



Freedom at Work

Campaign Toolkit 2010



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Freedom at Work Campaign Toolkit 2010



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October 2010



Dear Friends of Labor Rights,

The International Labor Rights Forum (ILRF) has been working for nearly 25 years to defend labor rights and create a just and humane world for workers. We have seen workers face strikingly similar abuses in all regions of the world due to unfair trade policies, corporate exploitation and the failures of governments to enforce the rule of law.

The global economic crisis has deeply affected workers who face massive job loss, plunging millions of families into poverty and leading to questions about the sustainability of our economic policies. Many companies have used the crisis as an excuse to further erode workers' rights and, without a voice in the workplace, many workers are left with few social protections to make ends meet.

Our partners around the world have shown us that **worker empowerment is the answer to ending child labor and discrimination and to improving working conditions, wages and social protections for all workers.**

How are workers empowered?

Workers are empowered when they can **freely organize in the workplace** and bargain collectively with their employers. When workers are empowered through democratic unions and other democratic workplace organizations they move towards a decent way of life. For example, thanks to the collective bargaining process, unionized workers in the U.S. service sector earn 57% more than their non-union counterparts.

Workers around the world, however, face systematic barriers to organizing,¹ including egregious acts of violence and intimidation. According to the International Trade Union Confederation's Annual Survey, at least 101 labor activists were killed as a result of their actions defending workers' rights worldwide in 2009, an increase of 30% from last year's survey.² Thousands of workers were physically and verbally harassed, arrested and abducted for their involvement with unions as they continue to be denied their fundamental, internationally recognized right to freedom of association and collective bargaining. In light of the disturbing state of workplace rights worldwide, **ILRF has created this guide to understanding one of the human rights most widely violated in the workplace: the right to associate freely around the world. Only when this right is in place can we say workers enjoy freedom at work.**

The Freedom at Work toolkit is designed for audiences that may not be familiar with the global labor movement and organizing struggles. The first section outlines why defending the right to organize can help empower working women, end trafficking, curb forced and child labor, defend the rights of migrants, and protect consumers. The second section explains why worker rights are an essential component of human rights. The last section presents a series of case studies of violations of the right to organize from around the world. These case studies also include success stories of workers who have joined together despite facing many barriers. Finally, you will find a glossary, a web resource guide and a "what you can do" section that will allow you to translate what you have learned into concrete action in support of workers.

We hope that you use this guide to educate your friends, family, co-workers and community members about common barriers to worker organizing. Workers' rights are human rights, and worker empowerment through organizing is the most effective and certain path to the end of exploitation. Please visit www.laborrights.org to learn more.

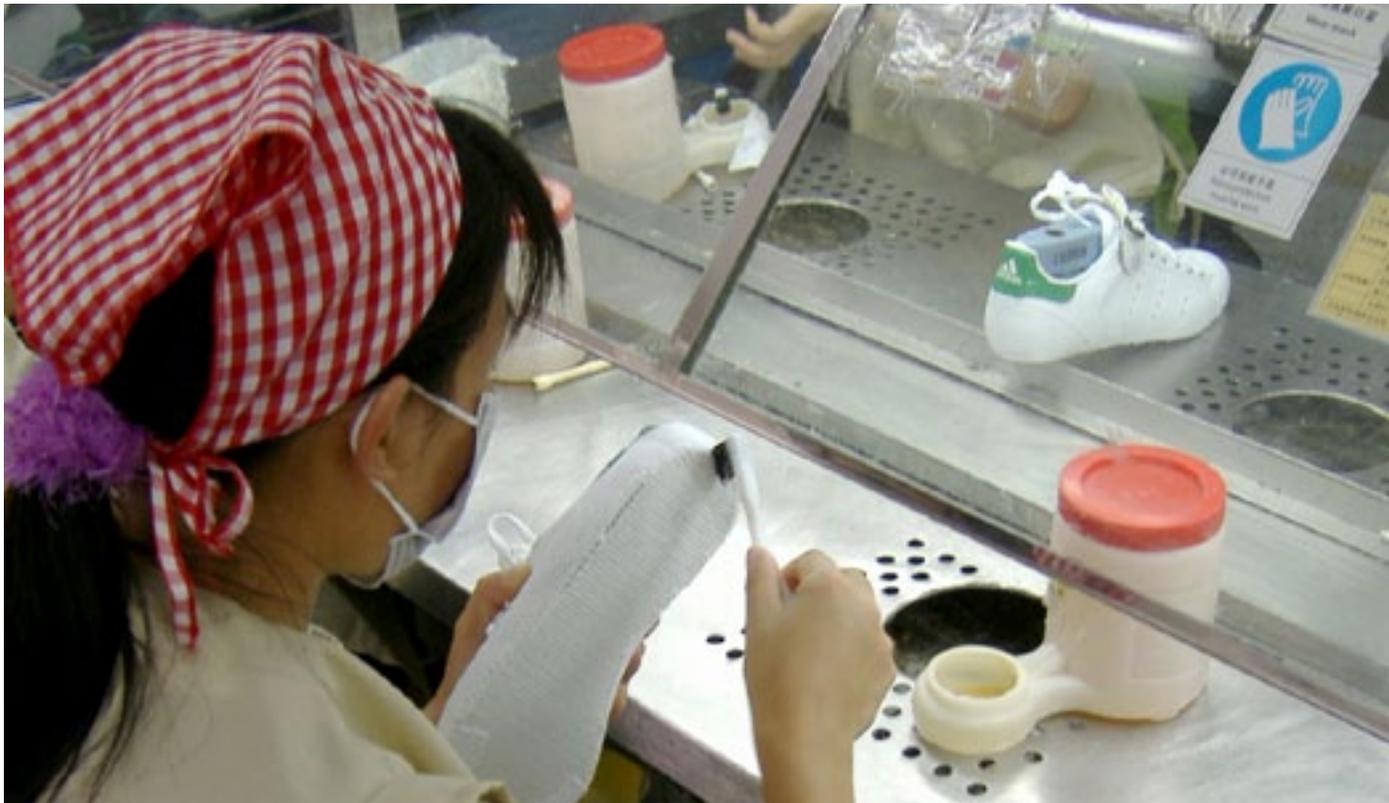
Sincerely,

A handwritten signature in black ink, appearing to read 'Bama Athreya'.

