

# **TRANSNATIONAL PERSPECTIVES ON LABOR AND IMMIGRATION: LESSONS FROM THE PAST, PROSPECTS FOR THE FUTURE**

**July 17 – 18, 2009**

**UCLA Downtown Labor Center  
675 S Park View St  
Los Angeles CA 90057**

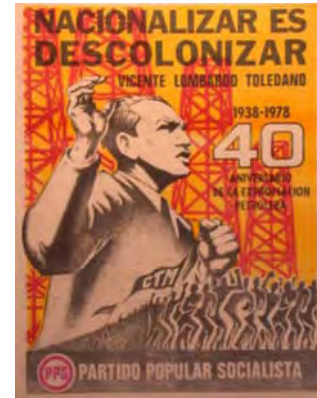
## **DISCUSSION SUMMARY**

### **Overview**

On July 17<sup>th</sup> and 18<sup>th</sup> of 2009, the Institute for Transnational Social Change hosted a binational event that brought roughly 30 experts and labor leaders to UCLA's Downtown Labor Center. The event centered on a discussion meeting, *Transnational Perspectives on Labor and Immigration: Lessons from the Past, Prospects for the Future* and was an initial step as the Institute carves its role as a hub for cross-border collaboration among key worker-led organizations (independent unions, worker centers, NGOs, and academics) in Mexico and the United States. A summary of select presentations and discussions from the meeting are outlined below, including: a history of U.S.-Mexico cross-border relations, the current landscape of US-Mexico solidarity, a panorama of Mexico's independent labor movement, organizing immigrants, challenges to budding partnerships, lessons from long-term allies, and prospects for future collaboration. In a final session, key stakeholders made recommendations and discussed next steps. The following summary is a selection of information shared at the meeting. A more detailed description of proceedings and access to participants' presentations can be made available by request. Appendices include a discussion agenda, a list of readings shared prior to the event, and contact information of the attendees.

## History of US-Mexico Labor Solidarity

Historically, U.S.-Mexico worker solidarity has been a project of the Left from the beginning of the 20<sup>th</sup> Century. In his outline of the history of cross-border solidarity between Mexico and the United States, David Bacon underscored two main ideas: 1) Cross-border solidarity is part of a process, noting examples like the role of the Wobblies in the 1920s, the CIO's relationship with Vicente Toledano in the 30s and 40s, and solidarity of miners in Cananea and Arizona, as well as longshoremen from Mexico with the ILWU. 2) Cross-border solidarity has always been tied to migration of Mexicans to the United States. Activists like the brothers Magón came to live in the U.S. before the Mexican Revolution. U.S. radical unions in the 30s and 40s played an important role in defending Mexican workers and organizers against repression and deportation. Organizations like the Committee for the Protection of the Foreign Born in Los Angeles was one of the most important in the immigrant rights movement and the defense arm of the labor movement, especially for union organizers.



The Cold War changed the political structure and international relations were controlled by the CIO, which reflected US international policy—an attitude of “us” v. “them” both externally and toward immigrant workers. This was also the Bracero period. Activists in Los Angeles called for the program's abolition and for solidarity with Mexican unions like the United Electrical Workers. The CIO's anti-immigrant attitude led eventually to the AFL-CIO's support of the Immigration Reform and Control Act (IRCA) in 1986, not to legalize workers but because of its support for employer sanctions, underscoring the dividing line that was characteristic of that Cold War period.



David Bacon.

*NAFTA Caused a Resurgence of Cross-border Alliances.* NAFTA changed the landscape. NAFTA catalyzed cross-border alliances, in part because the lack of worker protections in the agreement motivated the development of international departments, and there was an explosion of organizing and mobilizations. The UE and the FAT formed their partnership. There were groundbreaking strikes like at the Han Young plant. Coalitions emerged like the Coalition of Justice in the Maquiladoras (CJM), the Free Trade Express, and the Mexican Action Network in Opposition of Free Trade REMALC. This dynamic exposed that NAFTA was written primarily to protect corporate interests. Alliances that evolved during this period included the Mexican Longshoreman and the ILWU as well as US Steelworkers (USW) and miners in Mexico. By the late 90s, the AFL-CIO repealed its support for employer sanctions.

### **Current Landscape of US-Mexico Cross-border Solidarity**

Today, cross-border solidarity exists in the context of increased U.S. penetration, economically and politically. In Mexico, labor law reform remains a primary issue. The most important product of economic integration is migration. NAFTA has made the U.S. economy dependent on migrant labor. Reforms to immigration laws around the world are angled to take advantage of cheap labor rather than to protect workers' rights. Labor movements on both sides of the border need to understand these processes of worker displacement.

Jeff Hermanson pointed out that the history of U.S. economic and political domination and anti-immigrant sentiment has created fear and hostility toward Mexico, which continues today among unionists in the U.S. At a time when a low percentage of the labor force is unionized, U.S. labor remains insular and has very little understanding of the Mexican labor movement and key issues workers there face. Mexico's is still predominately a corporatist labor movement, marred by corruption and gangsterism.

*Establishing the Solidarity Center was a Step in the Right Direction.* This is not to say that the U.S. labor movement hasn't come a long way since the Cold War, but much remains to be done. When the AFL-CIO opened the Solidarity Center, it signaled significant commitment to building long-term relationships and a collaborative approach. The Solidarity Center has sent delegation after delegation to build these cross-border relationships.

Apart from independent unions like the UE that partnered with the FAT, for instance, examples of successful cross-border organizing include: the Garment Worker strike against Guess Jeans, the CWA with the *telefonistas* [Mexico's telephone workers union], and the Teamsters' ties with the VW union in Puebla. These cases share characteristics such as coordinated actions like the Guess strike and organizing that follows the companies to defeat capital mobility wherever it goes.

