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First, I would like to thank all of you for this opportunity you that you are giving us to be able to present our case here because we want to say that we are against all injustices, either female or male, whether they work in car factories or in garment factories. I am Blanca Velazquez Diaz. I represent Centro de Apoyo al Trabajador the support to the workers in '99. I work for Siemens and I also worked in different companies in the industry. I'm 30 years old. The idea of the CAT when this was formed was basically because we saw the in Puebla there was a lot of violence in the workers and their demands were not fulfilled. So we decided that we had to make up an organization where their rights would be respected, where the workers could be -- could go to submit their demands, so the CAT is an organization NGO was founded in December of 2000 and started operating in May of 2001.

We started to support the workers of the garment industry that have been abused by the government and by the companies and the unions that do not respect their laws and their rights. The main objective of the organization is that solidarity and the support of the workers, so that their human and labor rights are respected. Our activities are training workshops whether it is for a union and a gender to investigate the violation of rights of workers in the maquilas, home visits. The CAT takes into account not only the local level but national and international level and they try to work together so that all these violations are known worldwide.

I'm going to explain how the Maquila works in Puebla and I will also tell you how the labor boards work in Puebla. Puebla has five and a half million people. It's one of the most important states for Maquila in Mexico and exports a lot of articles, especially garments and Puebla is key for the FTAA where the companies and the government go there to create jobs that are not paid well and inhuman conditions. Poverty is worldwide and the society, the society sees this despair and there is more unemployment. In trying to improve their lives and the one of their children, they realize that the only option out is the Maquila. These maquilas are and will be a very silent industry without a lot of fanfare and they produce, they export, they hire, they fire and they are responsible without taking on the responsibility that they have to the workers according to national and international laws. The main municipalities where the large industries are established are Alixco, Matamoros, Tehuacan.

Here I would like to mention that in '94, when the free trade agreement is implemented, Mexico grows and these maquilas establish themselves there. When these maquilas arrived to these states, of course, they already have agreements signed with the companies and these agreements are signed without the workers being notified of this.

We called them protection contracts and the only purpose is to sign them under the table and when the workers want to organize themselves or unionize, or they want to ask and require that right that they are entitled to, and one of these rights is to be part of a union, a formal union, they are not allowed to do that by the labor boards.

And I also wanted to say that there are three members or parties here; the unions in Puebla are under the FROC-CROC and this revolutionary federation of workers and farm workers is affiliated to the PRET (ph). That has been in power for more than 70 years in Mexico and in the State of Puebla is still the most important party. The local boards are composed by three members; “the representatives of the workers”, quote, unquote, those that represent the company and those that represent the local boards.

However, there is something here that you have to know so that you can understand how these local boards operate. The alleged representative of the worker is chosen by the government. In the State of Puebla the one that is in charge of the contracts is the FROC-CROC and is that person, that person that supposedly represents the worker as part of the FROC-CROC and as part of this local board in Puebla.

And from the management point of view, I don't have the name of this person, but it's also a union for owners which is the corpamec (ph). So when the workers decide somehow that they want to organize themselves as a union, since the majority of these contracts are held by this specific person, these agreements are -- or { }, who are brothers, and when the workers decide to register a union at the local board level, the representative of the worker says, “Excuse me, I have the majority, I hold the majority and I will not allow any other union to come here and impose at my local level what you want and I will not allow any of these unions to be registered because I hold the majority vote anyway”.

And they said, “You have no authority because I have millions and millions of workers on my side and if you don't want to have any problems, why don't you just leave, you know. So I will not allow any independent union”. And then the owners will do what this “protection union” will do. In this case, the workers are the only ones that are not represented and they are at risk when they want to register a union at the State of Puebla. So we see this as a triangle.

You have the General Secretary, the President of the Local Board, { } (ph), the representative of FROC-CROC, I don't remember his name but a scientist as well, and then the representative of the companies. So I wanted to also explain that the maquilas have been a very silent industry. I can give you an example of Tarrant. When the Maquila closed, January 3rd, the workers were shuffled from one place to the other, giving them excuses that maybe the company would reopen but right now there was no production and therefore, they were just working on some samples for some brands and if the contracts came through they would call them back, and they said come back on January 20th.

