00
	Accounting Services	fees			200.00	1,100.00
	Secretary of State	fine			1,710.00	1,710.00

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL (Carry with any additional subtotals to Line 1, Part IV) \$ 10,910.00

**YOU MUST COMPLETE THE SUMMARY AND VERIFICATION ON PAGE 2**

OFFICIAL USE ONLY	C	D	E	F
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For information required to be provided to you pursuant to the Information Practices Act of 1977, see "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," Part X.



**LOANS MADE TO: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF RECIPIENT (If committee enter I.D. Number or Treasurer's name and address)	NAME OF CANDIDATE AND OFFICE OR NAME OF BALLOT MEASURE AND BALLOT NUMBER OR LETTER		INTER- EST RATE	AMOUNT OF LOAN THIS PERIOD	CUMULATIVE AMOUNT
	Check one				
Friends of Wilson Riles 1030 K St. Sacramento, CA 95814 #810-332	Wilson Riles	Support	Oppose	5,000.00	5,000.00
	State Superinten. of Public Instr'n	X			
Attach additional information on appropriately labeled continuation sheets.					
SUBTOTAL (Carry with additional subtotals to Line 3, Part IV) \$				5,000.00	

**III LOANS REPAYED BY: (Amounts may be rounded off to whole dollars)**

FULL NAME AND ADDRESS OF DEBTOR PLUS PERSON WHO REPAYED THE LOAN IF DIFFERENT (If the loan was made to a committee, list the committee's name, address and I.D. Number. If the committee I.D. Number is unknown list the treasurer's full name and street address.)	AMOUNT REPAID THIS PERIOD	UNPAID BALANCE
Attach additional information on appropriately labeled continuation sheets.		
SUBTOTAL (Carry with additional subtotals to Line 5, Part IV) \$		

**IV SUMMARY**
**EXPENDITURES**

1. Expenditures of \$100 or more this period (Part I) . . . . .	\$ 48,492
2. Expenditures under \$100 (Not itemized) . . . . .	(-172) *
3. Loans made this period (Part II) . . . . .	5,000
4. Subtotal (Line 1 + 2 + 3) . . . . .	\$ 53,320
5. Loans repaid this period (Part III) . . . . .	0
6. Net expenditures this period (Line 4 - 5 may be negative amount) . . . . .	\$ 53,320
7. Cumulative expenditures from prior statement . . . . .	728,709
8. Cumulative expenditures to date (Line 6 + 7) . . . . .	\$ 782,029

**RECEIPTS**

9. Monetary contributions received this period. . . . .	\$ 6005 **
10. Non-monetary contributions received this period . . . . .	0
11. Cumulative total from previous period . . . . .	790,000
12. Cumulative contributions received to date (Line 9 + 10 + 11) . . . . .	\$ 796,005

**CASH FLOW STATEMENT**

13. Cash on hand at beginning of period . . . . .	\$ 62,195
14. Cash receipts this period (Line 5 + 9) . . . . .	6,005
15. Cash expenditures this period (Line 4) . . . . .	53,320
16. Cash on hand at end of period (Line 13 + 14 - 15) . . . . .	\$ 14,880

**VERIFICATION**

This committee has not received any contributions, cumulative contributions, or loans from a single source totaling \$100 or more. I declare under penalty of perjury that this campaign statement is true, correct and complete to the best of my knowledge and that I have used all reasonable diligence in its preparation.

Executed on 1/31/83 at Keene California by [Signature]  
(DATE) (CITY AND STATE) (SIGNATURE OF TREASURER)

Executed on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(DATE) (CITY AND STATE) (SIGNATURE OF CANDIDATE OR OFFICESHOLDER)

\* including correcting entries

\*\* investment income for calendar year 1982



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

December 14, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marco E. Lopez, Esquire  
House Counsel  
United Farm Workers of America,  
AFL-CIO  
P.O. Box 62, La Paz  
Keene, California 93531

Re: MUR 705

Dear Mr. Lopez:

This will acknowledge receipt of your letter, dated November 13, 1978, and also will serve to advise you that the Commission has found no reasonable cause to believe that the Citizens Participation Day Fund of the United Farm Workers of America, AFL-CIO, has violated 2 U.S.C. §441b(b)(3)(A). Accordingly, the Commission has voted to close its file in this matter.

Should you have any questions, please contact Vincent J. Convery, Jr., the attorney assigned to this matter, at 202-523-4060.

Sincerely,

William C. Oldaker  
General Counsel

Group  
Ex.  
F

340404331

RECEIVED NOV 16 1978



# UNITED FARM WORKERS of AMERICA AFL-CIO

National Headquarters: La Paz, Keene, California 93531

(805) 822-5571

November 13, 1978

William C. Oldaker,  
General Counsel  
Vincent J. Convery, Jr.  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sirs:

Cesar E. Chavez, President of the United Farm Workers of America, AFL-CIO referred your letter of October 6, 1978, to me. I believe that by this letter, your office will be able to terminate its investigation with a finding that the Citizenship Participation Day (CPD) Fund does not violate the Federal Election Campaign Act of 1971.

First, responses to the specific questions listed in your October 6, 1978, letter are given below in numerical order corresponding to the numbered questions in the letter. Second, I have included an explanation of how the Citizenship Participation Day Fund (which, as is explained below, is entirely separate from the fund from which federal campaign expenditures may be made) is set up. This description will more fully answer your questions and will provide the background as to precisely why the CPD Fund does not violate the provisions of the federal Act.

1. The Citizenship Participation Day Fund was established with the signing of the contract between the United Farm Workers Organizing Committee and the Interharvest Company on September 14, 1972. The first payments for this company were made in June 1973. The United Farm Workers Organizing Committee contract with the Freedman Company (signed April 14, 1973) was the company with the first payments: May 14, 1973.

2. The Fund's purposes are to develop, promote, and implement policies and programs which will improve and enrich the quality of farm worker life; to engage in community, civic, welfare, educational, environmental, cultural, citizenship-legislative, consumer protection, community service and other activities designed to improve the economic and social conditions of the United Farm Workers members and their families; to make

William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Two

political expenditures and contributions to influence the nomination and election of individuals to state, local, and/or party office, and to influence the passage or defeat of ballot questions; and to promote the general welfare and democratic way of life for all people. The CPD Fund does not expend any monies in connection with any federal election campaign.

