

AMERICAN ASSOCIATION OF NURSERYMEN, INC.,  
Washington, D.C., June 2, 1967.

Hon. FRANK THOMPSON, Jr.,  
Chairman, House Special Subcommittee on Labor, House Committee on Education  
and Labor, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN THOMPSON: The American Association of Nurserymen wishes to take this opportunity to express its views on H. R. 4769, which would make provisions of the National Labor Relations Act as amended applicable to agricultural workers. We believe that this bill does not take into consideration the nature and the special requirements of agriculture, which include an extremely limited period of time to harvest crops. Farmers, including nurserymen, must harvest perishable crops when the combination of maturity and weather make it possible. If the crop is not harvested at that time, the nursery farmer may well lose his investment of many years and suffer loss of income for the coming years. Such losses could indeed bankrupt many nurseries. Products of nurseries may be handled only during limited times each year. A strike during these times would put the farmer in jeopardy of catastrophic losses.

It seems clear that farmers are the most vulnerable employers in the world. In the industrial and commercial world a strike may reduce profits, but it is rare for one to destroy a business. The situation in agriculture is quite different. We believe that the enactment of H. R. 4769 would subject the nursery grower to an injustice not inflicted on any other type of employer simply because he cannot close down his farm and, after a strike is settled, pick up where he left off.

This Association believes that passage of H. R. 4769 would result in unnecessary conflict between agricultural employees and workers. Enactment of this bill would, without doubt, accelerate the mechanization of nursery operations. Unfortunately, those who would become unemployed because of mechanization are those who are least equipped to find an alternate job opportunity.

The nursery industry feels that the factors mentioned above are adequate justification to oppose enactment of this bill.

Sincerely yours,

ROBERT F. LEDERER,  
Executive Vice President.

STATEMENT BY J. J. MILLER, EXECUTIVE VICE PRESIDENT, ON BEHALF OF  
AGRICULTURAL PRODUCERS LABOR COMMITTEE

My name is J. J. Miller. I am Executive Vice President of the Agricultural Producers Labor Committee. This Committee is presenting this statement on behalf of approximately 98 percent of the citrus and avocado growers and establishments where citrus and avocado fruit is prepared for market in the states of California and Arizona.

AGAINST PUBLIC POLICY

Summarized, this Bill compels compulsory unionization of agricultural labor with membership in the union required after seven days, and with a hiring hall through which the farmer must procure his labor in the first instance.

Looking to the purposes of this Bill, this would give to the unions a monopoly over agricultural labor, so that the unions could effectively control the food supply of the nation through control of the labor which produces this supply. This, in our opinion, is against public policy.

DESTROYS COLLECTIVE BARGAINING

Owing to the nature of agriculture and the need to harvest the crops at certain periods, there is already inequality of bargaining power between the farmers and the unions. To give the unions these additional powers would destroy any semblance of collective bargaining.

UNCONSTITUTIONAL

The National Labor Relations Act has been held constitutional on the ground that it involves the production of goods for interstate commerce.

It has been the accepted legal concept that production of goods for commerce reaches only the handling of the product after harvest and does not reach the production, harvesting on the farm, and transportation of the product from the farm to the establishment where it is prepared for market.