*Support for Mexico's Independent Union Movement.* Independent unions in Mexico need support from U.S. organizers. A model case of independent unionism started with the Kukdong strike in 2001. This is an example of necessary elements for success: solidarity actions, a strong union organizer in Mexico, and a democratic approach to organizing. In sum, for change to take place in Mexico, there needs to be effective on-the-ground organizing over the long term and significant campaigns on the U.S.-side that support the organizing in Mexico. And for any measure of improvement to take place in the United States, particularly in a globalized economy, unions from different countries have to work together. Equally important is working with civil organizations like CAT in Puebla and ProDESC in Mexico that underscore the need for cooperation and resources.

The agenda for organizers today is to reconstruct both labor movements from below. Look for situations like Smithfield Farms that has production facilities in Mexico. Examine factors that keep unions trapped, political obstacles in the respective countries, and determine roles that unions can play to support their counterparts. This again reaffirms that immigration has to be part of the discussion.

## **Panorama of Mexico's Independent Labor Movement**

In an overview of Mexico's independent labor movement, Fernando Herrera, Arturo Hernandez and Sergio Sanchez focused on obstacles to organizing, political and legal, and recent setbacks to advances toward a more democratic system to represent workers. Fernando Herrera emphasized that the currently, the situation for labor is grim. The federal government is extremely anti-union as well as state governments, unions are in intense internal battles, coupled with mass migration to the United States, this is one of the worst periods for labor in the history of the country.



*From right, Sergio Sánchez, Fernando Herrera, and Arturo Hernández.*

Arturo Hernandez noted that main barriers to independent organizing are a lack of knowledge and information on the part of the workers, a lack of organizing and capacity, and corporatist control. The Federal Labor Law offers no universal protections in reality. This is in large part because workers don't have access to information about collective contracts, which is controlled by the government and employers. Employers claim that they have to abide by the law and therefore are not able to meet demands of workers. Nor do workers have access to documents to be able so that they can file claims against their employers. Workers have to go to Mexico City to obtain their collective contracts. Organizing workers is the way to defeat these obstacles. Legal battles tend to take place in a void of information and the power balance outweighed on the side of companies.

The Abascal Law has offered little help. It has been called a "counter-reform" because unions are completely controlled, it maintains the corporatist model, and all the power is centralized in management's hands, which serves employers. In sum, Mexico's workers need leadership and organizational capacity to breakdown an overwhelmingly pro-company culture.

*Mexico's Union Culture Steeped in Charro Traditions.* Sergio Sánchez centered his discussion on unionism in Mexico today, characterized by a corporatist tradition called *charro*-style unionism. This style of unionism, represented most clearly by the CTM, is reflected by a lack of democracy, control of votes, exclusion clauses, and mechanisms of internal control. These controls come from a history of workers that are accustomed to receiving something from the government, and workers were used to nepotism in unions. Most workers are not trained to fight for their rights because these kinds of benefits still exist.

This lack of experience demanding worker protections is exacerbated by today's challenges. The workforce has become more temporary and flexible, less protected. New employment is unstable and workers rights have been rolled back. Institutions like the Labor Congress have lost their ability to intervene in state politics, and authoritarianism prevails in work centers and unions.

Three types of organizing in Mexico reflect today's labor movement: The neo-corporatist sort represented in the SNTE, which has a predominantly *neo-charro* culture, and where there is a demand for change but resistance within the same union. The UNT represents a more democratic kind of union organizing, of which the FAT is a member as well as university workers and other independent unions. The third is a radical style seen in locals of the SNTE such as Local 22 in Oaxaca.

In sum, Mexico's unionism is behind the times, despite heroic experiences of resistance, it remains apathetic, focused on immediate short-term problems, and divided. The only reform of late was ISSSTE, which is another case of unions waiting for someone to take the lead and doing nothing until legal reform takes place. In the meantime, there are more and more shutdowns and wildcat strikes that leave workers on strike with no pay long periods of time. Independent unions are few and far between with only ruses of attempts to create support at the federal level. With a short-sided view, which tends to ignore migration, and the added dimension of violence plaguing the country, cases of 30 oil workers from local 40 kidnapped in Nuevo León, labor in Mexico has a difficult and complicated road ahead.

### **Questions for the Labor Movements to Consider**

What do the labor movements on both sides of the border have to say about the economic pressure that produces migration?

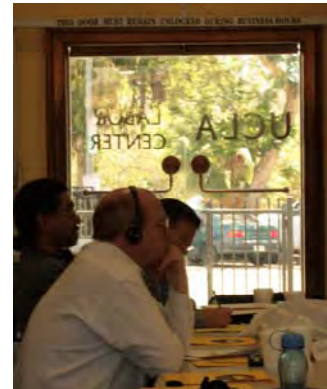
Can we have a movement of solidarity that doesn't tackle basic worker program on trade displacement and investment?

How can labor cooperate to roll back corporate efforts to increase profits in Mexico by attacking the standard of living, labor standards and labor law?

How can labor work to increase the security of workers and farmers and reduce displacement and forced migration?

How can labor, especially in the United States, defend the rights of those workers who are then forced into migration process?

What is labor on both sides going to do about the proposals of guest worker programs?



Dave Campbell, Fernando Herrera, and Jeff Hermanson.

## **Organizing Immigrants in Today's Economy**

Among the most vulnerable workers in the U.S., immigrant workers lack protections in the workplace, face linguistic barriers, and have little access to information. Organizing immigrants has revitalized the U.S. labor movement and at the same time raised awareness of abuses—discrimination, wage-theft, abhorrent working conditions, among others, that were once thought of as bygones in American society.

*Organizing Against the Political Tied in Arizona.* Gaspar Verdugo shared his experience organizing for the AFL-CIO in Arizona. His focus has been on construction workers, the majority of whom come from Mexico, El Salvador, Guatemala, and Honduras. Workers range from iron-workers to painters, drywallers and several others who are on major building jobs, freeway construction and more. In a politically anti-immigrant context, organizing immigrants in Arizona has been a challenging process. Victories tend to be based on several fundamental components: strategic research, organizing in Spanish, multi-pronged campaigns. This means organizers target developers, anti-immigrant laws, and contractors. Behind all this is the research that identifies weak points of the large corporations and those become the battlegrounds.

