

If unionization comes among farmworkers, at harvest time the farmer will have two alternatives, either capitulate to any union demand or witness a collapse of his farming operation. These limited alternatives available to the farmer in a situation where a dispute exists, eliminates any basis for believing that equality of bargaining power can exist between a farmer and a union.

In conclusion, we believe that significant differences existing between agricultural and industrial operations, the perishability of farm crops, and the disparity in bargaining power between a farmer and the combined forces of organized labor are forceful arguments for the retention of the agricultural exemption under the National Labor Relations Act.

Therefore, we recommend this committee defer action on H.R. 4769.

We appreciate the opportunity to make this statement.

Mr. Thompson. Thank you very much, sir.

Mr. O'Hara, I know you have to leave shortly. Do you have any questions?

Mr. O'HARA. I want to thank the witness for appearing. His statement is one that expresses an honest point of view in a temperate manner, even though it is not one that I find myself in agreement with.

I notice you were here all during the testimony of Mr. Triggs.

Mr. O'CONNELL. Yes, sir.

Mr. O'HARA. There was extensive discussion with Mr. Triggs about the points he made, and you heard Mr. Triggs' responses to the questions from the committee.

Were there any of those responses that you recall that you disagree with, or take exception to?

Mr. O'CONNELL. Mr. Triggs was on for 2 hours and 10 minutes, and I cannot recall all his responses.

Mr. O'HARA. You don't recall offhand—

Mr. O'CONNELL. I can't think of any.

Mr. O'HARA. Assuming we asked you all the same questions we asked Mr. Triggs. [Laughter.]

Mr. O'CONNELL. I might comment on when Mr. Chavez was here, and I am not saying our information from California is complete, accurate or unemotional, but in his planning to obtain representation for his workers on a voluntary basis, he was in the process of building a very good program.

In fact, as I understand it, he didn't plan to make his move with DiGiorgio, Schenley, or anyone else in the Delano area until 1968. He was building some collateral forces with the gas station and credit union when AWOC came in and muddied the waters.

One big problem you have in California and one thing which concerns us is the jurisdictional dispute.

If I understood Mr. Chavez correctly, one of his greatest problems was not with the growers in the Delano area, but with other unions involving jurisdictional disputes.

I don't know whether you made that point specifically with Mr. Triggs, but if Mr. Chavez or those like him can build up an organization like he is building on a voluntary basis and if they wish to negotiate with a farmer and even bring in persons such as Professor Haughton, for arbitration, we have no objection to this. As I under-