Bama Athreya
Executive Director

Freedom at Work Empowers Working Women

Freedom at Work Affects Groups Worldwide



Credit: Maquiladora Health and Safety Support Network

Unions have been an important partner in the fight for women's rights at work, and some of the first unions were formed by women who decided to stand up for better working conditions. In the US, unions protect women's rights in the workplace by holding employers accountable for providing equal pay for equal work, adequate health coverage and other benefits that affect women specifically, such as maternity leave.

According to a report by the Center for Economic and Policy Research, union membership, more than any other factor, is likely to increase the wages and benefits of women workers. The report also showed how unionized women workers earn on average \$2.00 more per hour than non-unionized women workers. In addition, union membership increases the probability that female workers will have health insurance by nearly 20%.³

Politically, unions continue to be fierce advocates of women's rights, and have actively supported the passage of legislation such as the Lilly Ledbetter Fair Pay Act of 2009, which broadens the time limit

that a female worker has to file a wage discrimination lawsuit. This Act is particularly important because many female workers realize that they have been discriminated against after the traditional statute of limitations to file a lawsuit has passed.

Internationally, the ability to join a union and fight for workplace rights has been essential to the self-empowerment of working women. Women in garment and shoe factories throughout Asia and Latin America have struggled for decades to bargain for fair wages and working conditions, and have formed unions to do so. By forming a union, female workers in the Colombian cut-flower industry (*see page 14 for more information*) were able to fight for better pay, which allowed them to afford to send their children to school. Their successful unionization also allowed them to protect the security of their jobs and ensure that they received the social and health benefits essential to women, particularly single mothers.

Freedom at Work Helps End Child Labor

Freedom at Work Affects Groups Worldwide



Credit: International Labor Rights Forum

Forced labor and abusive child labor constitute some of the most exploited forms of work in the global economy. Child workers and adults who are forced to work have very little voice on the job, are provided with little or no compensation and face a range of other rights violations. As a result, they are the cheapest workers for an employer and they often face the greatest obstacles in fighting for their rights.

Forced labor and child labor pull down the wages, benefits and working standards for adult workers. As the International Trade Union Confederation (ITUC) notes, "Working children represent an abundant and easily exploited source of cheap labor and contribute to the decline of wages. Hence, child labor leads to the weakening of trade unions' ability to negotiate improvements in workers' wages and conditions. In addition, child labor increases adult and, moreover, youth unemployment, since children may be doing the same work at lower wages."⁴

Trade unions can play an important role in ending forced and child labor. When workers are organized democratically and are able to bargain with their employers, they are able to codify improved working conditions through a collective bargaining agreement. These agreements can help protect against serious forms of exploitation like forced and child labor while contributing to higher wages and stronger rights protections for adult workers. Contracts also typically include grievance procedures where workers can file complaints when they notice illegal and exploitative conditions. Unions also help bring low-wage workers out of poverty,⁵ which is important since in many cases children are forced to work to supplement the wages of their parents. Because union organizing and collective bargaining play such

an important role in reducing child and forced labor, all of these rights have been included together as part of the fundamental rights at work as defined by the International Labor Organization (ILO).⁶

A rubber plantation in Liberia owned by Firestone provides an example of how freedom of association is linked with child labor. For years, workers on the plantation were obliged to meet a daily production quota in order to receive their meager wages, even though the quota was so high it would be physically impossible for one person to complete in a day. As a result, workers were forced to bring their children to work with them. Throughout this time, the workers were not represented by an independent, democratically elected union, so they were not able to negotiate better working conditions with Firestone. Finally, after years of bitter struggle, the workers held historic union elections on the plantation in July 2007. They negotiated and ratified a contract with the company in August 2008 and a second agreement was signed in June 2010. The new contract provides wage increases, reduces the work load and bans child labor. The contract proves that when workers are able to have a voice on the job and collectively bargain with their employer, they can win important improvements and reduce forced and child labor.

See Page 23 for more on Firestone.

Freedom at Work Helps to End Trafficking and Migrant Abuse

Freedom at Work Affects Groups Worldwide

Internal and international migrants face extreme exploitation as they search for work in unfamiliar regions away from home. Migrant workers are often trafficked or deceived by recruiters who promise to find them good jobs and are sometimes forced to work against their will in situations of debt bondage. They are often recruited by abusive subcontractors hired by larger companies seeking to avoid responsibility for committing labor rights violations.

It is in the interest of all workers to give migrant workers the same opportunities to form unions and assert their rights as other workers. In the U.S., immigrant workers are one of the fastest growing groups in the labor movement and have joined with their co-workers to unionize and improve

“The company [Piña Frut owned by one Costa Rica’s largest land owners, Grupo Acon], denies workers their job security, the right to belong to a trade union organization, decent treatment, a living wage and reasonable working hours. Others still work here in Piña Frut, but for contractors who do not always pay them the legal minimum wage and have to work very long hours.”

conditions across the board. In Brazil, a push to ban subcontracting by the strong Brazilian labor movement could help to end the trafficking and forced labor pervasive in some of the country’s agricultural sectors. The creation of decent, sustainable jobs by allowing workers to freely organize and collectively bargain also decreases the need for workers in poor regions to be forced into deceptive trafficking schemes as they search for higher paying work.

In many countries, including in the U.S., migrant farm workers and others are often legally barred from being able to join a union or subjected to conditions that make it nearly impossible for them to unionize. This is slowly changing as

“There is an anti-union company that takes workers to watch a video about the closure of various banana plantations in southern Costa Rica, and blames their failures on unions; they tell us that without renouncing our memberships, our company will run the same course.”

Excerpt from a letter from Nicaraguan workers in Costa Rica.

unions push their governments to grant migrant workers the right to join unions, which they understand would improve conditions for all workers. Jordan notoriously bars migrants from legally unionizing, but the labor code is expected to be amended to change this discriminatory provision.