Among other obstacles in immigrant organizing, there are four myths: to protest abuses, workers have to have a majority; all Latino workers are undocumented; the workers have to speak English; and the corporations are all powerful. Once these myths are broken in the minds of the workers, empowerment seems much more attainable. This goes hand-in-hand with educating the police force, for example, that undocumented workers have rights. The fight has been extremely hard, with employers intimidating workers all along the way, but in Arizona, nine companies have signed collective contracts. Fortunately, immigrants learn quickly when they come and work in the United States that they can make legal claims against their employers. In the process of organizing, it helps to explain to workers that demands are not backed by labor laws but rather civil laws or state laws. These are laws that allow workers to fight abuses like wage theft.



Immigrant rights marches in Los Angeles, CA, spring 2006.

*LA's Immigrants at the Epicenter of the Labor Movement's Renaissance.* Victor Narro described successes of organizing immigrants in Los Angeles and the interconnections between immigrant rights and labor rights. Los Angeles energized the labor movement, mainly as the immigrant workforce became the epicenter of union organizing. Based on an article he wrote about the last twenty years of immigrant organizing in Los Angeles by unions and worker centers, Narro focused on the major campaigns.

Immigrant marches in the spring of 2006, including May Day, woke up the whole country and gave the fight a lot of energy. Leading up to that culminating event, Miguel Contreras was a driving force behind immigrant organizing in LA when he became secretary-treasurer of the LA County Federation of Labor in 1995. In 1998, one of the

largest victories was the 74,000 homecare workers that became unionized, forming part of the SEIU. More than 20,000 immigrants came to the LA Sports Arena in 2000 in recognition of the AFL-CIO's declaration to work toward a new legalization program for immigrants. In 2003, the Immigrant Workers Freedom Ride—19 busses from different cities around the country traveled to Washington, D.C. with a message in favor of immigration reform. Hotel workers of UNITE-HERE gained significant public attention with campaigns like one in 2007 and their fight to unionize workers of LAX hotels. The 2008 Justice for Janitors, Local 1877, campaign was one of most successful.

The National Day Labor Network stands out among these victories. Narro worked with Pablo Alvarado over a number of years to create a movement. Today there are over 40 member organizations all around the country in the network, showing the value of worker centers. NDLON created a strong national movement for the rights of day laborers. More recently, they have joined forces with the LiUNA to support workers in residential construction. NDLON also entered into a partnership with the AFL-CIO to strengthen the movement.

Worker centers like KIWA, because they are small, are able to organize immigrant workers. They are a part of the ENLACE network, have had victories organizing restaurant workers. The Garment Worker Center is another that has had important victories. The Forever 21 campaign, of which Joann Lo was a lead organizer, lasted roughly seven years. This case highlights creative organizing strategies that helped garment workers, workers, mostly women immigrants from Latin America, many undocumented, win justice in an industry that is very difficult to organize. The campaign was the centerpiece of the documentary "Made in LA" (2007) exposing employer abuses, intimidation tactics, the ups and downs of organizing, and at the same time telling inspiring stories of immigrant women fighting for workers' rights.

Both experts agreed that anti-immigrant laws, particularly in places like Arizona, make organizing immigrant workers an uphill battle. Workers have been arrested in actions and deported during campaigns. There is not much organizers can do as it becomes a case-by-case issue for immigrant and criminal lawyers to handle. However, it is the responsibility of labor to address these anti-immigrant laws and sustain the effort to make it possible to fight greater protection in, and outside, of the workplace.

### **Lessons from Long-term Allies**

Independent unions with strong democratic underpinnings are likely candidates for long-term relationships in a transnational context. A primary example of such a relationship is the long-standing solidarity bond between the UE and the FAT. Robin Alexander of the UE and Benedicto Martínez of the FAT have been working to form this connection between their organizations across the US-Mexico border and sustain through thick and thin for more than fifteen years. Their experience underscores how international solidarity and international law has benefited workers in the United States.

Robin Alexander described how international solidarity and international law has benefited workers in the United States. She outlined the UE's grounding tenets of

democracy, justice, peace, and power among the rank and file. These beliefs have made it possible to build alliances and fulfill the organization's commitment to work internationally. In brief, this internationalist character helps the organization keep in mind the bigger picture.

*The UE-FAT Strategic Alliance.* In the early 1990s, UE-FAT created a Strategic Organizing Alliance, born of the organizations' opposition to NAFTA. This alliance was based on an ongoing effort to build international solidarity from a rank-and-file perspective. The UE and the FAT work together to develop workers' centers, educational and solidarity programs such as worker-to-worker exchanges and cultural projects, produce an on-line newsletter, oppose corporate globalization, and participate in forums that challenge the neo-liberal agenda.

Together they have organized delegations of workers from Mexico to participate in actions in Chicago, Kansas City and UE members in mobilizations in Chihuahua, for instance. Guiding principals include mutual respect and "solidarity not charity." When possible, the UE and the FAT do things in a bilateral way, and at the same time they are clear about decision-making—final decisions of work in Mexico is the responsibility of the FAT and the same for the UE regarding work in the U.S.

*International Relationships that Save Jobs in Mexico and Empower Workers in the U.S.* These solidarity not charity principles are illustrated in campaigns such as the UE's "Buck a Brick", to support construction costs of a union hall in Guerrero, Mexico. This campaign emerged from one migrant worker's story of migration that circulated among the rank-and-file of a local in Connecticut during a delegation visit. The story of this Mexican national losing his job as a railroad worker in Mexico, migrating to the U.S. for work, and returning to Mexico to be with his family moved the local to create this campaign and offer financial support to build the union hall in a small Mexican town. This campaign is a lesson in international solidarity in practice, and shows that a campaign not was organic, not planned out by management, demonstrates that international support at a crucial moment can ultimately saved jobs in Mexico.



Workers protesting in North Carolina.