3. The Citizenship Participation Day Fund is governed by a Board composed of the members of the National Executive Board of the Union.

4. In the past, the Farm Workers Political Education Fund, now the National United Farm Workers Volunteer Political Action Committee (see Gilbert Padilla's letter of October 18, 1978, to William Oldaker), has provided financial support to federal candidates. Contributions and/or expenditures made for such purposes have been reported to the Federal Election Commission. This fund is a separate, segregated fund within the meaning of 2 U.S.C. 441b(b) (2)(C), and has at all times been maintained separate from the CPD Fund, which does not expend monies for federal campaigns.

5. No expenditures have been made for the purpose of expressly advocating the defeat of any Federal candidate from the Citizenship Participation Day Fund.

6. The Fund has never sponsored any forums or other events at which Federal candidates have appeared and spoken. Money from the Citizenship Participation Day Fund has been used to finance political conferences at which only members of the United Farm Workers have endorsed both state and federal candidates.

7. Yes. For particulars please see Attachment A.

8. As is set forth in the responses above, the National United Farm Workers Volunteer Political Action Committee maintains a separate, segregated fund of voluntarily-contributed monies for use in federal campaigns; and the separate Citizenship Participation Day Fund is used for state and local political campaigns and for community and civic causes. As such, the Citizenship Participation Day Fund has given financial support to state and local (but not federal) candidates. Contributions for state and local political purposes by the CPD Fund are contained in reports filed pursuant to the California Political Reform Act of 1974, as amended, California Government Code Section 81000 et seq.



William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Three

More specifically, the Citizenship Participation Day is a day negotiated as a paid holiday for agricultural workers represented by the UFW under collective bargaining agreements between the Union and agricultural employers. UFW members who receive this paid holiday under collective bargaining agreements authorize the contribution of their holiday pay to a Citizenship Participation Day Fund.

The Third Constitutional Convention of the UFW in August 1977 adopted Resolution 45, which makes contribution of the CPD holiday pay by members working under contract mandatory. Funds have been collected under Resolution 45 since August 28, 1977, and have been maintained by the Union in a separate, segregated account.

On September 18, 1978, the National Executive Board of the UFW passed two resolutions relating to CPD. The first resolution empowers a Board, composed of the members of the National Executive Board of the Union, to allocate money in the Citizenship Participation Day Fund. The second resolution establishes a procedure to afford members an opportunity to object to expenditure of money contributed by them to the CPD fund for purposes to which they are politically or ideologically opposed. The procedure adopted by the National Executive Board is as follows:

... (A)ny member shall have the right to object to the expenditure of a portion of his Citizenship Participation Day contribution for political candidates or specific programs. The member may perfect his objection by individually notifying the National Secretary-Treasurer of his objection by registered or certified mail; provided, however, that such objection shall be timely only during the first fourteen (14) days of Union membership and during the fourteen (14) days following each anniversary of Union membership. An objection may be continued from year to year by individual notifications given during each annual fourteen (14) day period. The approximate proportion of the member's total Citizenship Participation Day contribution spent for such political candidates or specific programs to which he objects shall be determined by a committee of the National Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member shall have the option of contributing said portion of his CPD contribution to one of three charitable funds designated by the National Executive Board.

William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Four

If an objection member is dissatisfied with the approximate proportional allocation made by the committee of the National Executive Board or the disposition of his objection by the National Secretary-Treasurer, he may appeal directly to the full National Executive Board, and the decision of the National Executive Board shall be appealable to the Public Review Board or to the Convention, at the option of said member.

Also on September 18, 1978, the Board of the Citizenship Participation Day Fund, in accordance with its function to allocate money in the CPD Fund, passed a resolution creating the National United Farm Workers Civic Action Program to improve the quality of farm worker life and to engage in civic and social welfare activities designed to improve the economic and social conditions of UFW members and their families and to promote the general welfare and democratic way of life for all people. Money allocated to the Civic Action Program (hereinafter "CAP") must be segregated from other funds and may not be expended for any activities regulated by any state or federal election or campaign reporting laws, except that CAP money may be used for non-partisan voter registration and get-out-the-vote activities.

The CPD Fund Board also passed a resolution creating the National United Farm Workers Political Action Committee for the purpose of making political expenditures and contributions to influence the nomination and election of state, local, and/or party officials and the passage or defeat of ballot questions. Money allocated to the Political Action Committee (hereinafter "PAC") must be kept in a separate and segregated fund.

By further resolution, the Board of the CPD Fund allocated all contributions to the CPD Fund collected since August 28, 1977, pursuant to Resolution 45 of the UFW Third Constitutional Convention to the Civic Action Program for the purpose of implementing the objective of the CAP Program, up to and including December 31, 1978. All contributions to the CPD Fund collected since August 31, 1977, pursuant to Resolution 45, to date, have been maintained in a segregated account, and none of these contributions have been spent for any purpose.

The above resolutions were adopted after an examination by the National Executive Board of the Union of the procedures followed by the United Auto Workers Union with respect to expenditures of contributions from members for political and civic purposes. I am informed that the United Auto Workers collects

840 000 453 810

William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Five

8 1 0 3 0 4 5 3 2 1 0  
funds from which expenditures for political and civic purposes are made by imposing a mandatory tax amounting to a percentage of each member's monthly dues and that the money so collected is allocated in part to a political action committee and in part to a community action program. I am also informed that the United Auto Workers has a procedure whereby members may object to expenditure of this dues money for activities or causes to which he is politically or ideologically opposed which is similar to the procedure adopted by the National Executive Board of the UFW.