Employers often recruit immigrants to divide their workforce, creating resentment between native workers and migrant workers as a tactic to undermine union organizing efforts. According to a report commissioned by ILRF with partners in Namibia, large numbers of Chinese migrant workers were recruited by subcontractors to work for the garment company Ramatex, producing goods for U.S. brands. The report found that factory management specifically employed workers of different ethnic groups to create racial and ethnic tensions to decrease the solidarity that leads to union organizing.⁷

Because many migrants are undocumented in the U.S. and elsewhere, they are less likely to assert their rights for fear of being deported or fired. Thus, employers exploit migrants’ vulnerabilities by subjecting them to the worst of working conditions and denying them their most basic right to the minimum wage. An estimated 300,000-500,000 Nicaraguans entering Costa Rica legally and illegally are an important source of (mostly unskilled) labor, largely in Costa Rica’s profitable agriculture sectors.⁸ The majority of workers producing the fresh pineapples found in U.S. supermarkets under Dole, Del Monte or Chiquita brands are Nicaraguan migrants working on Costa Rican pineapple plantations. With strong unions, these workers would be able to greatly improve their standard of living but employers frequently call on immigration authorities as an intimidation tactic if undocumented migrants assert their rights or complain about working conditions.

See Page 16 for more on pineapple workers.

“Here, we have had problems being affiliated with labor unions, that is to say there is no free association, and it is because of this that the company tries, through various means, to dissolve unions. There is an anti-union company that takes workers to watch a video about the closure of various banana plantations in southern Costa Rica, and blames their failures on unions; they tell us that without renouncing our memberships, our company will run the same course. They also tell us that we are going to remain on a black list and that we are not going to find work with any other company. The company contracts the services of the Juan XXIII School [a notorious solidarist school] which travels to plantations (banana and pineapple) telling workers to stop being a member of the union.”

Excerpt from a letter from Nicaraguan workers in Costa Rica

Freedom at Work Protects Consumer Rights

Freedom at Work Affects Groups Worldwide



Credit: International Labor Rights Forum

Ever since the publication of Upton Sinclair's *The Jungle* in 1906, which exposed the brutal working conditions and unsanitary environment in Chicago's meat packing houses, the connection between labor rights and consumer rights has been clear. It boils down to this basic principle: dangerous workplaces produce dangerous products. Just as Sinclair's study resulted in new health standards in the meat and food processing industries, labor unions fight for decent working conditions that often result in cleaner environments, and safety standards that can lead to safer products. Lax health and safety standards in a factory or rushed production can jeopardize the quality of the final product, putting the consumer at risk. As the first line of defense for product safety, workers need a voice on the job and legally-binding union contracts.

On June 21, 2008, ten tons of the highly toxic pesticide endosulfan were illegally loaded onto a passenger ship bound for Del Monte Philippines' pineapple plantation that crashed and caused the death of over 800 passengers. Studies of populations exposed to endosulfan have been published suggesting that endosulfan can increase the risk of autism, delay puberty in boys, and cause birth defects of the male reproductive system, amongst other complications.⁹ While the U.S. and other countries continue to use millions of tons of endosulfan for agricultural use, the controversy led the Philippine government to completely ban the dangerous chemical. Unfortunately, consumers have already ingested dangerous amounts of endosulfan since pineapples have a non-resistant peel, allowing toxic pesticides to absorb into the flesh of the fruit.

Why should it take a massive chemical disaster and front page news coverage to drive bans on toxic chemical use? Hundreds of other highly toxic chemicals used for pineapple production are inevitably putting workers, community drinking water and consumers at risk. Many Costa Rican and Filipino union leaders have joined with environmental groups to call for reduced chemical use on pineapple plantations.¹⁰ Freedom for workers to protect their own health and voice their concerns through unions has the added effect of protecting consumers.

Another example of the link between worker and consumer safety is the case of a compact fluorescent light bulb (CFL) factory operated by General Electric Co. (GE) in southern China. In late 2007, Policy Matters Ohio conducted a study at the CFL factory that found numerous violations of safety and workers' rights standards.¹¹ The report found that workers at the plant receive "little safety training and often do not know the basic facts about factory safety." In fact, "the majority of workers interviewed told researchers they had no idea the company was using mercury." Mercury, which is used in the production of CFLs, is highly toxic, and can cause severe damage to the central nervous system upon exposure. But the lack of workplace safety education does not just endanger workers—consumers are also put at risk because workers without proper training do not know to report production errors or practices that lead to hazardous light bulbs, while educated workers would. But education is not enough. Without the job security and complaint processes provided by unions, workers fear that reporting safety violations will put their jobs at risk. Without workers who are educated and able to freely report safety violations, consumers end up paying the price.

Human Rights, the United Nations and the International Labor Organization

Labor Rights are Human Rights

By the second half of the 20th century, workers' rights were fully embraced by the international human rights community and incorporated into international human rights documents. The international community recognizes the right of workers to freedom of association and the right to collectively bargain with their employers in core conventions of the International Labor Organization (ILO) and in the Universal Declaration of Human Rights.

After the end of WWII, a new vocabulary permeated the world: human rights. With the formation of the United Nations in 1945 and its dedication to promoting and encouraging "respect for human rights" around the world, the human rights movement was born. Just over three years later, the UN adopted the Universal Declaration of Human Rights, which recognized, among many rights, the right to freedom of association, to "just and favorable conditions of work," to "form and to join trade unions," to equal pay for equal work, and to wages that ensure workers and their families "an existence worthy of human dignity."¹² Thus labor

rights were firmly established as human rights. With the incorporation of the ILO into the UN, a commitment to labor rights was further strengthened.

The ILO works with governments, workers and employers of member states to create decent work standards around the world. The ILO has authored a set of conventions that explicitly state the rights that are guaranteed to all workers. Two of the organization's four core labor conventions concern union rights. Convention 87 on Freedom of Association and Protection of the Right to Organize, and Convention 98 on the Right to Organize and Collective Bargaining were ratified in 1948 and 1949, respectively, and stand alongside conventions on child labor and discrimination. While the ILO remains an important standard-setting body, it has no punitive sanctioning power to ensure the protection of workers' rights to organize and collectively bargain. As a result, most countries around the world have ratified Conventions 87 and 98 but continue to violate their provisions in practice.