Another specific example that provides a significant lesson is the International Worker Justice Campaign (IWJC) launched in 2004 in North Carolina. Inspired by discussions with the FAT's application of international labor laws, the campaign garnered international support from trade unionists in Mexico, Canada, and Japan as well as from lawyers associated with the UE, FAT, ICLR and CALL. In a powerful move to address complaints from this campaign, the ILO made demands on the state of North Carolina to repeal a statute limiting collective bargaining.

In sum, the case has served to change the terms of discourse in North Carolina and with the structural overlay on organizing on the ground shows international solidarity interwoven throughout a campaign. The impact of the case

has empowered workers in Raleigh, provided the basis for legislation, and created a movement in North Carolina.

Benedicto Martínez emphasized a recent victory of independent union organizing in Mexico and international solidarity—the right to a secret vote. This has been one of several parts of a campaign against the Abascal labor reforms since the 90s that have motivated the UNT to carry the banner of labor reform in defense of freedom and democracy for unions in Mexico. Most significantly, the UNT has called for the elimination of the Labor Arbitration Councils, Juntas de Conciliación y Arbitraje, which create an uneven playing field in labor conflicts.

*Structural Inequalities in Mexico's Labor Arbitration System.* As long as the Labor Councils operate, workers' rights will never change. These Councils are at the epicenter inequalities that labor face when they make any demands in defense of workers rights. Delays in processing complaints means that workers are on strike with no salaries. International pressure is the current strategy, including support from Human Rights Watch and letters from 37 representatives of the U.S. Congress to the Mexican government. This is another area where international solidarity has been invaluable. As new labor reform is in discussion, which is likely to include a piece on migration, the international relationships that the FAT has developed and dynamic of international solidarity will be better able to respond to reform proposals.



Benedicto Martínez.

*Cross-border Relationships Built on Clear Communication and Trust.* Lessons for decision-making practices in cross-border collaboration and international solidarity are underscored in two campaigns, one with garment workers in Puebla and the other with miners in Sonora, in which the FAT played an integral role. In the case of the garment industry, a coordinated effort was possible because all the organizations involved—the FAT and the UE as well as others understood that decisions made about the Mexico side are clearly the responsibility of organizers in Mexico and decisions on the U.S. side are the responsibility of organizers in the U.S. In the case of the miners, an international letter-writing campaign had a ripple effect due, in large part, to the FAT's history of developing an international network, which in this case produced 2000 letters of support from all over the world. Moreover, ongoing working, long-term relationships build enough trust for successful international collaboration.

In conclusion, of utmost importance formulating a plan to dismantle structural inequalities in the Labor Councils, which at this stage are institutionalized mafia operations that will continue to impede any advances in the independent labor movement in Mexico. In addition, the mindset that a labor violation is a human rights violation has to enter the broader discourse and to incorporate this language into law. Further, a fundamental issue that merits international attention is economic resources to sustain struggles on the ground in Mexico, otherwise they die out. The increased number of private companies operating in Mexico has exacerbated this issue and wildcat strikes are more and more common, which are detrimental to workers if they last more than a few

weeks. For a sustainable dynamic in international collaboration, three elements are useful: good communication, flexibility within organizations, and a broad support network developed over time.

### **Opportunities and Obstacles for Budding Cross-border Partnerships**

A concrete look at experiences of cross-border organizing highlighted challenges groups are encountering as they form networks to address worker abuses by transnational companies. Enlace and ProDESC are two civil society organizations working with independent unions and workers fighting for basic protections in the workplace of large, multi-national corporations.

Enlace is a unique organization that bases its organizing on a transnational perspective. Mary Mendez explained that a fundamental strategy to cross-border organizing in the face of multi-national companies is to stay one step ahead. Enlace, therefore, focuses much of their research and actions on the direction that companies are planning to take in the future.

Outlined in Enlace's internal plan are commitments to maximize leadership capabilities, develop flexible internal structure that can evolve with the strategy, improve continually through evaluation and upgrade communication internally and externally. This, along with developing leadership and organizational capacity to be able to intersect actions with a company's future plans is their strategy. At the same time, Enlace recruits allies that can participate in actions for the campaigns.

*Cross-border Alliances in the Sara Lee Campaign.* These components were part of the Sara Lee campaign, which started out as a no-win effort by a small group of workers who were abused or fired for submitting complaints. Once this small union had an internal plan of action and some training, they decided to take on Sara Lee. Sara Lee is a super powerful multi-national with trademark registrations in 180 countries. A first step was to find allies in various parts of the world—the FAT and the UE joined in support—until they found the small union had the most power in Chicago and Mexico City. In sum, it was an historic victory that ended with the rehiring of fired workers and paid benefits and salaries owed to laid-off workers. This is extraordinary for such a small union in Mexico, unheard of with a company as powerful as Sara Lee.



Enlace's strategy map for Sara Lee campaign.

Enlace is now developing a peer training program based on the internal organizing approach. Currently the program is in New York, the west coast, and in Mexico. It is a two-year program to ensure trainees take on the responsibility of increasing membership of their groups and conduct internal evaluations.

*International Actions of an Independent Union, SINTTIM.* On another campaign against a Korean company, Joann Lo and Rosa Ceceña described Enlace's cross-border organizing experience with SINTTIM, an independent worker organization in a fishing community

in Baja California. Seafood Workers for Justice is a campaign against Hanjin Trading, which is based in Korea and the U.S. and started a squid packing in Santa Rosalia, Baja. Workers at the plant are mostly women and have been fighting against wage and hour abuses as well as physical abuse, among others, for nearly a decade. Their campaign has been focused on the defense of human and labor rights and have included actions in Los Angeles, California. The situation is extremely difficult given the number of years they have been organizing this campaign, including press campaigns. Near impunity of foreign companies has meant a series of obstacles for the SINTTIM campaign, such as lack of recognition of the union by the government, lack of support from the local government—particularly an unwillingness to listen to workers’ complaints for fear of losing a major employer in that village, black-listing activists, and so on.

