

USLEAP

Winter 2009:
Issue #4

Fighting for worker justice in the global economy

Coup in Honduras Stands; November Elections Denounced

Opponents of the coup that threw out democratically-elected President Manuel Zelaya in June are denouncing

the November 29 Honduras elections as illegitimate. The national resistance movement in Honduras, as well as most governments in the region and international supporters, including labor and human rights groups in the U.S., have rejected the validity of elections convened by a coup government that has engaged in wide-spread repression and denial of basic rights, including freedom of expression, freedom of association, and the right to assembly.

The one notable exception is the US government which, in a stunning reversal, essentially sabotaged an agreement it had itself brokered in early November that seemed to pave the way for reinstatement of President

Zelaya. The Obama Administration's statement on November 5 that it would accept the November 29 elections for a new president as legitimate even if President Zelaya were not reinstated effectively took pressure off the coup government and allowed the coup to stand.

President Zelaya's efforts in June to push forward a non-binding referendum on whether or not to convene a constituent assembly to consider a new constitution challenged the ruling powers in Honduras, prompting the coup. Murders, disappearances, arrests, and beatings have plagued the country since the June 28 coup ousted President Zelaya and flew him into exile before he slipped back into the country and took up residency in the Brazilian embassy on September 21. ©



Large rallies, like this one in Tegucigalpa on November 5, continue against the coup and the November 29 elections, unrecognized by many. (Giorgio Trucchi, Pel-UITA)

Maquila Workers Win Huge Victory in Honduras

Maquila workers in Honduras won a huge victory when Russell Athletics announced that it would open a unionized facility, rehire over 1,000 workers, and respect freedom of association at all of its facilities in Honduras on November 17. The agreement was

signed with the General Confederation of Workers (CTH) and came after a vigorous campaign led by the United Students Against Sweatshops (USAS) and interventions by the Worker Rights Consortium (WRC), the Maquila Solidarity Network and other members of the anti-sweatshop movement, including USLEAP.

The agreement, if implemented, represents one of the most significant achievements in the struggle for worker rights in

the Central American maquiladora sector since it began exporting to the North American market over twenty years ago.

Russell has long been a target of USAS and WRC, but the campaign against the company accelerated after independent studies confirmed that Russell's closing of its Honduras Jerzees plant in January 2009 was in part a reprisal against union organizing.

USLEAP played a support role, leading a sign-on letter with other anti-sweatshop groups in the spring that targeted Russell customers and another sign-on letter this fall. ©

"It is gratifying for the labor movement to count on true friends like yourselves, who have brought us not only solidarity, but appreciation..."

--Manuel Tellez, General Secretary of the CUT Bogotá, a Colombian union central, in a message to USLEAP in November 2009.

Our work would not be possible without the generous support of individuals. Please consider making a contribution of \$35, \$50, \$100, more or less, to USLEAP today!

2009: Trade on Back Burner; Huge

Board of Directors

Beth Myers (Chair)
Executive Director (Ex)
STITCH

Gail Lopez-Henriquez (Vice Chair)
Labor Attorney

Henry Frundt (Secretary/Treasurer)
Former President, Local #2274
American Federation of Teachers

Noel Beasley
Executive Vice President
Workers United/SEIU

Tim Beaty
Director of Global Strategies
International Brotherhood of Teamsters

Clayola Brown
President
A. Phillip Randolph Institute

Gabriel Camacho
Project Voice
American Friends Service Committee

Laura Carter
Assistant to the General Secretary (Policy)
International Textile, Garment and
Leather Workers Federation

Teresa Casertano
Program Director, Americas Region
AFL-CIO Solidarity Center

Martha Farmelo
Fund-raising consultant

Stan Gacek
Assistant Director
International Department, AFL-CIO

Brent Garren
Labor and Employment Committee
National Lawyers Guild

Lisa Haugaard
Executive Director
Latin America Working Group

Doug Meyer
Deputy Director
International and Governmental Affairs
UAW

José Oliva
Policy Coordinator
Restaurant Opportunities Centers United

Ron Oswald
General Secretary
IUF-UTTA-IUL

Rod Palmquist
International Campaigns Coordinator
United Students Against Sweatshops