Most of them went back and once person came out and said, “We don’t have anything for you right now, come back later”, and when they came back, the surprise was that the company was not going to be in operations any more. The company was going to be closed and they were going to pay severance payment but those payments were not according to the law. The federal law establishes that the workers, when they are fired without reason, they have to receive 100 percent severance pays and they received 60 percent and 65 percent.

When a news reporter asked the General Secretary of the Local Board { }, he said that the workers had been paid according to the union and the worker said, “What union are you talking about”, and he said, “Well, you know, according to what the union had negotiated for the workers”, and of course, the severance pays were not in agreement with the law.

It is said, as well, that there is a slight possibility that here in Tarrant there it could reopen. They said maybe by June or July it might reopen but I want to have this as part of the minutes in saying that if this company is going to reopen, doesn’t mean that the workers cannot set up a union and this doesn’t mean that the request that was placed before has to be denied and cannot be resubmitted. This is a very easy way out that the companies have. What they do is they close the companies temporarily and then when the movement weakens, they open again under another name, like Kukdong and now because of everything that what happened, now they operate under MexMode.

The governments -- the municipalities offered a lot of incentives for the companies to establish themselves there by giving them the land, reduce taxes and very qualified workers for very little money. The workers of the Maquila are very young people, 18, 25 years of age and they include even underage people, most of them women and single mothers that have to work extra time without pay. They are verbally abused and sometimes the companies are locked down until production is attained and you already had some examples with { } and { }.

Men are no exception to this rule. Many workers do not have protection to work. In Matamoros Garment and Tarrant, in the case of Kukdong, according to what I know and because I work at the maquilas, there is no protection, adequate protection for the workers. In the case of Kukdong, they did not have a mouthpiece to cover their mouths. They have no adequate chairs where they could sit all day long in a comfortable way. In case of Matamoros Garment, as Shaila said, it’s a very hot place. The air conditioning wasn’t working. Ventilation was not working and in the case of Tarrant, as the other people had mentioned, the chemical products are very, very damaging and they are poisonous.

So when they touch those chemical products, they have to have a specific kind of soap and the company never supply them. So when they asked for them, they didn’t give it to them and when they touched the skin, the color of the skin is effected. They have breathing problems, respiratory tract infections and there is an example, for example of

Tijuana when this company made batteries with lead, many people had birth defects because they had no protection whatsoever.

Men are not exempt from this because there are many workers that do not have adequate protection. However, they have to work under these terrible conditions because in rural areas there are no other jobs, whether it's because the farms are not working, because you have to have higher education to work in different jobs and to get into Maquila is not difficult. The only thing you have to do is know how to work and follow orders. Their requirements are minimum and in some maquilas they don't even require you to read or write. So that's why the companies exploit and use the workers and that's why since they hired a lot of rural people, especially in Puebla, we are the third ranking state in illiteracy so, there are people that come from very far away places. They don't know how to read or write and some of them belong to indigenous tribes and they speak Zapoteco, for example, so it's very difficult for them to express themselves and it's very difficult for them to know their human labor rights. That's why they cannot defend themselves and that's why they are exploited by the government and by the companies and they use their ignorance.

So the lack of official participation is clear. They do not defend the labor human rights and that's why the workers try to find other ways, other mechanisms and organizations that might help them to receive those rights. According to my experience as a union leader in Siemens and due to my experience in Kukdong, Matamoros and Tarrant, I had never ever seen a representative from the Labor Department that would come to see the conditions under which the workers work and to see whether training is being given and that's why we have the training commissions and hygiene and safety and I had never ever seen anybody going to -- anybody inspecting those plants that would come to see the conditions under which the workers work and to see whether training is being given and that's why we have the Training Commissions on hygiene and safety and I had never ever seen anybody going to -- anybody inspecting those plants or teaching the workers what are the conditions that they are supposed to work under. And of course, according to what I know there is no document issued by any company that has been investigated or reviewed under this Safety and Hygiene Commission.

The CAT has worked on three very important cases, Kukdong International of Mexico, Matamoros Garment and Tarrant Mexico. In these three companies I had the honor to participate in these three campaigns and these three cases and I was one of the leaders of these campaigns. For me -- it's been very difficult for me to understand why the workers, when they decide to exercise the right of association, they have been hit upon by the local authorities. In the case of Kukdong, we are talking about 700 workers and 500 people from the local government hit on them. It didn't matter whether they were kids or women or men. As I said, the strange thing is that the FROC-CROC representative was there and I know him personally because of the Siemen case. I know how the FROC-CROC operates in Puebla and I know the local boards and I know that person was there hitting on the workers, basically leading the attack on the workers.