In support of SINTTIM, Enlace has conducted research, recruited allies, coordinated actions in Los Angeles, and is now focusing on building a base of support in Chicago as well as South Korea. They have coordinated internationally synchronized actions to pressure the company and local government officials in Santa Rosalia and at the same time pressure the Mexico labor board and the Korean government. Enlace is also working with KIWA to organize a speaking tour to Korea. In addition to organizing support, Enlace has a leadership development program to educate and empower workers in Santa Rosalia, and build the capacity of SINTTIM.

*Defending Human Labor Rights in a Transnational Framework.* With roots in human



Alejandra Ancheita.

rights organizing, Alejandra Ancheita outlined the main ideas behind ProDESC. The principal objective has been to find an alternative way to collaborate in transnational organizing in defense of economic, social and cultural rights. In light of everything that a global economy implies, the organization’s goal has become to globalize justice. To this end, ProDESC works to defend the right to organize and the right to bargain collectively.

Founded in 2005, ProDESC initially concentrated on workers in the maquila industry in Puebla. Although the direction of the organization was not entirely clear in the beginning, their focus on human labor rights emerged as its grounding framework. CEREAL is another organization that frames its work this way and has been a model organization for ProDESC. As a new organization, ProDESC was faced with the multitude of obstacles typical in Mexico such as the process of organizing, requesting the union registry, the process of seeking immunity, as well as migration as a consequence of transnational companies operating in these communities. As the organization began to form its programs, organizers found that workers who were working for a transnational company and suffered workplace abuses in Puebla ended up working for the same transnational company, usually under a different name, in New York, for example.

ProDESC realized migration had a direct affect on workers in communities of origin and families that received remittances, so the organization began working with Centro de Derechos del Migrante (CDM) a U.S. organization with offices in Zacatecas that works with guest workers in agriculture and other industries. In 2007, a staff member of the

FLOC, an AFL-CIO organization representing guest workers in the agricultural industry, was assassinated in Monterrey, Mexico. ProDESC and CDM worked together to petition the Inter-American Human Rights Commission to grant precautionary measures for FLOC members, and FLOC members are still protected under this measure today.

In this process, ProDESC developed a transnational strategy for the organization, both organizationally and in terms methods to defend human labor rights of migrants. This allowed ProDESC to define a list of labor violations that migrant workers suffer, organize at the transnational level to protect their human labor rights, and engage organizations from both sides of the border including CDM, FLOC, NDLO, NALACC, among others to come together to discuss how they can work together and applying international labor laws, and in some instances, NAFTA side agreements to their cases.

*Taking on Wal-Mart Mexico.* A campaign against Wal-Mart is the most significant case ProDESC has recently taken in its effort to protect workers of transnational corporations. The Wal-Mart case started with the intent to address complaints of sexual harassment and gender discrimination by a group of women in Mexico City and evolved into a case of child labor law abuses. In collaboration with SEIU, a partner in Wal-Mart Watch, the idea is to make a class-action suit in the U.S.

Applying any type of transnational strategy, organizations working in defense of labor rights must understand the workers living in Mexico and workers living in the U.S. see protections differently. In Mexico, even though labor law is advanced, it is not enforced; and while an individual knows he or she has rights in the workplace, when it comes to confronting abuses, there is an overwhelming sense of fear. Furthermore, the impunity of corruption in the system is elevated to such a degree in Mexico that making legal claims has too many obstacles for organizing campaigns. By contrast, people in the U.S. have a sense that although the process can be slow, they have legal recourse in the face of workplace violations. The goal of organizers is to bridge this gap in the mindset of workers, especially in cross-border campaigns.

*The UFW's Binational Program.* Challenges in the face of a globalized economy is not only driving civil society organizations to create new networks, but is also a motive behind new programs in established organizations like the UFW. Anna Reynoso explained that complicating those challenges is an agricultural crisis around the world that farmers are confronting, which along with free trade, industry concentration, and restricted access to credit is forcing small farmers off their land. As a consequence, sharp increases in migrant farm labor around the globe is driving organizations to consider strategies for representing a constant flow of migrant labor both guest workers and undocumented workers.



Anna Reynoso and David Bacon.

Representing migrant workers in the U.S. has to take into account the temporary nature of the labor needed for certain crops and thus organizing a campaign often begins with a top-down strategy, pressuring the employer through leverage points on both sides of the border. For example, on the Mexico side, they will engage the foreign media, the

ministry of foreign affairs, the U.S. embassy, and foreign NGOs and unions. Simultaneously, the UFW will engage the US. Department of Health, the Department of Labor, Congress, the State Department of Labor, the Governor's office, and the U.S. media. Ultimately, the UFW aims to promote a vision of sustainable agriculture on both sending and receiving countries, make staying in one's own country of origin a truly viable option, and build an international movement of farm workers/farmers. To this end, the UFW trains migrant workers to be activists and when the farm worker returns to his or her own country, he or she is able to organize and broaden the network at the same time.

The UFW works with various sending countries around the world but currently, its main focus is on Mexico. This is due to the large percentage of H2A visas given to Mexicans—of 64,000 total of these visas last year, 59,669 were given to Mexican workers. Considering that worker abuse generally starts as soon as that worker is recruited, the UFW is working to establish a national network of farm worker organizations and unions within Mexico. This will allow the UFW to recruit workers, better matching their skills to jobs in the U.S., train workers on their rights and activism while they live the U.S., and take what they have learned back with them to Mexico.

### **Strategies to Build Labor Organizational Capacity**

Organizational capacity is a fundamental component to international solidarity and cross-border campaigns. In cases regarding safety in the workplace and occupational health, organizations such as CEREAL and the Labor Occupational Health Program at the University of California, Berkeley work to educate workers with materials they can understand and build the capacity of worker-led organizations.

*Broadening the Framework to Defend Workers' Rights.* Carlos Rodriguez of CEREAL explained that the theoretical framework and the concept behind organizing at his organization are based on the defense of human labor rights. By integrating labor and human rights, CEREAL is able to work toward social, economic, and cultural justice using national and international agencies in defense of either human or labor rights. CEREAL has worked with unions in the oil, education, and electrical workers, representing 150,000 workers.