Edgar Romney
Secretary-Treasurer
Workers United/SEIU

Rocio Saenz
Vice President
SEIU

Alan Spaulding
Director of Global Strategies
United Food and Commercial Workers Union

Jeff Vogt
Global Economic Policy Specialist
AFL-CIO

*Some organizations listed for
identification only

Policy Issues

Trade Agreements and Worker Rights

While the Administration is officially still reviewing its trade policy, signs during 2009 were not encouraging. The U.S. Trade Representative (USTR) took a mild approach to its initial handling of the first (and only) worker rights complaint submitted under the Central American Free Trade Agreement, filed against **Guatemala** in 2008 and passed from the outgoing Bush Administration to the Obama Administration in January 2009. And while the Administration decided not to bring forward the pending **Colombia** Free Trade Agreement (FTA) in 2009 to avoid a divisive fight with Democrats opposed to expansion of the NAFTA (North American Free Trade Agreement) model, it has suggested that this and other pending agreements should be considered (and approved) as old business left-over from the Bush Administration, an unacceptable position. The Administration also backed away from any significant ef-

fort to address NAFTA's ineffective labor and environmental protections.

USLEAP provided reports, talking points, and analysis used by opponents of the Colombia FTA, meeting with USTR and other governmental officials on Colombia as well as Guatemala, reporting on and exposing the weaknesses of the labor protections in CAFTA and NAFTA, and generating grassroots and US union support for congressional letters to Guatemalan President Alvaro Colom and Secretary of State Clinton (on Colombia).

The USLEAP-authored *Justice for All: The Struggle for Worker Rights in Guatemala* was released by the AFL-CIO in summer 2009, providing background support for the CAFTA complaint. USLEAP also began preparations for testing the effectiveness of the worker rights conditions of the **Peru** Free Trade Agreement that went into force in February 2009.

Labor Law Reform

In **Ecuador**, hopes for significant labor law reform were offset by governmental decrees sharply limiting the rights of public sector workers, an issue which USLEAP raised with USTR at the request of the Ecuadorian union movement. In **Mexico**, USLEAP participated in deliberations about a campaign targeting the protection contract system under which most Mexican workers are effectively denied the right to independent unions.

In **Colombia**, USLEAP began focusing on the use of subcontracting to deny workers' rights and benefits, a practice that is spreading globally. In an important victory against subcontracting, the region's largest

private sector union, Sintrainagro, with a 13-day strike in May successfully resisted its introduction in the banana growing region of northern Colombia.

Honduras Coup and CAFTA

The coup in Honduras exposed another fundamental flaw with CAFTA, revealing that CAFTA has no provision for applying trade sanctions in the face of the overthrow of a democratically-elected president. USLEAP organized a US trade union letter in support of a resolution condemning the coup and supported an initiative that persuaded four apparel firms to take a public stand essentially opposing the coup.

USLEAP

The U.S. Labor Education in the Americas Project is an independent non-profit organization that supports the basic rights of workers in Latin America, especially those who are employed directly or indirectly by U.S. companies. USLEAP is funded by individuals, foundations, trade unions, and religious groups. This newsletter is published four times a year. A minimum (tax-deductible) contribution of \$35 a year is requested; \$10 for students/low income.

This newsletter was printed in late November, 2009.

P.O. Box 268-290, Chicago, IL 60626, Tel: 773.262.6502, Fax: 773.262.6602
info@usleap.org; www.usleap.org

Victory for Maquila Workers; Mixed Bag for Others

Worker Organizing

Banana Workers Fight Dole, Talk with Chiquita

Dole remained the top target of banana unions, with a new campaign document issued by European campaigners and USLEAP in October; in April, a lawsuit was filed against Dole alleging that it had funded paramilitaries in Colombia to murder trade unionists. Banana unions maintained direct engagement with Chiquita on a range of issues through mechanisms outlined in a framework agreement signed in 2001 with the International Union of Foodworkers and the Coordination of Latin American Banana Unions (COSLIBA). One issue burst into the public limelight in 2009 when

the Honduran union requested international intervention, supported by USLEAP, that successfully pressed Chiquita to resolve a long-standing case of sexual assault.