The procedure adopted by the National Executive Board of the UFW for objecting to expenditures to which a member is politically or ideologically opposed applies to all contributions to the CPD Fund pursuant to Resolution 45, that is, both to funds allocated to the Civic Action Program and to funds allocated to the Political Action Committee in the future. To date no expenditure of any of the money in the CPD Fund collected pursuant to Resolution 45 has been made, and no decision as to how the money which has been allocated to the Civic Action Program will be spent have been made. When such decisions are made, members subject to Resolution 45 will be given notice of intended expenditures and full opportunity to invoke the procedure adopted by the National Executive Board for objecting to such expenditures.

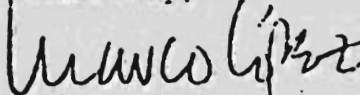
9. The Citizenship Participation Day Fund has never made any contributions to federal candidates. The National United Farm Workers Voluntary Political Action Committee is established to expend funds to federal candidates. Its account is with the United California Bank, 5191 Whittier Blvd., Los Angeles, California 90022: checking account # 148945611 and savings account # 1480434214.

10. The Citizenship Participation Day Fund has never accepted contributions, or received loans or other transfers of monies from the general treasury of the United Farm Workers of America, AFL-CIO.

11. The Citizenship Participation Day Fund has never provided financial support to the United Farm Workers Federal Political Action Committee.

If you have any further questions, please do not hesitate to contact me.

Sincerely,



Marco E. Lopez  
House Counsel



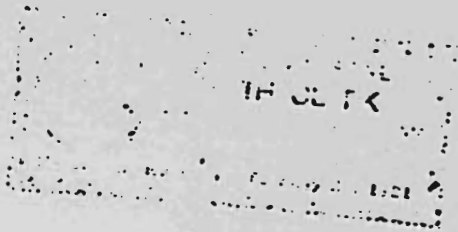
William Oldaker  
Vincent J. Convery, Jr.  
November 13, 1978  
Page Six

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on November 13, 1978, at Keene, California.

William Oldaker

Subscribed and sworn to before me this 13 day of November, 1978 at Keene, California.

Ruth Clark



34040453621



Attachment A

FEDERAL CANDIDATES ENDORSED BY  
CITIZENS PARTICIPATION DAY FUND

September 5, 1976

President of the United States

Jimmy Carter

United States Senate

John V. Tunney

United States Congress:

District 4  
District 5  
District 6  
District 8  
District 10  
District 12  
District 13  
District 25  
District 27  
District 28  
District 33  
District 37  
District 39

Robert L. Leggett  
John L. Burton  
Phillip Burton  
Ronald Dellums  
Don Edwards  
David Harris  
Norman Mineta  
Edward R. Roybal  
Gary Familian  
Yvonne Brathwaite Burke  
Ted Snyder  
Douglas C. Nilson Jr.  
William E. Farris

September 19-20, 1976

United States Congress

District 9  
District 22  
District 24  
District 35  
District 36  
District 38  
District 40

Fortney Stark  
Salley  
Henry A. Waxman  
Jim Lloyd  
George E. Brown, Jr.  
Jerry Patterson  
Hall

December 7, 1977

United States Congress  
District 6

Phillip Burton

July 30, 1978

United States Congress

District 4  
District 5  
District 6  
District 7  
District 8  
District 9

Dick Fazio  
John Burton  
Phillip Surton  
George Miller  
Ronald V. Dellums  
Fortney Stark

July 30, 1978

United States Congress

District 10  
District 12  
District 21  
District 23  
District 24  
District 25  
District 28  
District 29  
District 32  
District 36  
District 37  
District 38  
District 39  
District 41  
District 42

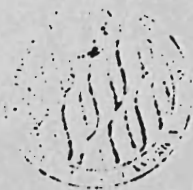
Don Edwards  
Kirsten Olsen  
James Corman  
Anthony Beilenson  
Henry A. Waxman  
Edward R. Roybal  
Dixon  
Augustus Hawkins  
Glenn M. Anderson  
George E. Brown, Jr.  
Dan Corcoran  
Jerry Patterson  
William E. Farris  
King Golden, Jr.  
Lionel Van Deerlin

September 17, 1978

United States Congress

District 1  
District 2  
District 13  
District 14  
District 15  
District 18  
District 19  
District 30  
District 31  
District 34  
District 35  
District 40

Harold T. Johnson  
Norma Bork  
Norman Y. Mineta  
John J. McFall  
Tony Coelho  
Bob Sogge  
Jerry Zamos  
George E. Danielson  
Charles H. Wilson  
Mark W. Hannaford  
Jim Lloyd  
Jim McGuy



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

October 5, 1978

Cesar E. Chavez, President  
United Farm Workers of  
America, AFL-CIO  
P.O. Box 62, La Paz  
Keene, California 93531

Re: NUR 705

Dear Mr. Chavez:

On September 6, 1978, the Commission received a complaint which alleged that the United Farm Workers of America may have violated the Federal Election Campaign Act of 1971, as amended. Essentially, the complaint alleged that two members of the United Farm Workers of America had been expelled from union membership for their refusal to contribute to the UFW's political action committee. A copy of the complaint is at Attachment 1.

On October 5, 1978, the Commission found reason to believe that the Citizens Participation Day Fund of the UFW violated Section 441b(b)(3)(A) of the Act. This finding is based on evidence that the UFW has compelled its members to make contributions to the Fund, and on indications that part of the monies thus realized were expended in connection with elections for Federal office.

You are invited to provide the Commission with any information which will demonstrate that no further action should be taken against the Fund under the Act. Such information should be forwarded to the Commission, in notarized form, within ten days of your receipt of this letter.

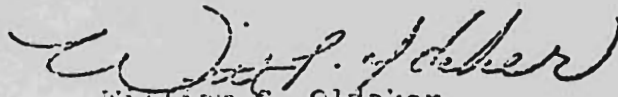
Additionally, you are requested to provide answers to the questions at Attachment 2. These answers also should be in notarized form and should be forwarded to the Commission within ten days of your receipt of this letter.

Pursuant to 2 U.S.C. §137g(a)(3)(B), this matter will remain confidential unless you advise the Commission in writing of your desire that it be made public.

The Fund may be represented by an attorney in this matter. Should an attorney be retained, please advise us so that we may communicate directly with him/her.

