

FORUM/Labor Unions Complain Laws Fall Short of Need

Continued from Page 1A

Trade Agreement. The trade agreement is designed to spur trade among the two countries and Canada.

The complaint by the four unions alleges United States laws on labor protections are either inadequate or aren't being enforced, a violation of the 7-year-old agreement.

"If these rights existed, we wouldn't be here today," Guadalupe Gamboa of Sunnyside, a national vice president of the United Farm Workers of America, told the forum. "We could have a million laws, but if they aren't enforced, they aren't worth the paper they are written on."

Jeff Johnson, organizing and research director for the Washington State Labor Council, during closing remarks, offered to set dates for further talks with state and federal officials and industry to improve conditions.

"One true measure of a people is the way we treat low-wage workers. As a nation and a state, we have failed miserably," Johnson said.

Janila Thomas-Roberts, executive policy adviser to Washington Gov. Gary Locke, said the governor's office is committed to further discussions on a series of suggestions from worker advocates.

"We will make sure those suggestions get to the agencies that will look at them and follow up," she said. "We are committed to

some serious dialogue."

Although permitted under the labor side agreement, it is considered unlikely that Mexico would seek trade sanctions against the apple industry. Any sanctions wouldn't occur for several years because of interim steps required by the agreement.

Mexico is Washington's largest apple buyer, accounting for about 10 million boxes this year.

Should the Mexican government choose to pursue the matter, the labor agreement allows review of the issue by a panel of experts, arbitration and, finally, trade sanctions.

No complaint to date has gone beyond the government agreement stage.

Lewis Karesh, deputy director of the U.S. National Administrative Office, established under the labor agreement to handle complaints, said in an interview he is hopeful the complaint can be resolved short of sanctions.

"While this issue could go further, our hope is with ongoing dialogue we will be able to find collaborative and cooperative ways to address the issues," he said.

Farm workers from Brewster in north central Washington to Walla Walla related instances in which they have been paid less than minimum wage, fired for union activity and suffered illnesses and injuries from working in the industry. And what's worse, they said, they received little or no help from state and federal agen-

cies that are supposed to protect them.

A state Labor and Industries official admitted in response to a question that the agency has issued only one citation against an employer since 1995 for violations of labor standards. That citation was issued against a Clark County employer.

Workers also pleaded for better respect for their importance to the industry.

"I hope something good will come from this," said Ana Guzman, 49, of Yakima, who said she was fired from Washington Fruit and Produce Co. in Yakima for union-organizing activity. "Behind every worker is a history of suffering, abuse, humiliation, bad treatment and discrimination. We have been exploited."

Guzman, who spoke in Spanish, was one of three workers to speak during a session on employment standards and discrimination.

Subsequent sessions covered collective bargaining, safety and health issues, housing, pesticide use, and workers' compensation.

The Washington Growers League's Gempler told the forum Washington state has some of the strongest laws on labor protections in the United States. The league, which includes among its membership more than half the state's approximately 4,000 growers, works on labor issues.

Those laws should be enforced and a system set up to address worker problems quickly, he said.

"There is no excuse for people getting ripped off," Gempler said. "It is wrong and we don't support it."

Outside the forum, Gempler criticized the complaints as being motivated by failed attempts to organize the Washington fruit-packing industry.

But he added agriculture supports adequate labor standards.

"We would expect labor to pursue that and expect our industry to support that," he said. "Without it, there is no credibility."

Worker advocates argued farm workers continue to struggle with low wages and little enforcement of labor laws.

Rebecca Smith of Olympia, a native of Yakima now working for the National Employment Law Project, told the forum Mexican immigrants make up 95 percent of the 180,000 farm workers in Washington state.

She said their wages lag far behind the rest of the labor force in the state, averaging about \$6,670 per year. Farm worker wages also fall short of the state minimum wage. Women farm workers are being passed over for jobs in favor of males who can work faster.

Smith said those conditions raise issues of discrimination and wage violations for which the state Department of Labor and Industries has only one full-time investigator for farm worker issues.

"Clearly, the state needs more enforcement," she said.