Universal Declaration of Human Rights

Article 23:

(1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

“Flexibility” in Labor: Not As Nice As It Sounds

Labor Rights are Human Rights

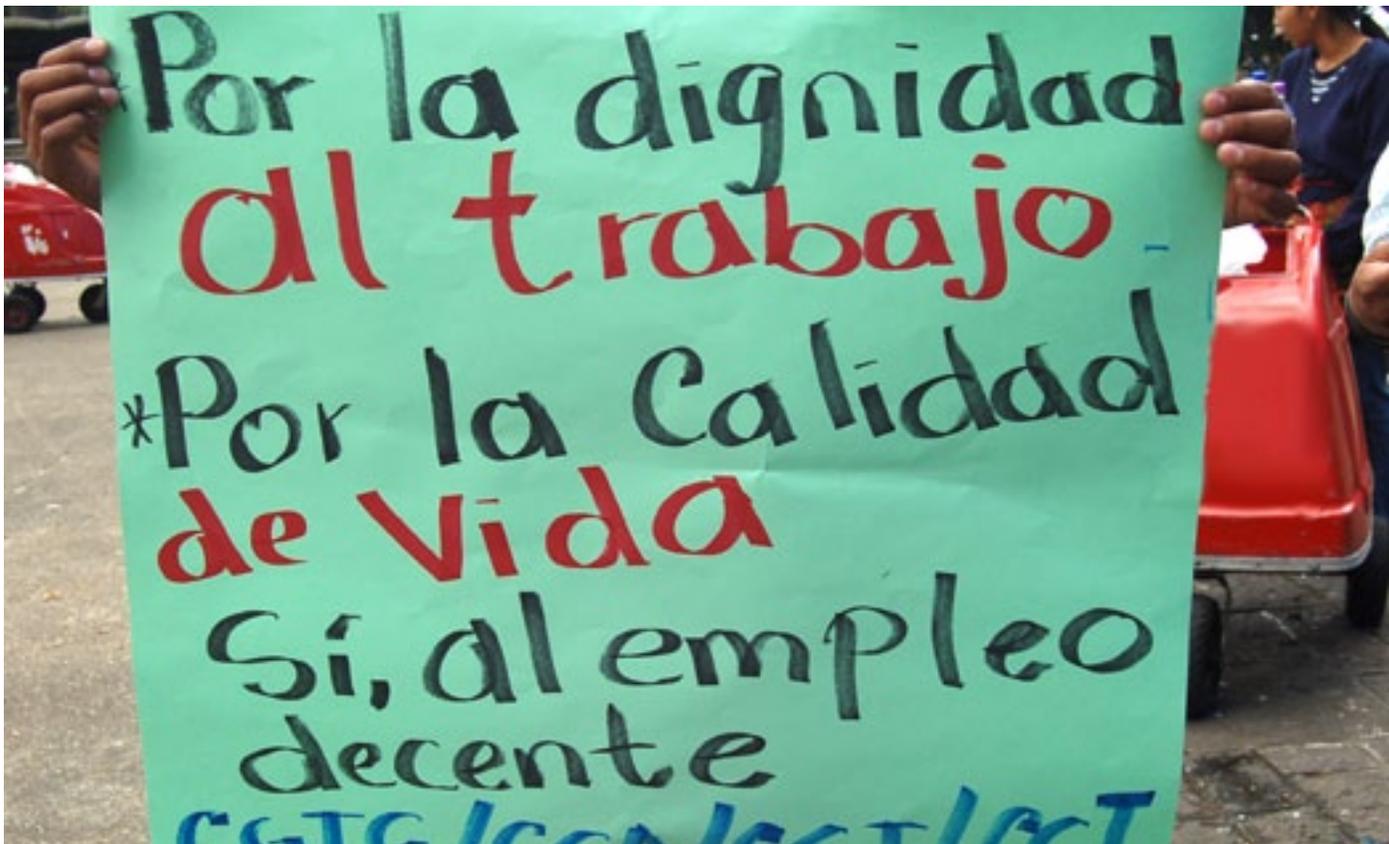
Free trade policies and certain kinds of labor regulation can also contribute to violations of workers’ rights. Some economists argue that opening markets to free trade creates jobs and promotes economic growth that should trickle down through the entire population. However it is important to ask “what kind of jobs are being created under free trade?” The answer is that free trade often creates exploitative jobs as opposed to decent employment. Governments seeking to attract investors eliminate many regulations in order to allow corporations to produce and export goods in the cheapest and most cost-efficient way possible, and the protections for workers’ rights are often weak and rarely enforced.

In fact, many countries hoping to attract foreign investment have weakened their labor laws to accommodate corporations seeking labor environments that are more “flexible” for business but less so for workers. Ironically, the result of positive sounding terms such as labor “flexibility,” economic “liberalization,” and “free” trade is often precarious employment, job instability and restrictions on workers’ rights to freely organize for better conditions.

For example, Cambodia has made modest progress in promoting worker rights over the last ten years and unions have remained relatively strong thanks in part to an explicit linkage between labor protections and market access – a contrarian approach to attracting investment that succeeded. Now, however, progress is being severely undermined by the garment industry’s wholesale shift to the use of temporary work contracts – most recently by a manufacturer-backed attempt to remove all limitations on such arrangements through an amendment to the country’s labor code.

Temporary contracts give more “flexibility” to businesses in their hiring practices but severely undermine workers’ rights to join and organize unions because of the fear created by such job insecurity. In some countries, temporary workers are denied the right to unionize under the law. Workers around the world have seen a rapid move towards precarious forms of employment.¹³

See Page 20 for a case study on contract labor.



“For the dignity of a job. For quality of life. Yes to decent work.”

Credit: International Labor Rights Forum

10 Universal Ways to Bust a Union

Global Barriers to Freedom at Work

Workers worldwide face similar violations of the right to join, organize or maintain a union. The following are some common tactics used by employers and governments worldwide to undermine unions:

1. Hire paramilitary groups or collude with local police or military forces to perform violent acts of intimidation against union leaders, activists and their families. These acts include assassinations, death threats, false arrests and physical and verbal harassment. *See page 12 for Colombia, Page 18 for the Philippines and page 21 for Cambodia.*

2. Contract workers out to temporary employment agencies, labor “cooperatives,” or move them to short term contracts to disable them from legally joining unions and bargaining collectively. Even when contract workers can legally unionize, they are less likely to risk being fired for unionizing when their jobs are so precarious. *See case studies of Coca-Cola in Colombia on Page 13 and soccer ball stitchers in Pakistan on page 20.*

3. Fire workers who are organizing or workers who are already union members. In countries where it is illegal to fire workers without “just cause,” firings are often done under the guise of “layoffs” where many workers are told to leave but only non-union members are hired back. *See Page 26 for examples in Turkey.*

4. Blacklist workers who were fired for organizing throughout a particular region or industry. This

non-union employees miles away throughout a particular region or industry. This intercompany anti-union collusion sends a strong message to workers that unions or other democratic worker organizations will not be tolerated.