If you have any questions or desire additional information, please contact Vincent J. Convery, Jr., the attorney assigned to this matter, at 202-523-4058.

202-4061  
Sincerely,

  
William C. Oldaker  
General Counsel

3404045332



LEON E. PANETTA  
12th DISTRICT, CALIFORNIA

COMMITTEE:  
AGRICULTURE  
HOUSE ADMINISTRATION  
407 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-2521

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

September 6, 1978

Doc# 4786  
DISTRICT OFFICES:  
310 ALVARADO STREET  
MONTEREY, CALIFORNIA 93940  
(408) 842-3535  
HOLLISTER, CALIFORNIA  
(408) 837-0300  
SALINAS, CALIFORNIA  
(408) 424-2220  
SAN LUIS OBISPO, CALIFORNIA  
(408) 843-0124  
SANTA CRUZ, CALIFORNIA  
(408) 429-1278

Chairman Joan D. Aikens  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Chairman Aikens:

Pursuant to a request by two members of the United Farm Workers Union, I am forwarding to your attention information presented to me concerning their allegations of possible violations of federal election laws.

According to these members, the UFW adopted a resolution in 1977 requiring members to make contributions to the union's political action committee or political action fund. This year, the union is apparently enforcing that provision. Those members who are unwilling to contribute are being "ried" by the union locals, with a penalty of expulsion from the union and subsequent dismissal from employment, upon request of the union local. At this point, from the allegations presented to me, it is not clear whether or not the fund is used to support candidates for federal office.

The members of the Union who presented this information have requested that the Federal Election Commission investigate their allegations regarding involuntary political contributions, and whether or not such funds are being used in federal elections and therefore are within the jurisdiction of federal law.

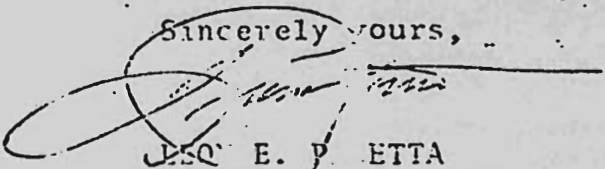
I am enclosing a variety of materials pertinent to the case, including letters to me from the two members of the union who first informed me of the situation. In addition, I am including a copy of one of the workers' pay slip from the week in which he was required to contribute to the political fund. The \$77.19 the union sought from him is listed on the pay schedule under the category of "Miscellaneous" deductions.

Attachment 1

Chairman Joan D. Aikens  
September 6, 1978  
Page Two

Please keep me informed regarding your determinations in this matter. I believe it is in the best interest of the farmworkers, the UFW and the public to have the matter clarified as soon as possible.

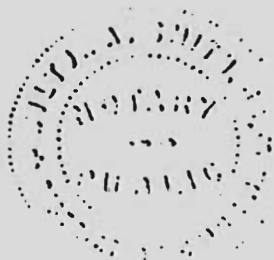
Sincerely yours,

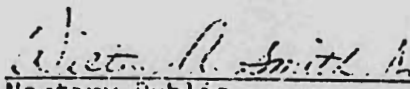
  
LESQ E. PANETTA  
Member of Congress

LEP:mfd

Enclosures: letter to Congressman Panetta from Mr. Giles Breaux;  
letter to Congressman Panetta from Richard Krancicki;  
copy of UFW resolution requiring mandatory political contributions;  
copy of pay schedule of Giles Breaux and correspondence between the union and Mr. Breaux on this matter;  
copies of newspaper articles on the case.

Subscribed and sworn to before me this 6th day of September 1978 in the District of Columbia.



  
Notary Public  
William A. Smith, II.  
Notary Public, District of Columbia  
Commission Expires October 12, 1982

FEDERAL ELECTION COMMISSION

Attachment 2 to letter to  
cesar E. Chavez  
MUR 705

1. When was the Citizens Participation Day Fund created?
2. For what purpose(s) was the Fund created?
3. Please list the officers of the Fund and the office held by each.
4. Please list all Federal candidates who have been provided with financial support by the Fund since its inception. (For the purposes of this question, such support includes contributions, loans and transfers made to a candidate or to his committee, and also includes expenditures made for the purpose of expressly advocating the election of a candidate). Please provide particulars as to dates and amounts.
5. Has the Fund ever made expenditures for the purpose of expressly advocating the defeat of any Federal candidate? If so, give particulars as to candidates, dates and amounts involved.
6. Has the Fund ever sponsored forums or other events at which Federal candidates have appeared and spoken? If so, please provide particulars as to the dates, the names of such candidates and the costs to the Fund.
7. Has the Fund ever endorsed a Federal candidate? If so, who and when?
8. What non-Federal candidates have been supported by the Fund since its inception.

- 2 -  
What is the name and address of the financial institution in which Fund monies are kept on deposit? What is the account number?

10. Has the Fund ever accepted contributions, or received loans or other transfers of monies, from the general treasury of the United Farm Workers of America? If so, state when the funds were received and the amounts involved.
11. Has the Fund ever provided financial support to the United Farm Workers Federal Political Action Committee? If so, give particulars. (For the purposes of this question, the term "support" means loans, contributions, expenditures and transfers).

0400045301



LEGAL DEPARTMENT  
UNITED FARM WORKERS  
OF AMERICA, AFL-CIO  
POST OFFICE BOX 30  
KEENE, CA 93831

RECEIVED AT THE FBI

84 JAN 4 A8:50



Mr. Kenneth A. Gross  
Associate General Counsel  
Mr. Duane Brown  
Federal Election Commission  
Washington, D.C. 20463

84010453329

RECEIVED AT INL  
GCC#1197  
3 DEC 5 AID: 30

Mark 1606  
Brown

Hermilo Mojica  
921 University Avenue #4  
Salinas, CA  
93901  
November 28, 1983

General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sir or Madam:

In my letter of November 25, 1983 I submitted a declaration concerning what I perceive to be violations of 2 U.S.C. Section 411b (b)(3) by the United Farm Workers of America, AFL-CIO. Since I submitted my declaration I received information from the Federal Election Commission which indicates that the UFW donated \$6,500.00 to the campaign of the late Congressman Phillip Burton. I think that this establishes that the Commission has jurisdiction to investigate the practices of the National U.F.W. PAC. I have attached a copy of this information for your convenience.