A primary example of CEREAL's work is reflected in the case of Pasta de Conchos, site of a mine accident in 2006 that killed 65 miners. CEREAL helped organize the families of the deceased and engaged religious organizations, civil society organizations, unions, worker organizations to make a case against Grupo Mexico, charging the company of neglecting to provide sufficient safety protections for the workers, and the Mexican government for failing to ensure that the company complies with basic labor policy regarding safety in the workplace. The campaign has engaged the ILO, and garnered support from organizations in Europe, and well as political representatives and allies at the national, regional and international level. CEREAL's human labor rights framework and educational campaigns have in this case as well as others allowed for greater access to a broad network of support.



Carlos Rodriguez.

*Organizing to Defend the Rights of Migrant Farm Workers.* Giev Kashkooli highlighted personal stories of migrants that come to the United States for work and the UFW's effort to organize around safer conditions in agricultural fields of California. In particular, he recounted a story of one migrant worker, a seventeen year-old girl from Oaxaca, who died pruning grape vines in the Central Valley on a hot day. Simple solutions such as adequate shade, access to water, and an employer that has basic emergency training could have given this young woman a fighting chance to survive that day. At that time, the girl's death was the tenth migrant worker to die due to lack of shade and water and adequately trained employers in emergency care in the fields of California since Arnold Schwarzenegger had become governor. The UFW organized a march from Lodi to Sacramento and the family sued the employer to send a message that policy change for better working conditions has to be enforced. This personal story underscored reasons that protections for the health and safety of workers is an ongoing battle.



Valeria Velázquez  
and Giev Kashkooli.

Simultaneously, the UFW addresses the fact that most of their membership is migrant workers and more and more from indigenous communities in Mexico. Partnering with organizations in like the FIOB and NGOs in Mexico is one approach the UFW is implementing to reach workers before they migrate and improve their leverage to protect themselves from employer abuses and negligence. The logic is that many of the union's 20,000 members have family living in Mexico, and currently the UFW is not harnessing that organizing power. The union is actively seeking partnerships across the border in a new binational program.

*Training Workers on the Border to Watch for Hazards and Mobilize for Better Working Conditions.* At the University of California, Berkeley's Valeria Velazquez and Leonor Dionne described LOHP's work with MHSSN and partners along the U.S.-Mexico border to improve occupational health and safety since the early 90s. The program aims to empower workers by using a participatory training model in workshops that typically last two to five days. Their educational methodology trains the trainer and uses materials that can be applied in various contexts to train peers and in their communities. The ultimate goal of the program is to improve the health and safety of the workplace by not only training workers to recognize hazards but organize actions. The program also partners with organizations that address broader environmental justice. One example of training materials they use for this is the risk map that is a bilingual pamphlet designed for training workers in the workplace and that translates to improving broader environmental issues.

Echoing the importance of organizing around worker safety and health, Linda Delp pointed out that both efforts to change policy, and at the same time, the invaluable work of empowering and educating workers themselves to change conditions at the workplace. One lesson that the UFW took away from years of work with agricultural workers is that it takes organized people and organized money to be able to confront employers. This approach and their effort to make connections in Mexico will help the UFW deepen where they are organized already as well as form new relationships.

## Prospects for Future Collaboration

Two organizations that have experience building international solidarity around the world are the Maquiladora Health and Safety Support Network (MHSSN) and the International Longshore Workers Union (ILWU). MHSSN has expanded their model of building alliances along the U.S.-Mexico border and now work throughout the Americas and Asia. The ILWU's culture of international solidarity is based in part on the fact that historically, longshoremen were seamen and had been exposed to world affairs and traditions of solidarity from other regions before settling into work on the docks and is due to the organization's democratic values and left-wing political leanings. Both organizations continue to build on deep experience empowering workers from the bottom up and create new ways to make connections across the globe.

*Health and Safety Trainings as an Organizing Tool in the Context of Free Trade.* Garrett Brown outlined the work that the MHSSN has been doing for the last fifteen years. A volunteer-based organization, the MHSSN has done trainings with worker organizations in the Americas and more recently in Asia, technical assistance for organizations that have hazards in the workplace, and surveys such as the health and safety survey in the mines at Cananea. Projects like the Cananea survey can include helping workers write complaints under the NAFTA labor side agreements. MHSSN aims to build capacity of organizations to be able so workers can protect themselves and improve all aspects of their lives including the right to organize and the right to collectively bargain. MHSSN's work on the border began in 1993 to share knowledge and information and prepare workers before NAFTA was implemented. The network partnered with neighborhood organizations, human rights groups, and other NGOs rather than unions. These trainings expanded from the border to Mexico City and Central America and now Asia—Indonesia and China.



Garret Brown and  
Linda Delp.

The purpose of MHSSN is to bridge occupational health organizations that have resources and worker organizations in the developing world. Successes include building a core of women that have trained to conduct health and safety trainings on the U.S.-Mexico border; reaching 900 maquiladoras in Central America; a training manual in Indonesia; training materials translation into six different Asian languages.

*Prospects for International Organizing in the Realm of Occupational Health and Safety.* Worker health and safety plays a role is a mobilizing workers, an organizing tool that addresses questions that are not political and economic. The Cananea training has a large union hall, which could be a space for training workers from Peru, Mexico and the U.S. who work for the same transnational company, Grupo Mexico. Smithfield is another company that has operations in the U.S. and Mexico – build bridges of workers training for health and safety meatpacking industry. The electronics industry is another that has transnational corporations working in the U.S., Mexico, and Central America. The garment trade has production facilities throughout the Americas. In brief, international collaborative trainings could improve health and safety and build solidarity.