In Kukdong when the workers -- when they got the name, the new name, the first registration registros application was denied and in other cases it has been the same and I'll talk about this in more detail. Later when they held their second assembly with the majority of the workers present, the company changed its name to Alianza DeMex and that's when the local board was able to give them this recognition but this was only one through solidarity at the local, national and international level by demanding the foreign corporations that they look into this because the conduct, the codes of conduct were being violated beginning with the firing and the underage workers. This is an eight-month campaign and it was a campaign where we went to every possible agency and finally, on September 21st, this recognition was granted and the workers were able to have their independent union and it's the only one I have to say nationally that has a collective contract signed with the company and the Matamoros Garment workers were also a case in which their struggles lasted eight months, where they went to many different organizations where the workers also organized themselves legally and may went voluntarily to sign the documents, so they would be a part of SUITTAR union.

And in this case they encountered some pressure against the workers. This was by Francisco Villa, the union that was already there and this was a union that the workers had not chosen as is the case in Mexico. Usually, this was a union that was also telling the workers to desist in their fight and in the company, in Matamoros Garment sometimes they use this method where they suspend activities when workers are beginning to exercise their right to free association and this has been a sort of escape valve, these paras tecnicos (ph) these strikes, and when the company tells them that -- or rather these are just stoppages, technical stoppages and when the company tells them that there will be these stoppages, the workers are not taken into account.

And when the local board and the Francisco Villa union engaged in this precautionary embargo, there was never anyone to testify or in this case Francisco Villa never said to the workers, "Look, I have a document where we have the agreement from the local board and we, as your representatives, supposedly as the representatives of the workers are conducting this embargo and here it is". And if this happened, I don't know where the document is but if it is somewhere, Francisco Villa has it, so the workers were never taken into account and they were misled.

They were told that some day that company would reopen but now we know that there are more than 250 unemployed workers. They're still unemployed and they have been unable to find a job.

In the case of Tarrant, Mexico, this is a Maquila that exports primarily to the U.S. and to Europe. It came with a lot of promises. The workers want their -- { } who's a worker said it was the one that was in style, it was the latest fad. It was to go there. They came in '99 and the workers' rights were being violated, of course, with these sexual harassment, this aggression, et cetera and when the workers decided to organize themselves again, we find these same conditions imposed by the employers when the employees want to organize themselves.

The local board in Mexico, it is said that in order to obtain or to be a part of an independent union, this union has to have at least 20 workers, and these were 700 workers and when the local board rejected this registration, the local -- the five reasons they gave were so absurd. The name, for example, of the worker was misspelled and just for that reason, they rejected the registration. But the question here is in what about the other workers, are they worth nothing. Over 700 workers, are they worth nothing, and the law is clear on this. The minimum is 20 workers.

They need to have an assembly, a constituent assembly and this took place. They had this. They had their charter, their statutes, and the local board according to the law and it says this very clearly, the authorities and the employers have no reason to be involved in the internal business of these assemblies. And here they were saying they didn't have the permission of the other union. Well, who is to say how they should deal with their own business internally.

We know, as organizers what this could have done if in Tehuacan they had had a union. It's over 180 maquilas for exports that are there in that region and free trade agreements cause people to look at that region because there's a lot of water there. And also because they're a little bit more vulnerable there because it's more difficult for education or for authorities to reach these areas and talk to these people about their rights, so they take advantage of this and that's why the government itself does not allow a union there because they know what could happen. They know what could be generated if the other maquilas sort of caught this bug, this inspiration and they started to -- began to defend their own rights.

So these cases submitted by CAT show the conditions under which the workers conduct their activities and there are the cases that Shaila mentioned, the violations that she mentioned and I did, too, and we see that labor authorities, as well as companies and protection unions constantly violate the right to free association in unions and this is also in the NAFTA. And they had all the requirements by law. They were violating the agreement, the labor agreement under NAFTA by not allowing these workers to associate and these corrupt practices have allowed union -- official unions such as CTM, the Confederation of Mexican Workers, the FROC-CROC, has allowed them to sign collective agreements with the employers at the cost of the workers and before a Maquila is set up in many cases, they already have an agreement with the protection unions, CTM or FROC-CROC.