If you have any questions please contact me. I appreciate your efforts and thank you for your time.

Sincerely,

*Hermilo Mojica*  
Hermilo Mojica

Enc: Copy F.E.C. Printout.

34040453331

Copy of authorization card supplementing paragraph 9.

**UNITED FARM WORKERS OF AMERICA, AFL-CIO**  
**Citizenship Participation Day Deduction**

Name of Company \_\_\_\_\_

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers.

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CIO contribution.

Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.

## FEDERAL ELECTION COMMISSION

DATE 11/23/83

## COMMITTEE INDEX OF CANDIDATES SUPPORTED/OPPOSED - (D) 1981-82

PAGE 1

\*\*\*\*\*  
 COMMITTEE CANDIDATE SUPPORTED/OPPOSED OFFICE STATE DISTRICT CONTRIBUTIONS TO EXPENDITURES ON INDEP. EXPEND. ID#  
 TIONS TO BEHALF OF AGAINST  
 \*\*\*\*\*

NATIONAL UFW VOLUNTEER PAC (AKA UNITED FARM WORKERS OF AMERICA, AFL-CIO FEDERAL PAC)  
 CONNECTED ORGANIZATION: FARM WORKERS OF AMERICA; UNITED

NON-PARTY QUALIFIED  
 QUARTERLY FILER

C00011700

BURTON, PHILLIP

HOUSE

CA 05

DEM

0,500

0

0

H00000029

TOTAL

6,500

0

0

SUBTOTAL CONTRIBUTIONS TO 1 DEMOCRATIC CANDIDATES 0,500  
 SUBTOTAL CONTRIBUTIONS TO 0 REPUBLICAN CANDIDATES 0  
 SUBTOTAL CONTRIBUTIONS TO 0 OTHER CANDIDATES 0

LAST ITEMIZED CONTRIBUTION TO CANDIDATE ENTERED  
 AND ITEMIZED EXPENDITURE ON BEHALF OF ENTERED  
 AND ITEMIZED INDEP. EXPENDITURE AGAINST ENTERED  
 LAST REPORTING PERIOD COVERED

POST-GENERAL

1982

EAS-END

1982

83FEC/264/4801

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AT THE FEDERAL ELECTION COMMISSION OR BY REQUESTING THE NAME AND ADDRESS OF ANY POLITICAL COMMITTEE FROM THE FEDERAL ELECTION COMMISSION.

NO CONTRIBUTIONS FROM SUCH COMMITTEE. 2 U.S.C. 4378



b Mojica  
iversity Avenue #4  
CA 93901

RECEIVED AT THE FEC



# FIRST CLASS

# FIRST CLASS

*Rec'd 11/06  
B. Burton*

Hermilo Mojica  
921 University Avenue #4  
Salinas, CA  
93901  
November 28, 1983

General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sir or Madam:

In my letter of November 25, 1983 I submitted a declaration concerning what I perceive to be violations of 2 U.S.C. Section 411b (b)(3) by the United Farm Workers of America, AFL-CIO. Since I submitted my declaration I received information from the Federal Election Commission which indicates that the UFW donated \$6,500.00 to the campaign of the late Congressman Phillip Burton. I think that this establishes that the Commission has jurisdiction to investigate the practices of the National U.F.W. PAC. I have attached a copy of this information for your convenience.

If you have any questions please contact me. I appreciate your efforts and thank you for your time.

Sincerely,

*Hermilo Mojica*  
Hermilo Mojica

Enc: Copy F.E.C. Printout.

## FEDERAL ELECTION COMMISSION

DATE 11/23/83

## COMMITTEE INDEX OF CANDIDATES SUPPORTED/OPPOSED - (D) 1981-82

PAGE 1

\*\*\*\*\*  
 COMMITTEE CANDIDATE SUPPORTED/OPPOSED OFFICE STATE DC PTY CONTRIBU- EXPENDITURES ON INDEP. EXPEND. ID#  
 IONS TO BEHALF OF AGAINST  
 \*\*\*\*\*

NATIONAL UFW VOLUNTEER PAC (AKA UNITED FARM WORKERS OF AMERICA, AFL-CIO FEDERAL PAC)  
 CONNECTED ORGANIZATION: FARM WORKERS OF AMERICA; UNITED

NON-PARTY QUALIFIED  
 QUARTERLY FILER

C00011783

BURTON, PHILLIP

HOUSE

CA

05

DEM

6,500

0

0

H00CA06029

TOTAL

6,500

0

0

SUBTOTAL-CONTRIBUTIONS TO

1 DEMOCRATIC CANDIDATES

6,500

SUBTOTAL-CONTRIBUTIONS TO

0 REPUBLICAN CANDIDATES

0

SUBTOTAL-CONTRIBUTIONS TO

0 OTHER CANDIDATES

0

LAST ITEMIZED CONTRIBUTION TO CANDIDATE ENTERED -  
 AND ITEMIZED EXPENDITURE ON BEHALF OF ENTERED  
 AND ITEMIZED INDEP. EXPENDITURE AGAINST ENTERED  
 LAST REPORTING PERIOD COVERED

POST-GENERAL

1982

YEAR-END

1982

83FEC/264/4801

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3 1 0 1 0 4 5 3 3 3 6

Copy of authorization card supplementing paragraph 9.

UNITED FARM WORKERS OF AMERICA, AFL-CIO  
Citizenship Participation Day Deduction

Name of Company

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers.

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming year.

Social Security No.

Signature

Date

Witness Union Representative

If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the U.M.W. Contact your local field office for more details.



Copy of authroization card supplementing paragraph 9.

UNITED FARM WORKERS OF AMERICA, AFL-CIO  
Citizenship Participation Day Deduction

Name of Company

I hereby authorize the above-named Company to remit my  
Citizenship Participation Day net pay to the Citizenship  
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America, AFL-CIO, pursuant to Article of the  
Collective Bargaining Agreement. By this act I recognize  
my obligation to my Union and fellow workers.