7. Replace independent unions with company-dominated unions or company-run “committees” composed of workers chosen by management. Certain countries allow companies to negotiate “pacts” or other non-binding “agreements” meant to replace legally binding collective bargaining agreements (CBAs). They are rarely democratically negotiated by workers. These tactics are often promoted by employer-funded anti-union schools meant to spread discriminatory messages about unions to workers starting at a young age. *See Page 16 for info on Costa Rica.*

8. Interfere in the union registration or collective bargaining process and manipulate workers into revoking their union memberships. Interference in the union process often occurs at the government labor department level. It is also common for companies to refuse to bargain a contract (CBA) with workers for years on end, even if their union is legally registered. This frustrates workers and weakens the union. *See Page 23 on Firestone in Liberia and page 11 for U.S. examples.*

1. Hire paramilitary groups to kill and threaten union leaders
2. Contract workers
3. Fire workers who are organizing
4. Blacklist
5. Locate in an Export Processing Zone (EPZ)

6. Close, reorganize and relocate facilities
7. Replace independent unions with company-dominated unions
8. Interfere in the union registration or collective bargaining process
9. Exploit migrants and children
10. Criminalize labor activists

intercompany anti-union collusion sends a strong message to workers that unions or other democratic worker organizations will not be tolerated.

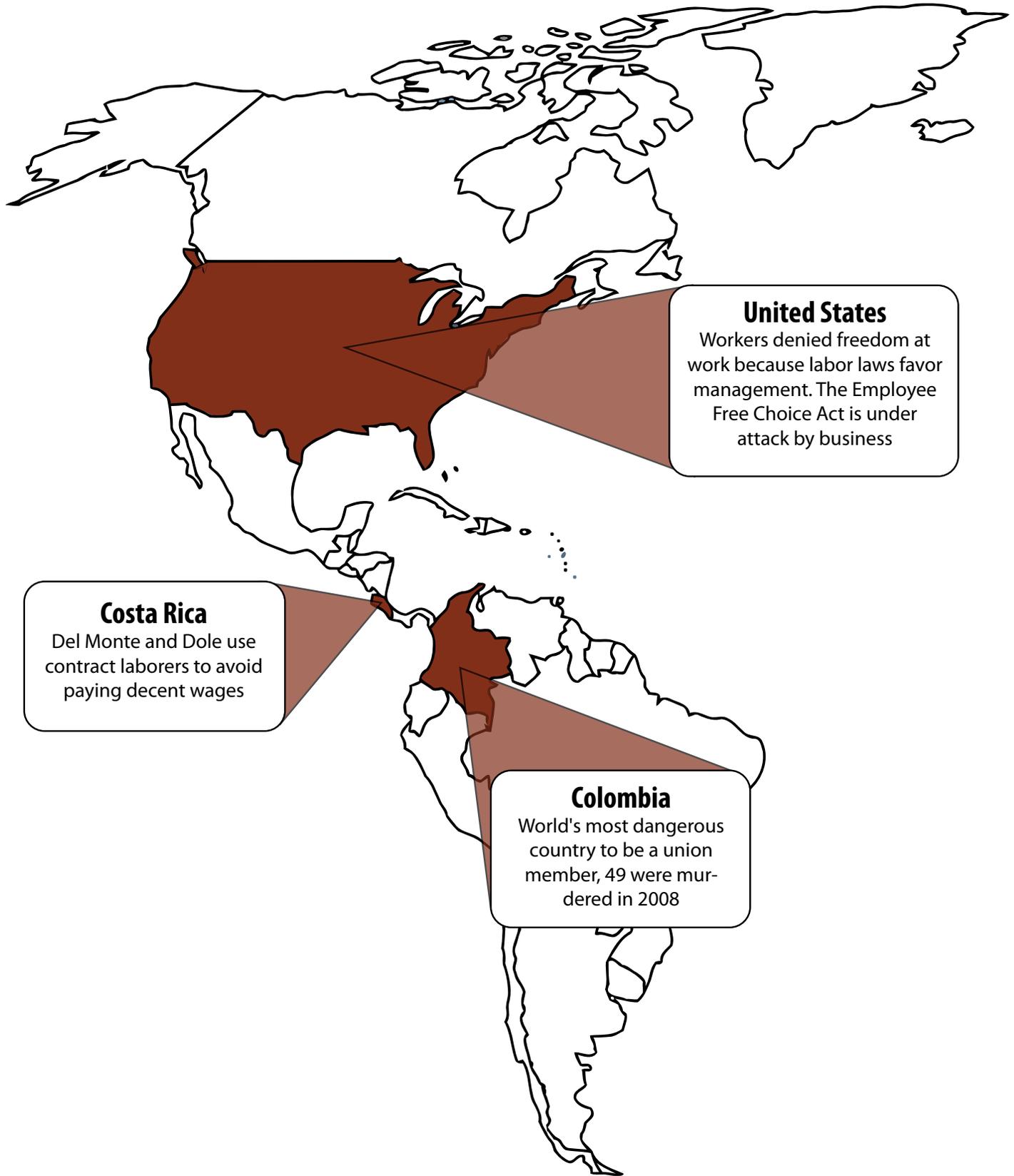
5. Locate in an Export Processing Zone (EPZ) which is exempt from laws establishing freedom of association and the right to bargain collectively. It is almost always illegal to strike in EPZs, so when workers protest the conditions – which are often some of the worst in the country – they can be arrested, or subjected to violence.¹⁴ An estimated 63 million people are employed in EPZs worldwide.¹⁵ Over 53 million are accounted for in Asia, with China alone accounting for 40 million.¹⁶ *See Page 19 for a case study on Bangladesh.*

6. Close, reorganize, or relocate factories so as to eliminate union presence or send a message that “unions force factories to close.” The same factory often reopens with new

9. Exploit migrants and children and recruit them to replace union workers or serve as “strikebreakers.” This common tactic is used by companies to create xenophobic resentment and decrease solidarity amongst workers. Migrants are sometimes legally barred from unionizing and employers often threaten to deport migrant workers who try to organize. Children are also illegally employed as another tactic to undermine adult union organizing efforts. *See Page 5 for more on migrants and page 4 for forced and child labor.*