And of course, the government wants to create a climate in which workers will just remain silent, not say anything where they will con -- these companies will continue to do what they are doing and so that the workers will not exercise the rights that they actually have under the law. So this control for -- through protection unions, the reason for this is so that they will not lose control of the situation and this is why when workers try to organize themselves, they are fired, they are attacked, they're sent away.

So since we have resorted to every legal agency, we went to the Secretariat of Labor at the federal level. We went to the representations at the local level. We went to the local

boards, to the embassies. We talked to the representative or the president himself of the local board. We talked to { } himself, the Governor, regarding his responses. I can testify that when the workers went to him and told him of their concern and told him that they had been fired and that their right to work had been violated and that their right to free association had been fired (sic), the state level government on two occasions said, once when he was at the Municipality of Antapeje (ph), they came with big blankets and were demonstrating and the governor didn't want that because he was coming to give his big speech and they were in the way.

So he told them to come to him and said, "I will support you. I will say it publicly here but please, don't make a scene here". And when we went to talk to him again, they reminded him of that occasion. They said, "What happened, Mr. Governor, you said you were going to support us and it's been four months. { } was saying, it's been four months that I haven't been paid. I haven't been able to feed my family", in the case of { }. "I don't know if my siblings will be able to study, go to school again because I have no money and you have been the obstacle. You have been the cause of this." And although we have the right to associate ourselves, the first ones we went to were the local boards and that's not working for us, so where do we go?

We're talking to you, that's what { } said. And the governor said, "I'm committed to helping you. I like strong unions. I like true authentic unions", and that's what { } said. That's exactly what we are, we are a true union, not a union based on 20 people, a union based on more than 700 people and now this registration is denied. Why?

And the local government was silent and all they did was give them some money for their transportation back home with no response. And later there was an organization from England against sweat shops that was there and we also talked to them and they talked to the local board and said to them, "Please don't go through this process again", the one that Kukdong went through when the first registration were denied, and the president of the local board said, "Well, how will I react when I see that it's a majority of the workers and I see that they are putting their fingerprint on it". In any case he said, "How do you think I should respond"? Well, No Sweat said, "We think that you should respond positively because we have proof here. We have evidence".

And when I asked him, this guy { }, he said, "Well, I understand that this is a matter of local jurisdiction, it's a union that we don't even know the name. What do you have here? So can you show us the collective bargaining agreement for the union?" That's what we said and he said, "Well, yes, just a moment". And it took him about a half hour and finally, he brought a stack of papers and said that there was a union, Belasario Dominguez, that is also affiliated with FROC-CROC.

So I said, "Well, let's see it. We want to see the articles. We want to see the clauses". And the workers were there and they said, "Well, if you don't want to" -- I'm sorry. I said, "If you don't want to give it to me, you can give it to the workers. They have a right to request this and that's when he said, "Well, that's not within my jurisdiction. I don't have the authority to give it to you". And I said, "Well, don't give it to me. Give it to

them”. But no, he just showed it to us and didn’t want to give it us, but later he said, “Well, now that I remember, this is actually not within local jurisdiction. This is federal because it’s a federal union. And then I said, “Well, is it local or is it federal”? And we also said, “If you don’t want to give us the collective agreement, then tell us when it was made”. And he said, “I can’t tell you those things”. And the workers also said they wanted to know. Supposedly they’re members of that union but he said he could not tell them.

Well, after we had exhausted all these avenues and hadn’t found any response, we went to this international organization and asked them to make recommendations to the government for just and equitable treatment and for a response to the demands of the Mexican workers who have organized themselves to improve their standard of living and of work. These same five demands are a summary of the obligations of the Mexican Government if they’re respecting their law and the principles of the NAALC. They said that also collective contracts should be made public and registration should be authorized in a transparent way.

Also it should recommend the establishment of a three-party council (Interpreter speaking Spanish). They recommend that a tri-national commission made up of experts on labor rights be established with the power to investigate and issue reports on allegations. Freedom for unions and freedom to organize, freedom for collective bargaining, a right to strike and the rejection of these registrations, denial of registrations, use of black lists and not allowing secret votes. They should allow for public cooperative group in Puebla and the right of (Interpreter speaking Spanish).

The issues of this reclaim had to be reviewed by an expert of committee of safety and hygiene regarding minimum salary, forced labor and work for minors. Thank you.