This authorization shall continue in effect year to year  
unless written order of revocation is given to both the  
Employer and the Union at least ten days prior to the end of any  
calendar year. Said revocation will apply to the forthcoming  
year contribution.

Social Security No.

Signature

Witness Union Representative

Date

If you desire more information concerning the activities of  
the Citizenship Participation Day Committee, contact your local  
field office.

If you object to contributing to the Citizenship Participation  
Day Committee, you have the right to choose an alternative recipient  
from a list compiled by the Union. Contact your local field office  
for more details.

ROUTING SLIP

\_\_\_ Improper Complaint ltr.

\_\_\_ No Jurisdiction ltr.

X Respondent Notification ltr. (two)

\_\_\_ Complainant Notification ltr.

\_\_\_ Other?

To KAG from CKJ on 12/12 for signature

To Docket from KAG on 12/12 for mailing

3101045331

MUR #

1606

DATE

12-6-83

PLEASE PROVIDE THE NAMES AND ADDRESSES OF ALL RESPONDENTS WHICH ARE TO BE SENT A COPY OF THE COMPLAINT. IF A PRINCIPAL CAMPAIGN COMMITTEE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE CANDIDATE AND PUT A "CC" BESIDE THE CANDIDATE'S NAME. IF A CANDIDATE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE PRINCIPAL CAMPAIGN COMMITTEE AND PUT A "CC" BESIDE THE COMMITTEE'S NAME. PLEASE PROVIDE THIS INFORMATION, ON THIS SHEET, WITHIN 24 HOURS OF RECEIPT OF THIS NOTICE. THANK YOU.

SEND TO: Peter G. Velasco  
Treasurer  
National UFW Volunteer PAC  
P.O. Box 62  
Keene, Calif. 93531

Cesar Chavez  
President

NAT'L UFW VOL PAC

C00011783

Peter G. Velasco, Treasurer

P.O. Box 62

Keene, Cal 93531

Cesar E. Chavez  
President



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 13, 1983

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter G. Velasco, Treasurer  
National UFW Volunteer PAC  
P. O. Box 62  
Keene, California 93531

Re: MUR 1606

Dear Mr. Velasco:

This letter is to notify you that on December 5, 1983 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1606. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

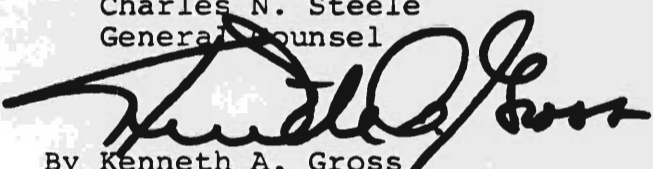


Page -2-  
Letter to Peter G. Velasco

If you have any questions, please contact Duane Brown, the staff member assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

PS Form 3811, July 1982

• **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one):  
☒ Show to whom and date delivered .....  
☐ Show to whom, date, and address of delivery .....

2. ☐ **RESTRICTED DELIVERY** .....  
(The restricted delivery fee is charged in addition to the return receipt fee.)

**TOTAL \$** .....

3. **ARTICLE ADDRESSED TO:** Cesar Chavez  
National UFW Volunteer PAC  
P.O. Box 62  
Keene, California 93531

4. **TYPE OF SERVICE:**  
☐ REGISTERED ☐ INSURED  
☒ CERTIFIED ☐ COD  
☐ EXPRESS MAIL

**ARTICLE NUMBER**  
943916

(Always obtain signature of addressee or agent)

I have received the article described above.

**SIGNATURE** ☐ Addressee ☐ Agent, agent  
C. Penabaz

5. **DATE OF DELIVERY**  
DEC 19 1983

**POSTMARK**  
DEC 19 1983

6. **ADDRESSEE'S ADDRESS** (Only if different from above)

7. **UNABLE TO DELIVER BECAUSE:**

**RETURN RECEIPT**

1606 - Brown

12/13/83



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 13, 1983

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Cesar Chavez, President  
National UFW Volunteer PAC  
P. O. Box 62  
Keene, California 93531

Re: MUR 1606

Dear Mr. Chavez:

This letter is to notify you that on December 5, 1983 the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1606. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If your committee will be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Page -2-

Letter to Cesar Chavez, President

If you have any questions, please contact Duane Brown, the staff member assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel

*Charles N. Steele*  
By Kenneth A. Gross  
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

PS Form 3811, July 1982

• **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one):  
☒ (Show to whom and date delivered .....)  
☐ Show to whom, date, and address of delivery .....

2. ☐ **RESTRICTED DELIVERY** .....  
(The recipient's delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ .....

3. **ARTICLE ADDRESSED TO:** Cesar Chavez, President  
National UFW Volunteer PAC  
P.O. BOX 62  
Keene, California 93531

4. **TYPE OF SERVICE:**  
☐ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL

ARTICLE NUMBER  
943917

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE ☐ Addressee ☐ Authorized agent  
*C. Penabaz*

5. DATE OF DELIVERY  
DEC 19 1983

6. ADDRESSEE'S ADDRESS (only if requested)

7. UNABLE TO DELIVER BECAUSE:

8. EMPLOYEE'S INITIALS  
*g*

RETURN RECEIPT

1606 - Brown 12/13/83

ROUTING SLIP

- ☐ Improper Complaint ltr.  
☐ No Jurisdiction ltr.  
☐ Respondent Notification ltr.  
☒ Complainant Notification ltr.  
☐ Other:

To KAG from Crt on 12/5 for signature  
To Docket from KAG on 12/5 for mailing

81010453314



MR 1606



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 6, 1983

Hermilo Mojica  
921 University Avenue, #4  
Salinas, California 93901

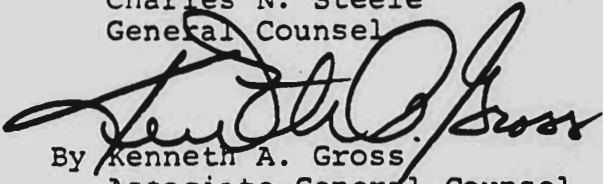
Dear Mr. Mojica:

This letter is to acknowledge receipt of your complaint which we received on December 2, 1983, against the United Farm Workers of America, AFL-CIO, which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Cheryl Thomas at (202) 523-4073.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

Enclosure

3401045341

UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

Name of Company \_\_\_\_\_

I hereby authorize the above-named Company to remit my Citizenship Participation Day net pay to the Citizenship Participation Day Committee of the United Farm Workers of America, AFL-CIO, pursuant to Article \_\_\_\_ of the Collective Bargaining Agreement. By this act I recognize my obligation to my Union and fellow workers. \*

This authorization shall continue in effect year to year unless written order of revocation is given to both the Employer and the Union at least ten days prior to the end of any calendar year. Said revocation will apply to the forthcoming CPD contribution. \*\*

Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

\*\*If you object to contributing to the Citizenship Participation Day Committee, you have the right to choose an alternative recipient from a list compiled by the Union. Contact your local field office for more details.

UNITED FARM WORKERS OF AMERICA, AFL-CIO

Citizenship Participation Day Deduction

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Social Security No. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Union Representative \_\_\_\_\_

\*If you desire more information concerning the activities of the Citizenship Participation Day Committee, contact your local field office.

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UNION DE CAMPESINOS DE AMERICA, AFL-CIO  
Deducciones del Día de Participación Ciudadana

15  
Nombre de la compañía

Autorizo a la Compañía, arriba indicada, para que envíe mi pago neto del Día de Participación Ciudadana al Comité del Día de Participación Ciudadana de la Unión de Campesinos de América, AFL-CIO, de acuerdo al Artículo del Acuerdo de Convenio Colectivo. Por este acto reconozco mi obligación hacia mi Unión y mis compañeros trabajadores.\*

Esta autorización continuará en efecto año por año, a menos que se de una orden de revocación a ambos, el Empleador y la Unión, por lo menos diez días antes del término de cualquier año calendario. Dicha revocación aplicará a las contribuciones a CPD futuras.\*\*

#Seguro Social

Firma

Fecha

Testigo Representante de la Unión

\* Si desea mayor información concerniente a las actividades del Comité de Día de Participación Ciudadana, comuníquese con su oficina local de la Unión.

\*\* Si tiene objeción para contribuir al Comité de Día de Participación Ciudadana, tiene el derecho de la alternativa de otro receptor, de una lista preparada por la Unión. Comuníquese con su oficina local de la Unión para mas detalles.



UNION DE CAMPESINOS DE AMERICA, AFL-CIO  
Deducciones del Día de Participación Ciudadana

Nombre de la compañía

Autorizo a la Compañía, arriba indicada, para que envíe mi pago neto del Día de Participación Ciudadana al Comité del Día de Participación Ciudadana de la Unión de Campesinos de América, AFL-CIO, de acuerdo al Artículo del Acuerdo de Convenio Colectivo. Por este acto reconozco mi obligación hacia mi Unión y mis compañeros trabajadores.\*

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#Seguro Social

Firma

Fecha

Testigo Representante de la Unión

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\*\* Si tiene objeción para contribuir al Comité de Día de Participación Ciudadana, tiene el derecho de la alternativa de otro receptor, de una lista preparada por la Unión. Comuníquese con su oficina local de la Unión para mas detalles.

RECEIVED AT THE FEC  
GCC # 1196  
83 DEC 2 P12:30

MUR 1306

Hermilo Mojica  
921 University Ave. #4  
Salinas, Ca.  
93901  
November 25, 1983

General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Sir or Madam:

Pursuant to 111 C.F.R. Section 111.4 (2 U.S.C. 437g(a)(1))  
I am forwarding the enclosed complaint concerning certain  
practices of the United Farm Workers of America, AFL-CIO,  
which I believe violate the Federal Campaign Act of 1971  
as amended. Specifically, I believe that the actions of the  
United Farm Workers violate 2 U.S.C. Section 411b(b)(3).

Pursuant to 111 C.F.R. Section 111.5 I understand that  
if I do not receive a response from your office within five  
days of your receipt of my complaint I can assume that I  
have met the technical requirements of filing a complaint.

If you have any questions or require any further information  
please contact me at the above address.

Sincerely,

*Hermilo Mojica*

Hermilo Mojica

111  
P 3:31

34060456048



DECLARATION OF HERMILO MOJICA

I, HERMILO MOJICA, being duly sworn, declare as follows:

1. My name is Hermilo Mojica, and I live at 921 University Avenue, #4, Salinas, California, 93901.

2. I have been a member of the United Farm Workers of America, AFL-CIO (UFW) since 1970.

3. I am a Ranch Committee President, and an elected officer of the Union in the Salinas area.

4. The UFW is a labor organization within the meaning of 29 U.S.C. Section 441b(b)(1).

5. The UFW maintains a Political Action Fund called the Civic Participation Day Fund (CPD) which is a fund within the meaning of 2 U.S.C. Section 411b(b)(2)(C).

6. The CPD fund was created pursuant to collective bargaining agreements  
/between the UFW and certain companies in or about 1973-1974.

7. "Civic Participation Day" is a paid holiday negotiated between the UFW and certain companies and it is designated in the collective bargaining agreements as the first Sunday in June of each year.

8. Beginning at the time the CPD was first negotiated all of the members of the UFW working under collective bargaining agreements containing the CPD provision were asked to sign cards authorizing their companies to deduct a day's pay and forward it to the UFW's CPD fund.

9. The language of the authorization cards states that each member has the right to withdraw his/her authorization if he/she so desires. (A copy of said form is attached hereto.)

10. The CPD fund is entirely a creation of the collective bargaining agreement and is not mentioned in the Union Constitution.

11. Between the creation of the CPD and on or about September/October, 1981, I voluntarily paid my contributions to the CPD.

12. In addition to CPD contributions UFW members are required to pay 2% of their salaries as regular dues to fund the administrative, legal, and other obligations of the union.