10. Criminalize labor activists through defamation charges, false arrests, arrests of striking or protesting workers or illegal detentions. In countries where counter-terrorism efforts targeting rebel groups are strong, military forces have accused union activists of being terrorists. *See Page 18 for examples in the Philippines and Page 25 for Zimbabwe.*

The United States and Latin America



United States
Workers denied freedom at work because labor laws favor management. The Employee Free Choice Act is under attack by business

Costa Rica
Del Monte and Dole use contract laborers to avoid paying decent wages

Colombia
World's most dangerous country to be a union member, 49 were murdered in 2008

The Right to Associate in the U.S.: Weak Labor Laws Deny Workers' Rights

The Americas

New York City in the early 20th century was a mecca for urban "sweatshops." Notoriously poor working conditions and few laws to protect workers led to some of the earliest labor organizing struggles in the U.S. As part of President Roosevelt's New Deal, workers won some legal protections to form unions and bargain collectively as part of the National Labor Relations Act (NLRA). In 1947, however, Congress passed the Taft-Hartley Act, representing a giant leap backwards for the labor movement by giving employers equal rights to file unfair labor practices against unions and allowing states to pass anti-union "right to work" laws. This set the stage for a sharp decline in union density later in the century.

58% of the workforce would have union representation if granted the freedom to organize.

In 2007, only 12% of U.S. workers were members of a union, compared to nearly 36% in 1945. Studies show that 58% of the workforce would have union representation if granted the freedom to organize.¹⁷ A 2008 report by American Rights at Work found, however, that nearly a quarter of today's workforce is barred from their right to join a union. The same report found that in workplaces in which workers are organizing, almost two thirds of employers engage their employees in mandatory meetings with supervisors discouraging them from joining a union, over half directly threaten workers, and over a third fire employees for their union activity.¹⁸

Additionally, the NLRA excludes a broad range of workers, including agricultural and domestic workers as well as day laborers and many others.¹⁹ These workers are among the most exploited as they have few protections on the job, often work in isolated workplaces or with no formal relationship to their employer, and there are high concentrations of workers from vulnerable communities in these sectors. The ILO has recently made decent work for domestic workers a top priority.

The Employee Free Choice Act (EFCA), reintroduced to Congress in 2009, would make the union certification process easier for workers and less subject to employer interference, increase penalties for employers who commit unfair labor practices, and provide easier access to third-party arbitrators in cases where the employer and the unions cannot reach an agreement during the collective bargaining process. However, businesses continue to fight against these changes to the law.

See www.AmericanRightsAtWork.org for more on EFCA and labor rights in the U.S.

Lowering the Bar of Worker Standards at T-Mobile Wireless

While T-Mobile is working to raise the bar for its cell phone products it is also raising the bar for its expectations of employees to an unreasonable sales standard. Workers are denied bonuses or even fired when these expectations are not met. When workers have tried to organize to change this and other conditions on the job, T-Mobile has created effective measures to prevent them from unionizing.

The Communications Workers of America (CWA) reported several anti-union policies and activities at T-Mobile stores. In 2003, T-Mobile handed out an Anti-Union Manual to company supervisors. The manual included sections on "Early Warning Signals of Unionizing Activity," "How to Counter the Union's Game Plan," and a "Union Vulnerability Checklist." T-Mobile also put pressure on workers to report any union activity in their stores and illegally used security to record license plate numbers of workers who attempted to organize. Furthermore, management controls all employee meetings, denying equal time for union representatives and prohibits union representatives' access to call centers and stores.

In 2005, T-Mobile's job postings for Human Resources Staff even included in its list of responsibilities: "Assists on appropriate interventions for the purpose of maintaining a productive and union-free environment... assists in developing continuous training on such issues as union avoidance."²⁰

"I wish to remain anonymous, but T-Mobile has recently offered a new commission structure to employees where if you sell (as a store) over 100% you are entitled to the same percent increase in your check (i.e., you sell 150% of your goal, your check will be 150%). On the flip side, if you sell 70% your check is 70% of total. This has been rolled out for months now and was to be implemented this month. As soon as all of the stores hit 200-300% in some cases - due to Fathers Day sale - T-Mobile has decided to deny employees this bonus this month, and they gave us no formal warning."²¹

T-Mobile Employee Testimony

Colombia Is the Most Dangerous Country in the World for Unionists

The Americas



Credit: International Labor Rights Forum

Edwin Bustillos (left), Filipino union leader and Francisco Ramirez Cuellar (right), former president of Sintraminercol, a Colombian Coalminers' union. Francisco has survived various assassination attempts.

According to the International Trade Union Confederation (ITUC), roughly 3,000 Colombian trade unionists have been murdered in the past 24 years. The ITUC reports that despite President Alvaro Uribe's strong emphasis on security, 2008 saw a disturbing 25% rise in cases of anti-union violence, and the climate did not improve in 2009. A total of 49 trade unionists were assassinated in 2008, and 28 were assassinated in 2009. Paramilitary activity dominates the Colombian landscape, creating an utter lack of rule of law and government failure to bring civilian control over society.²² Until paramilitary groups are dismantled, and crimes against trade unionists are no longer met with impunity, the violence is likely to continue.

Workers are intimidated through the use of death threats, attacks, disappearances, blacklists, arrests, dismissals for organizing and the widespread use of contract labor arrangements which limit collective bargaining rights. During 2009, there were at least 400 attacks on trade unionists' lives, freedom, and physical integrity, including attempted murders and three disappearances. Further exacerbating the situation is the pervasive culture of impunity for crimes targeting unions. The ITUC estimates that over 96% of

the cases of unionist assassinations were unpunished and/or not investigated and not a single person or organization to order and pay for a labor homicide has ever been convicted. In addition to impunity for crimes, labor law and policy still exclude more than two thirds of workers from social and worker protection measures, meaning that over 12 million people are denied their basic workers' rights. The laws and practices of the Colombian state do not favor the creation of stable, permanent jobs, leaving nearly 70% of workers in precarious employment situations.

As a result, only 1.2% of workers in Colombia are covered by a collective bargaining agreement.²³ Rightwing paramilitary groups such as the AUC (United Self Defense Forces of Colombia), considered a terrorist organization by the U.S. government, are responsible for the majority of the violence targeting trade unions in Colombia. Trade unionists, human rights defenders, students and teachers have all been labeled as "subversives" to justify their killings. Many of the paramilitary groups have been found to have connections to high level officials in the Colombian government, despite the demobilization process. DAS, the Colombian intelligence agency (similar to

Colombia is the Most Dangerous Country in the World for Unionists (cont.)