*Continental Network for Health and Safety.* In addition to continuing to do trainings and special projects like surveys, other prospective areas where we can learn about building international solidarity is from ANROV—Asian Network for Rights of Occupational Victims that is a collection of 22 organizations from 14 countries in Asia. Ten years ago it started as meetings to fight for widows and children of victims of factory fires. Now, committees on safety and health are participating, injured workers groups and trade unions are becoming involved in a mutual solidarity of occupational safety and health and on labor rights issues in general. This is an area for electronics workers to initiate a global campaign, mainly because electronics is the new Nike, as sweatshops in this industry are common in around the world, including Mexico. ANROV could be a model for replication in other regions. There could be an Occupational Safety and Health Network of the Americas, a mutual solidarity network on health and safety issues and labor rights, where joint campaigns around an industry, or the same transnational corporation, or based on the same hazard in the workplace. Components of a possible continental network for health and safety exist with LOSH and LOHP in the U.S., CILAS in Mexico, as well as occupational health and safety organizations in Brazil, Venezuela, and Costa Rica.

*The Unmatched Strength of the ILWU.* Peter Olney discussed the ILWU and its experiences with international solidarity. On its 75<sup>th</sup> anniversary the ILWU continues a tradition of international actions, using its unique leverage as one of the largest unions and most strategic positions in today's global economy. The union's membership is dockworkers, represented at ports as far north as Bellingham, Washington on the Canadian Border and in all 28 ports, from Seattle to San Diego. The two megaports LA-Long Beach each are the largest in the country and together third or fourth largest in the world in terms of container volume, 42% of imports into the U.S. flow through those two ports, making them extremely important to international commerce and commerce in the U.S.



Peter Olney.

In 1934, the dramatic coast-wide strike and the general strike in the City and County of San Francisco in response to the assassination of two dockworkers marked the birth of the union. The ILWU represents roughly 13,000 members in its core jurisdiction on the west coast, doing stevedore work, which means loading and unloading, tracking the flow of cargo and equipment, and supervision called walking bosses or lead men. The nature of the work and large numbers the union represents means the workers can pinch the flow of commerce. With a strong union that can either slow or stop the flow of commerce, employers have a strong incentive to address demands of workers. Therefore, longshore workers are the best paid and best benefited in the world relative to the level of education required for the job.

*International Actions from the 1930s to Today.* In 1937, when the Japanese invaded Nanjing, China, the ILWU refused to load ships headed for Japan in their first act of international solidarity. International support for U.S. dockworkers came from the

French longshoremen saying that they would refuse to load and unload ships bound for the U.S. in 1948 when Truman proposed to militarize the ports. In the 60s, 70s, and 80s there were a series of activities that solidified the ILWU's role in international solidarity with liberation struggles around the world. Notably, dockworkers stopped work in support of community activists picketing against apartheid in South Africa in the 60s, and again in the 80s—a banner from the ILWU was part of similar protests at Sproul Hall at UC Berkeley “An Injury to One is an Injury to All”. The union had underpinnings in strong leadership such as leader and union founder Harry Bridges who organized for twelve years before the victory of 1934 strike and remained active into the 80s. In support of human rights, the ILWU threatened to halt shipping to and from South Korea in 1980 if the government executed activist Kim Dae-jung, who later became president. In the late 90s, the ILWU refused to load and unload the Neptune Jade because of a labor conflict in England. In 2006, members of the ILWU traveled to France in support of protests against a European directive to allow seamen to unload ships, taking work away from longshoremen, and to Guatemala to march in support of Pedro Zamora, a dockworker who was murdered. Most recently, the ILWU shut down ports on the west coast in an unprecedented political act, in protest of the war in Iraq.



ILWU presence at UC Berkeley anti-apartheid demonstration, 1980s.

*Blue Diamond Almonds.* With its long history of international solidarity and deep relationship with the farm workers from the 60s and 70s, the ILWU started the Blue Diamond campaign at a processing plant in 2004. Almonds is the largest cash crops in terms of export out of California. Leveraging the fact that they were an international exporter put pressure on the employer so workers could have a free and fair process to choose a union. Blue Diamond exports 70% of its product to more than 90 countries, of which 65% is out of Oakland, including regions where the ILWU has strong allies and is part of global union federations like the transportation federation, ITF. Actions in Korea, Japan, India, Australia, Mexico, Canada, and Spain, among other countries, illustrate the breadth and depth of the ILWU's global reach. Some actions are more militant than others—in Spain, members infiltrated an international tree, nut and fruit industry conference and took over the stage when the CEO of Blue Diamond was speaking—and can be a challenge to maintaining solidarity.

*Projects for Building Ties Among the Rank-and-File.* The ILWU intends to build on its long history of international solidarity to develop a relationship with workers in Mexico. The CROC represents longshoremen in Mexico and is not open to solidarity relationships with the ILWU. Because their organizing philosophies have little in common, prospects for building relationships might start with rank-and-file in activities like a surf contest, where workers could share experiences in an informal context. Among the challenges to international organizing, different time zones, language differences, travel costs, time for decision-making, and lack of affiliation with global union federations have to be taken into account by the union. These are hard-earned lessons that can be shared with other unions dedicated to building international solidarity.

## **Recommendations and Next Steps:**

In an open discussion format, a collection of ideas and suggestions resulted in a list of activities, approaches, and concrete next steps for the Institute and activists and experts within this transnational network.

### **Needs**

Research for case studies and documentation of abuses.

Practical approach to building relationships start at the base; find common issues.

Share analysis.

Organizational capacity building.

Network building.

Identify issues and actors for campaigns.

Take steps to go beyond sharing information; organize collaborative action.

Make a commitment to continue this relationship, network and discussion.

Build connections between migrant organizations and labor organizations.

Renew the connection between products and consumption.

Build on existing relationships and deepen them.

Focus research and campaigns on the company, i.e. Grupo México.



Group discussion at UCLA Labor Center.

### **Pending Work**

Organize “invisible” workers like journalists.

Support small organizations organizing workers.

Use technology to publicize information like radio to reach workers in Mexico.

Maintain a practical view on partnerships.

Explore ways to build relations among rank and file like surf contests for longshoreman, trust-building, enjoyable activities.

Publish information on issues like labor law reform in Mexico, the immigration debate, and successful campaigns in accessible formats.

Focus on central issues like the government’s role in Mexico.

Potential for solidarity requires more unions from Mexico at the table.