Banana unions began to more publicly voice their concerns about certification by the Fair Trade movement and, even more so, by Rainforest Alliance. Banana unions and their supporters, including USLEAP, prepared for the launch of a Global Banana Forum in Rome this December, an effort to bring together key actors in the industry to address a range of issues, including worker rights.

Huge Victory for Maquila Workers

Maquila workers won a huge victory in late 2009 when Russell Athletics agreed to open a unionized facility in **Honduras**, hire back hundreds of workers, and respect freedom of association at its Honduran factories, marking the most important victory in cross-border maquila work in Latin America in a decade. North American support work was led by the United Students Against Sweatshops after Russell closed a union facility in January 2009. USLEAP provided limited but strategic interventions at critical parts of the campaign.

USLEAP intervened with Johnson Controls in June at the request of its workers in **Mexico** who reported the company had not responded to a February letter reporting firings and other anti-union discrimination. USLEAP's intervention prompted a lengthy response from the company and the initiation of communication between the union and the company's headquarters but as of November 2009, there was no resolution. USLEAP also provided modest support work to Hanes workers at the TOS Dominicana factory in the **Dominican Republic** wanting respect for a contract won in 2008 and to workers producing for Levi's in **Haiti** where the company agreed to postpone plans to exit a unionized facility in the CODEVI free trade zone.

Flower Workers Defend Wins, Face Tough Times

This year proved to be a year of holding on to past gains as the economic downturn coupled with anti-union employers combined to thwart progress. Workers won a new contract at the Papagayo plantation and preserved earlier victories, including renewing a contract at the Splendor plantation previously owned by Dole before it exited the industry in early 2009. The UNTRAFLORES flower union won backwages and full severance in key struggles but a number of plantations shut down and others used the economic crisis to expand subcontracting, reducing benefits, wages, and workers ability to organize.

USLEAP supported Colombian flower workers with a Mother's Day tour, interventions with specific companies and the Colombian government, and production of a bilingual brochure and a new background booklet, *Gendered Injustice: The Struggle of Women Workers in Colombia*.



USLEAP Program Coordinator Lupita Aguila and Development Associate Anna Koob travelled to Columbus, Georgia in November for the annual SOA vigil commemorating those who have been victims of Latin American military trained at the school. USLEAP gave a presentation on Colombia and co-chaired the labor caucus, which provides an opportunity for the labor movement to discuss violence perpetrated by SOA graduates against trade unionists.

No Let Up in Violence in Colombia or Guatemala

Colombia is likely to lead the world once again this year in number of trade unionists murdered, with over 30 trade unionists murdered as of early November. Guatemala, usually the second most dangerous country for trade unionists in Latin America, is likely to be surpassed by Honduras where at least 12 trade unionists have been killed in 2009 as unions have helped lead opposition to the June

28 coup.

Impunity remains near total in both Colombia and Guatemala, with only one person reported behind bars for any of the dozen plus unionists murdered over the past three years in Guatemala. USLEAP's latest impunity report on Colombia, *Systemic Violence Requires Strategic Justice*, examining all 2008 rulings in cases involving murders of trade unionists, found that

Colombia failed to put a dent in its backlog of cases. (A full analysis of Colombia's progress on impunity in 2009 will not be completed until mid-2010.)

USLEAP also organized a Midwest tour for Colombian human rights lawyer Yessika Hoyos who highlighted a growing scandal of illegal surveillance of unionists and others by the government's top security agency.