The Americas

the FBI), was found to have provided a list of unionists to paramilitary groups in 2006. According to USLEAP, almost all 23 people on the list were either forced to flee or were subsequently murdered.²⁴

The DAS has recently been under investigation for ordering systematic wiretapping of a host of social and union activists, Supreme Court justices and other critics of the Uribe administration.²⁵ Even President Alvaro Uribe exposed his disdain for unionists and human rights defenders by publicly tying them to left-wing guerrillas, contributing to their further demonization.²⁶

Coca-Cola, Chiquita, Dole, Nestle, Occidental Petroleum and Drummond have allegedly profited from hiring paramilitary groups to commit acts of violence and intimidation against union leaders. The International Rights Advocates (made up of former members of ILRF's legal department) have brought a number of lawsuits against U.S. corporations, charging that the practice of hiring right-wing paramilitary groups to kill and intimidate union leaders as a cause of action under the Alien Torts Claims Act, a law used to hold U.S. corporations accountable to victims for human rights violations abroad. Companies have moved towards more subtle methods to undermine unions, such as forcing workers into contract labor schemes through temporary employment agencies and labor "cooperatives." Under Colombian law, contract workers are not eligible for union membership.

Coca-Cola finds numerous ways to destroy unions

Coca-Cola in Colombia has become one of the most high-profile labor rights violators in recent history. While Coke is most notorious for allegedly hiring paramilitaries to threaten and kill its bottling plant union leaders, it has also come under international scrutiny for finding more subtle ways to eliminate union presence at its factories.

A July 2008 ILO High Level Mission to investigate labor relations and working conditions at several Coca-Cola bottling plants found systematic overuse of outsourced labor. In one Bogota plant, 70% of the operating staff and 85% of the distribution staff is now outsourced through contractors, subcontractors, associated work cooperatives and employment service providers. A large number of these workers were formerly direct employees but the company forced them to change their status. These outsourced workers do not have the right to unionize, thus the unions in many of the bottling plants are slowly disappearing. The ILO recommends that the company limit the number of contract workers and ensure that current contract workers are provided the same rights and benefits as regular workers.²⁷

In one Bogota plant, 70% of the operating staff and 85% of the distribution staff are now outsourced through contractors, subcontractors, associated work cooperatives and employment service providers.



Credit: International Labor Rights Forum

Fairness in Flowers: How Colombian Women Have Organized for Change

The Americas



Credit: International Labor Rights Forum

The U.S. imports over 80% of its cut-flowers, the majority of which come from Colombia and Ecuador. About 65% of Colombian flower workers are women and many of them are single mothers who can barely survive on the Colombian minimum wage of around \$8 a day.²⁸ The cut-flower industry has received a great deal of international attention due to widespread labor rights violations such as forced overtime, poverty level wages, unreasonably high production quotas, and widespread occupational health and safety problems including pesticide poisoning and carpal tunnel syndrome. Such issues have mobilized cut-flower workers in Colombia to demand change by organizing.

ILRF and other organizations worldwide have supported a number of union organizing efforts led by women in Colombia seeking an independent, democratic workplace organization. Workers at what was once one of the sector's largest corporate actors, Dole Fresh Flowers (which has since been sold to Sunflower Enterprises Group), engaged in a four-year organizing struggle to achieve justice. The struggle leading to the formation of the Sintras-

plendor and Untrafragancia unions, once affiliated with Colombia's independent union of cutflower workers, Untraflores, has had mixed results.

The struggle of Sintrasplendor on Dole's El Corzo farm was valiantly led by one of the sector's well-known leaders, Beatriz Fuentes, who was also a worker at Dole's Splendor Flowers.

Workers faced fierce anti-union tactics and a company "yellow" union implanted by Dole to sabotage workers' efforts to form an independent union. When Sintrasplendor finally received its registration years later, Dole used various forms of persecution against workers, including threats that union affiliates would be fired and hostility via the presence of members of the Armed Forces and police at union activities held outside of company property. Dole closed down the El Corzo farm in 2007 partly as a tactic to break Sintrasplendor. In contrast, workers at Sintrasplendor's El Rosal location finally claimed victory when they were able to ratify a contract with improvements in wages, benefits and working conditions in 2008.²⁹

Amanda Camacho: Achieving Job Stability Through Organizing

The Americas

Amanda Camacho is a single mother and the president of her union, Asopapagayo, and has worked in the cut-flower sector for 17 years. Asopapagayo, an affiliate of Untraflores, is composed of nearly 90% women who decided to unionize when they saw their coworkers being fired and replaced by subcontracted workers. Here is her story:

"Like many other Colombian women, I wake up at 3:30 or 4 in the morning and I prepare my breakfast and lunch for my kids. When I go home, I cook, help my kids with their homework and then I go to sleep around 9pm. It's a long day without much rest. I work six days a week or 48 hours a week which is the normal Colombian workweek, and longer hours during the high seasons such as Mother's Day.

"Flower workers often get illnesses and work injuries such as carpal tunnel syndrome. The pesticides also make people sick. We get nauseous and vomit. In other plantations where I have friends, plantation management often tells workers they are taking out their health insurance payments but when they go to the doctor, it turns out they never paid into the system. They are left with nothing to do when their kids get sick.

"We started talking about forming a union because we thought we'd lose our jobs otherwise. The company started to replace many of the formal work-

ers who had worked at the company for over ten years with temporary workers from cooperatives or other agencies who have no rights. They also gave the employees who remained more work to make up for those that got fired. They exploit the temporary workers more because they don't have signed contracts and they don't pay them for overtime, vacation days, or the right to medical coverage. The Colombian government says that we have the freedom to join unions but it really isn't true. [After a long struggle], we finally won union recognition and they reimbursed all the union members for all that we had lost, such as the education and nutrition benefits and our annual raise. We also gained a small increase in our salary that will last for the next two years. In our union we're 23 women and three men so I want to send the message to all the women out there who are exploited that when we fight for our rights, we can be victorious in the end!"



Amanda Camacho and son

Credit: USLEAP

"I am a union leader because I feel capable and supported by my colleagues, and I chose to take action because I am tired of the humiliations from my employers."