### **Recommendations for Sustaining a Network**

How to build relationships:

- Honesty, open dialogue.
- Explore alternative partners.
- Include civil society orgs.
- Allow time to build trust.
- Develop internal culture to be prepared / open to international partnerships.

How to maximize our efforts:

- Share creative ideas for working together to use existing funding.
- Recognize the organizing work of civil society organizations.
- Include Central American workers.
- Conduct research on and organize an international campaign to topple mafia-style unions in Mexico.

## **Appendix A: Discussion Agenda**

**Friday, July 17<sup>th</sup> 9 AM – 5 PM**

**9:00 AM – 9:45 AM Breakfast**

**9:45 AM – 10:00 Introductions and Meeting Objectives**

- Gaspar Rivera-Salgado, Project Director, Institute for Transnational Social Change (ITSC) / Center for Labor Research and Education at the University of California, Los Angeles (UCLA Labor Center)
- Fernando Herrera, Research Professor, Universidad Autónoma Metropolitana, Iztapalapa (UAM-I)

**10:00 AM – 11:05 AM Landscape of Cross-border US-Mexico Labor Solidarity**

- David Bacon, Independent Journalist
- Jeff Hermanson, Assistant Executive Director, Writers Guild of America, West (WGA-W)
- Discussion Moderator: Leonor Noroña Dionne, Advisor, University of California, Berkeley – Labor Occupational Health Program (LOHP)

**11:05 AM – 11:15 AM Break**

**11:15 AM – 12:25 PM Emerging Issues for Mexico's Labor Movement**

- Arturo Hernández Calzada, Labor Lawyer, Mexico
- Sergio Sánchez, Research Professor, Centro de Investigación y Estudios Superiores en Antropología Social (CIESAS)
- Discussion Moderator: Fernando Herrera, Research Professor, UAM-I

**12:25 PM – 1:30 PM Labor and Immigration in Today's Economy**

- Gaspar Verdugo, Lead Organizer, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
- Victor Narro, Project Director, UCLA Labor Center
- Discussion Moderator: James Samstad, Lecturer in Political Science, San Diego State University

**1:30 PM – 2:35 PM Working Lunch: Cross-border Solidarity Networks**

- Mary Mendez, Mexico Program Coordinator, ENLACE
- Alejandra Ancheita, Founder and Advisor, Proyecto de Derechos Económicos, Sociales, y Culturales (ProDESC)
- Discussion Moderator: David Bacon, Independent Journalist

**2:35 PM – 3:45 PM Cross-border Organizational Models and Practices**

- Robin Alexander, International Labor Affairs Director, United Electrical, Radio & Machine Workers of America (UE)
- Benedicto Martínez Orozco, Co-President, Frente Auténtico del Trabajo (FAT)
- Discussion Moderator: Kent Wong, Director, UCLA Labor Center

**3:45 PM – 3:50 PM Break**

**3:50 PM – 5:00 PM Current Cross-border Campaigns**

- Rosa Ceseña Ramirez, Secretary General, SINTTIM and Joann Lo, Co-Director, ENLACE
- Anna Reynoso, Coordinator of Binational Campaigns, United Farm Workers of America (UFW)
- Discussion Moderator: David Campbell, Secretary-Treasurer, United Steelworkers (USW), Local 675

**6 PM – 9 PM Dinner at Chichen Itza Restaurant**

**Saturday, July 18<sup>th</sup> 8 AM – 1 PM**

**8:00 AM – 9:00 AM Breakfast**

**9:00 AM – 10:30 AM Strategies to Build Labor Organizational Capacity**

- Carlos Rodríguez, Founder and Coordinator of Educational Programs, Centro de Reflexión y Acción Laboral (CEREAL)
- Giev Kashkooli, 3<sup>rd</sup> Vice President and Strategic Campaigns Director, UFW
- Valeria Velazquez, Coordinator of Public Programs, (WOSHTEP) and Leonor Noroña Dionne, Advisor, UC Berkeley - LOHP
- Discussion Moderator: Jeff Hermanson, Assistant Executive Director, WGA-W

**10:30 AM – 10:40 AM Break**

**10:40 AM – 11:50 AM Prospects for International Organizing**

- Garrett Brown, Coordinator, Maquiladora Health and Safety Support Network (MHSSN)
- Peter Olney, Organizing Director, International Longshore and Warehouse Union (ILWU)
- Discussion Moderator: Linda Delp, UCLA-Labor Occupational Safety and Health (LOSH)

**11:50 AM – 1:00 PM: From Words to Action! Next Steps for ITSC**

**Open Discussion**

- Recommendations for Programs on Organizational Capacity Building
- Suggestions for Educational Exchanges on Labor Migration
- Approaches to Cooperating on Worker Rights
- Discussion Moderators: Gaspar Rivera-Salgado, Project Director, and Veronica Wilson, Project Coordinator, ITSC / UCLA Labor Center

**1:00 PM – 3:00 PM Lunch at the Downtown Labor Center**

**Appendix B: List of Readings**

Bacon, David, “A Radical Vision for Today’s Labor Movement: The Importance of Internationalism and Civil Rights,” *Monthly Review*, February 2009.

\_\_\_\_\_, “Uprooted and Criminalized: The Impact of Free Markets on Migrants,” *The Oakland Institute*, August 2008.

Gordon, Jennifer, “Workers without Borders,” Op-Ed in *The New York Times*, March 10, 2009.

Hill, Jennifer, “Binational Guestworker Unions: Moving Guestworkers into the House of Labor,” *Fordham Urban Law Journal*, Vol. 35, pp 307-338, March 2008.

Narro, Victor, “¡Sí Se Puede! Immigrant Workers and the Transformation of the Los Angeles Labor and Worker Center Movements,” *Los Angeles Public Interest Law Journal*, Vol. 1, pp. 65-106, 2009.

ProDESC, “Wal-Mart viola derechos humanos laborales de mujeres y menores trabajadores,” *Boletín de Prensa*, febrero 2009.

Rosen, Fred, “Mexico’s New Labor Culture: An Interview with Union Leader Benedicto Martinez,” *NACLAA*, September 2008.