US Military Engagement in Colombia Deepens, and Questioned

The U.S. and Colombian governments signed an agreement on October 30 that gives the U.S. military access to usage of seven military bases throughout Colombia. The deal gives the U.S. military free and open use of these bases, entrance of military personnel without visas, and complete immunity for U.S. military personnel from Colombian law. While ostensibly this access to bases is part of the war on drugs, critics of U.S. policy in the region question why the U.S. military needs these outposts in South America, fanning concerns about potential actions against Colombia's neighbors,

such as Venezuela.

Representatives Jim McGovern (D-MA), Jan Schakowsky (D-IL), Donald Payne (D-NJ) and Michael Honda (D-CA) authored a November letter to Secretary of State Hillary Clinton calling for a "reconfiguration" of U.S. policy towards Colombia. The letter specifically asks for reduction of military funding and a focus on aid that strengthens civil society, and highlights how the Colombian government and military have acted to undermine human rights workers, including trade union leaders. USLEAP organized a

U.S. trade union letter to Congress in support of the initiative.

Note: Release of USLEAP's 2008 Impunity Report "*Systematic Violence Requires Strategic Justice: Ongoing Impunity in Assassinations of Trade Unionists in Colombia*," was delayed to coincide with a high-level meeting of the World Trade Organization the week of November 30. The study documents limited progress in investigating, prosecuting and trying cases of assassinations of trade unionists, concluding that the lack of a strategic legal approach is holding back significant advances. ©

Guatemala CAFTA Complaint Languishes

The Obama Administration continues to take a soft approach to the first labor complaint submitted under CAFTA (Central America Free Trade Agreement), filed against Guatemala in April 2008 by the AFL-CIO and five Guatemalan trade unions. Despite very limited progress in addressing the specific violations documented in the complaint and the submission of a wealth of new violations this fall, the Administration has declined to call for ministerial

consultations and instead has added new steps to the complaint process by entering into "pre-consultations."

In October meetings with the U.S. Trade Representative and the Department of Labor, USLEAP expressed concern about the delays in the process and the lack of advances, noting especially that little progress has been made against impunity. Violence claimed the life of another Guatemalan union leader in October. ©

In Memoriam

USLEAP joins with the international labor movement in mourning the sudden loss of Neil Kearney, General Secretary of the International Textile, Garment and Leather Workers Federation, who died of a heart attack on November 19 in Bangladesh. He was a tireless and highly committed advocate for the rights of apparel workers around the world.

Bittersweet End to Flower Worker Strike in Colombia

November 9 was the last day that 500 workers, organized by UNTRAFLORES, occupied the Benilda plantation outside Bogotá, Colombia. Their strike halted production and prevented the theft of machinery for 64 days as workers demanded the payment in full of their salaries and severance pay if the company went bankrupt as it threatened. The union's action forced a liqui-

dation process that is now paying workers the money owed to them as well as severance pay.

Workers will not walk away from their plantation's closing empty-handed but the search for new full-time jobs in the flower industry is ever more difficult as plantations increasingly shift to subcontracted positions. Flower workers at Papayo plantations continue to

worry that their fate will be a similar one.

In more positive news, the SINTRASPLENDOR union renewed a collective bargaining agreement with the new owners who had taken over the plantation when Dole sold off its Latin American flower operations earlier this year. ©

In Brief...

Chiquita Sexual Assault in Honduras Settled

A short campaign directed at Chiquita secured an agreement from the company to resolve three cases of reported sexual assault by a Chiquita supervisor. The case had been pending for three years without a resolution until

the Honduran banana unions called for international intervention. Sexual harassment and assault on banana plantations is widespread.

Mexican Electricians Union Eliminated by Government

On October 10, 2009, President Calderón ordered federal police to seize the power plants of Luz y Fuer-

za Central, liquidated the state-owned electricity company and fired all 44,000 workers, eliminating one of the largest independent unions in Mexico, the electricians union, Sindicato Mexicano de Electricistas (SME).

The union movement is protesting the government's actions. ©