13. The rules concerning mandatory dues are set out in the Constitution of the UFW.

14. That in or about 1977/1978 a member of the UFW working with me at Harden Farms in Salinas, California withdrew his CPD authorization from the company.

15. At or about that time the UFW conducted an internal union trial to compel him to pay the CPD contribution to the Union and the members at my company refused to vote to force him to pay the CPD.

16. Said member is still a member of the Union and working at Harden Farms.

17. In or about 1980, the UFW unilaterally and without consulting the members of the Union purported to change the nature of the CPD from voluntary contributions to mandatory dues<sup>owed</sup> in addition to the 2% dues we already pay as our obligation to help support the administration of the Union.

18. In or about 1981, the UFW established a procedure through which a member may request a rebate of the portion of his CPD money which is used for political purposes, and orally informed the members of said procedure.

19. The UFW has never provided the members of the union with any written explanation of the process through which a member may

request a rebate.

20. To the best of my understanding a member must send a written rebate request to the UFW within 14 days of the anniversary date of his membership in the union by registered mail. The UFW has complete discretion to determine the percentage rebate. The UFW is not required to demonstrate through any accounting procedure how much of the CPD money is actually used for collective bargaining purposes.

21. In or about July 1981, David Martinez, a member of the National Executive Board of the UFW, told me that the rebate process was designed to be so complicated and time consuming that few members of the union would ever be able to meet the requirements to obtain a rebate.

22. Upon information and belief the 2% union dues pays all the administrative costs of the union and the additional CPD contributions are used exclusively for political purposes. This is based on my personal knowledge that union dues are 2% of our salaries, that prior to the UFW's attempt to make the CPD compulsory the union was adequately financed by the 2% dues and that prior to this time the CPD was used exclusively for political purposes.

23. Upon information and belief in 1982, the UFW made more than \$780,000.00 in political contributions to influence elections in California and in Texas. This is based on my having read a newspaper article to this affect.

24. On or about September/October of 1981, along with approximately 500 other members of the UFW in the Salinas area, I became dissatisfied with the political direction and goals of the CPD decided upon by Delores Huerta, Vice President of the UFW and Chairperson of the CPD.

25. In or about September/October 1981, along with approximately 500 other members of the UFW, I withdrew my authorization for the CPD contributions from the companies where we worked and ceased to pay the CPD contributions to the UFW.

26. In or about 1981 I developed internal union political differences with the National Executive Board of the UFW. As a result of those differences I, along with 8 other "paid representatives," were fired from our positions as "paid representatives" by the UFW President Cesar Chavez.

27. On or about January 29, 1981 I along with the 8 other ex-representatives fired by Cesar Chavez, filed suit in Federal District Court of the District of Northern California (Mojica, et al., v. UFW, et al., C82 0512 WAI (SJ) alleging that our firing by Cesar Chavez violated the Labor Management and Disclosure Act and the UFW Constitution.

28. On or about November 22, 1982, Mr. Chavez and other members of the UFW National Executive Board filed a Libel and Slander suit against the nine plaintiffs (UFW et al., v. Mojica, et al., C82 6644 WAI).

29. Three hundred members of the UFW, including myself, filed a second suit on or about March 25, 1983 against Mr. Chavez, certain members of the National Executive Board and the union, alleging that the Libel and Slander suit was filed in retaliation for our first suit and to chill the exercise of our First Amendment rights. (Mojica v. UFW, C83 1439 WAI).

30. In or about September 1983 I received a letter from the UFW signed by Roberto De La Cruz warning me that if I did not pay my back contributions to the CPD the UFW would require the Harden



Farms Company to fire me for failure to pay my required "dues" pursuant to the union security clause of the collective bargaining agreement.

31. Approximately 80 other members of the UFW have also received said letters.

32. Upon information and belief even though approximately 500 people are refusing to pay the CPD only members who are Plaintiffs in the second suit against the union have received said letter. This is based on the fact that I know all the members who have reported to me having received a letter are also Plaintiffs in the second suit.

33. Upon information and belief one person has actually been fired pursuant to the UFW's request and he is Aristeo Zambrano, one of the original nine paid representatives who filed suit against the UFW. This is based on Mr. Zambrano having told me the same.

34. The UFW is conditioning employment of its members on their contribution to the CPD fund and said action violates 2 U.S.C. Section 411(b)(3).

35. In spite of the facts set out above in numbers 14 and 15 the union has not conducted any internal union trials for refusals to pay the CPD contributions arising out of the present dispute.

36. To my knowledge no member of the union has ever successfully petitioned for and received a rebate of his/her CPD dues.

37. Upon information and belief the CPD contributions are used exclusively for political purposes, and as such the union may not legally condition employment on such payment by members who object to the use of said fund. This is based on my allegation number 22 and my understanding of the law.

38. I believe that the persons responsible for this are Cesar Chavez, President of the UFW, Delores Huerta, First Vice President, Frank Ortiz, Second Vice President of the UFW, David Martinez, NEB member, Arturo Rodriguez, NEB member, Oscar Mondragon, NEB member, Roberto De La Cruz, UFW Salinas Regional Director, as well as other officials of the UFW whose precise identities are not known to me at this time.

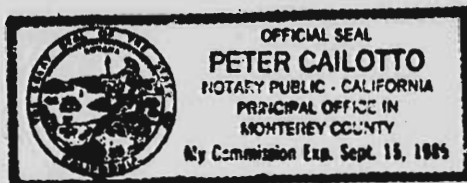
39. Based on the foregoing facts I request the General Counsel to initiate an investigation of the above listed practices and initiate the appropriate criminal procedures necessary to protect our rights guaranteed by law.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 28 day of November, 1983 at Salinas, California, 1983.

Hermilo Mojica  
HERMILO MOJICA

Subscribed and Sworn to  
before me this 28 day  
of November, 1983.

Peter Cailotto  
Notary Public



Hermilo Mojica  
921 University Ave. #4  
Salinas, Ca. 93901

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**CERTIFIED**  
**P 483 419 381**  
**MAIL**

General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C.  
20463



FIRST CLASS

Eldor



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1606

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