Flower workers on at least four plantations in Colombia went on strike at the beginning of December to protest wage theft by Floramerica-Sunburst Farms, the company that last year bought Dole’s flower operation. Workers were also protesting the company’s failure to make legally-required payments to the country’s health insurance and social security system.

The company responded by sending in thugs to beat workers at the Guacarí plantation on December 1, prompting most of the permanent workers to resign and breaking the union workers had formed earlier this year. The company then replaced them with subcontracted workers, sending a strong message to the rest of Floramerica’s 8,000 workers, including those in the Untrafragancia and Sintraplendor unions that won contracts with Dole in 2008, with the support of USLEAP.

The violence against the workers came one day after an initial negotiating session with the Colombian Ministry of Social Protection, which has so far failed to enforce the law.

Floramerica-Sunburst Farms blames economic woes for its blatant disregard of labor rights and its legal obligations, even as Sunburst proudly claims its commitment to corporate social responsibility on its website, citing certification by Rainforest Alliance as evidence.

USLEAP sent out two action alerts in response to the violence and violations of worker rights, generating over 540 letters in early December to the company and the Ministry of Labor.

The backlog of unresolved cases of murders of trade unionists in Colombia is increasing, according to USLEAP’s third annual impunity report.

The new report, which analyzes all 2009 convictions for murders of trade unionists, finds that in 2009 the Colombian justice system successfully achieved the first convictions in cases involving 41 murdered trade unionists. The 47 assassinations in 2009 exceed the 41 convictions, however, increasing the huge backlog of over 2,700 unresolved cases. Convictions were also won in cases involving another 18 victims for whom some convictions had been achieved previously.

Even for most of those cases where convictions have been achieved, justice remains out of reach: in 2009, only three cases convicted both the material and intellectual authors of the crime.

Most convictions achieved in 2009 came as a result of confessions from the controversial Justice and Peace process under which murderers serve sharply reduced time for their crimes.
Trade Agreements and Worker Rights

Growing public disenchantment with Free Trade Agreements (FTAs) coupled with strong opposition from a core group of Congressional Democrats bottled up for one more year of Bush-era agreements now being pursued by the Obama Administration. Of particular concern for USLEAP is the pending agreement on Colombia, where the high level of violence against trade unionists remains the most potent political argument against the agreement. In 2010, the Administration began negotiations on its first FTA, the Trans-Pacific Partnership Agreement, involving seven Pacific Rim countries.

The U.S. government finally began pressing forward the long-pending labor complaint against Guatemala, submitted at the end of July a request for consultation with the Guatemalan government. The complaint is the first one filed under the Defense Trade Agreements (FTA) coupled with strong opposition from a core group of Congressional Democrats bottled up for one more year of Bush-era agreements now being pursued by the Obama Administration. Of particular concern for USLEAP is the pending agreement on Colombia, where the high level of violence against trade unionists remains the most potent political argument against the agreement. In 2010, the Administration began negotiations on its first FTA, the Trans-Pacific Partnership Agreement, involving seven Pacific Rim countries.

While efforts to pass national labor law reform made little progress in those countries that comprise USLEAP’s primary focus, unions and activists in Panama succeeded in blocking an attempt to roll back labor protections. A national strike in July forced the government to withdraw legislation that would have allowed the use of strikebreakers and given police free reign to use force against striking workers. Progressive unions in Mexico continued a campaign to reform the deeply-enmeshed Mexican labor law system, under which Mexican workers are effectively denied their right to independent unions. Auto workers, with support from USLEAP, won a significant victory that threw out the company-backed protection union at a Johnson Controls plant and gained recognition of their democratic union. Subcontracting continued to take a toll in Colombia and elsewhere, reflected in the growing use of “indirect” labor on flower plantations that replace permanent workers.

Labor unions helped lead a year-long resistance to the fiat of a company government installed in January 2010 following the June 2009 coup. The Honduran resistance is pressing for a constituent assembly to draft a new constitution that would increase democratic rights.

USLEAP organized a May Day letter signed by U.S. trade unions in support of Honduras labor movement’s resistance to the coup, generated support for two Congressional letters opposing the Obama Administration’s policy on Honduras, and in December began producing a monthly summary of Honduran labor news with a focus on violence against trade unionists opposed to the coup.

Important Victory for Autoparts Workers in Mexico

Autoparts workers at a factory owned by Nike-free-based Johnson Controls won a major victory in August when the company agreed to oust a protection union and negotiate a contract with a democratic union affiliated to the Mexican Mineworkers. International grassroots support, led in the U.S. by USLEAP, turned back efforts to use thugs against the workers at Johnson Controls interiors plant in August and in May. USLEAP co-hosted with the A FL-CIO’s Solidarity Center a June delegation of a Johnson Controls worker, a Mine workers’ Rights Director of the Centro de Apoyo al Trabajador that generated significant press coverage in Milwaukee.

The national Mineworkers union remains under assault by Mexican authorities who have rejected the election of the Mineworkers president and regularly use violence against workers at the Cananea copper mines, who have been on strike since July 30, 2007.

Banana Unions in Central America, including a strike by Chiquita banana workers in Guatemala in April and one in Panama in July. Earlier in the year, Dollar, still the primary target of a global campaign initiated by banana unions, threatened to close a dozen plantations in Honduras, apparently negotiating a deal that led to a reduction of labor costs but a much smaller loss of jobs. Both Chiquita and Del Monte agreed to return to the negotiation table in response to requests from the unions.

The World Banana Forum, which includes representatives from business, government, labor, and civil society, including USLEAP, began holding multi-stakeholder group meetings to discuss key issues plaguing the industry, including retailer pressure (e.g. Wal-Mart) that drives down prices paid to the world’s banana producers, in turn producing downward pressure on labor costs and unionized production.

Response in response to the strikes, Floramérica-Sunburst Farms, like other flower companies, is replacing permanent workers with “indirect” laborers who are not entitled to legal benefits due to permanent workers, and are also denied the right to organize. Plantation unions. USLEAP began campaign work late in the year in support of the striking workers, producing an action alert that resulted in more than 600 letters to the company and Colombian government.

Violence: Colombia, Guatemala and Honduras Hard-Hit

Violence against trade unionists in Latin America continued unabated in 2010, with Colombia, the longest standing target of a global campaign initiated by banana unions, threatened to close a dozen plantations in Honduras, apparently negotiating a deal that led to a reduction of labor costs but a much smaller loss of jobs. Both Chiquita and Del Monte agreed to return to the negotiation table in response to requests from the unions.

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Honduras: 30 U.S. Representatives Oppose Obama’s Policy; Teacher Strike Continues

In response to the increasing violence and wide-spread human rights violations in post-coup Honduras, thirty members of the House of Representatives signed an October 20, 2010 letter to Secretary of State Hillary Clinton that called on the United States to suspend military aid to Honduras and oppose its reentry into the Organization of American States.

The letter, initiated by Representative Sam Farr (D-CA), marks the strongest indictment by Congress to date of both human rights violations in Honduras and the Obama Administration’s support for the de-facto coup government.

Meanwhile, WikiLeaks revealed that the U.S. government knew early on that there was “no doubt” that the June 28 coup was illegal and unconstitutional, even as the State Department refused to call the ousting of President Zelaya a coup.

The tactic mirrors the current position held by the Obama Administration, which continues to seek the reinstatement of the de facto coup government into the OAS while dismissing the continuing violence against human rights defenders, journalists, indigenous groups, and labor leaders.

Honduran President Porfilio Lobo has taken a particularly hard-line against teachers. On November 3, only two months after Honduran teachers ended a month-long strike, tens of thousands of educators took to the streets of Tegucigalpa. The Federation of Teaching Organizations, a coalition of more than 65,000 educators, called the November 3 strike in response to the Lobo Administration’s unwillingness to pay back the salary deducted during the days of the August strike. In addition, the Lobo Administration has not fulfilled its promise to provide $159 million worth of missing pension funds to the National Institute for Teachers.

Educators are also protesting President Lobo’s minimum wage law that introduced a new scale for wage increases that is lower overall and stipulates different increases for different sectors, impacting educators negatively. The change is widely regarded as targeting teachers.

New Board Members Elected

At its October meeting, the board added as members:

Lance Compa, a previous member of the board, is one of the leading U.S. experts on trade and worker rights, having written many of the initial worker rights complaints filed with the U.S. Trade Representative in the late 1980s and early 1990s. Lance is currently a professor at Cornell’s School of Industrial and Labor Relations.

Dana Frank is the author of Bananeras, a powerful book on the struggles of women banana workers. She has become a leading expert on the Honduran coup and the role of unions in the Resistance, publishing for The Nation, Huffington Post, and NACLA. Dana is a labor history professor at UC Santa Cruz.

Mark Levinson is the chief economist of SEIU, responsible for trade policy. He has worked on trade and worker rights issues for over a decade, and previously served as Chief Economist and Director of Policy for UNITE and UNITE HERE. Mark’s writings have been published in Dissent, New Labor Forum, The Nation, and The New York Times.

John Ruthrauff is Director of International Advocacy for Interaction, a broad alliance of U.S.-based groups focused on global poverty. He has an extensive history in solidarity work in Guatemala, and was the first Director of Oxfam America’s Washington Advocacy Office. John also served several terms as the first chair of the USLEAP board, then the US/Guatemala Labor Education Project.

Impunity Report...

USLEAP has now reviewed all available cases of convictions for murderers of trade unionists in 2007, 2008, and 2009. In 2007, the Colombian government established specialized labor courts to address violence against trade unionists. Despite the work of these courts, net progress on impunity was zero in 2008, and in 2009 the backlog actually increased.

The 2009 annual impunity report will be available by mid-December on the USLEAP website or by postal mail, upon request. The report was made possible by a grant from the 21st Century ILGWU Heritage Fund.

New USLEAP Resources Highlight Violence in Guatemala and Colombia

USLEAP has produced and posted on the website new and/or updated fact sheets on violence against trade unionists and impunity in Guatemala and Colombia. A new fact sheet on CAFTA and the Guatemala labor complaint is also available, in addition to a fact sheet on the link between NAFTA, labor rights violations, and Mexican immigration. The two-page fact sheets, also available by postal mail upon request, offer bullet points and factoids helpful in educating yourself and others, including policy makers.

Flower Worker Strike...

USLEAP extends a warm thank you to those who took action in support of flower workers in Colombia.

Check the USLEAP website for any fast-breaking developments and what you can do to support these workers.