The Pineapple Industry: Cross-Continental Union Rights Violations

The Americas



Credit: EILER

ILRF's October 2008 report, "The Sour Taste of Pineapple," demonstrated how the pineapple industry has violated union rights in countries around the world. Pineapple workers in two of the world's largest export countries, the Philippines and Costa Rica, face low wages, long hours, health and safety risks and freedom of association violations.

Pineapples are Costa Rica's second largest agricultural export after bananas, and the Philippines dominates globally-processed pineapple production. Despite the industry's rapid pace of growth, workers have not seen the benefits.³⁰ The pineapple industry's biggest profiteers are Dole and Del Monte, companies that have consistently taken advantage of high unemployment rates, large pools of migrant labor, and anti-union governments in order to violate workers' right to organize in these pineapple-producing countries.

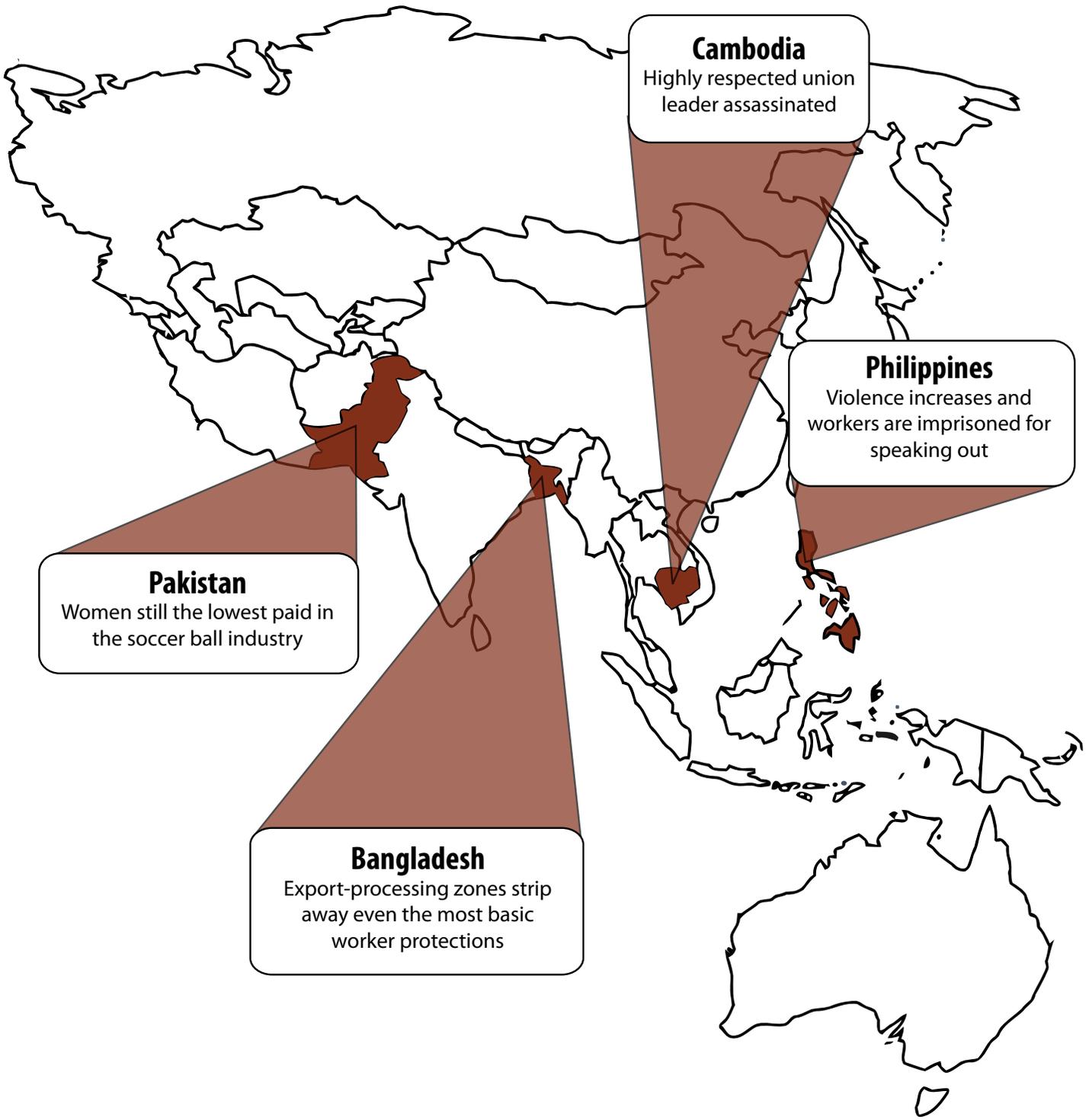
Unions are legally recognized in Costa Rica but workers can be legally fired for trying to organize. The "right of dismissal" law offers very few protections for laid-off workers, who must navigate a complicated bureaucratic process to prove they were unfairly fired. In addition, even if a court does rule in the worker's favor, there is no legal process to ensure that the company complies with the ruling. Many companies have also relied on a process known as *solidarismo*. Normally, unions are legally required to represent a third of the workforce, but by invoking *solidarismo* a company can negotiate with as few as three people at a time.³¹ Through *solidarismo*, companies will often produce "direct contracts" which, though they are masqueraded as worker-negotiated contracts,

rarely represent the actual interests of the workforce. Employers realize that the power of collective bargaining comes from strength in numbers, so negotiating with three hand-picked individuals gives the multimillion dollar corporation overwhelming advantage and allows them to set the terms of the contracts according to company interests.

Dole Philippines takes a somewhat different approach to undermining freedom of association and collective bargaining rights. The world's largest pineapple processing facility, located on the impoverished island of Mindanao, has housed a strong, independent union for many years. By forcing union workers to retire and then replacing them with contract laborers, Dole launched an ongoing assault on the union by eliminating its members. Almost 77% of workers producing pineapples for Dole Philippines are now contract laborers.³²

Dole Philippines has also cooperated with the Philippine military to hold anti-union symposiums during work hours on Dole company property in the name of counter-terrorism efforts. In these symposiums, Philippine military officials have reportedly falsely accused union members of being associated with the left-wing New People's Army and have encouraged unionists to revoke their union membership.³³ This intimidation tactic not only affects the accused union members, but sends a strong message to the entire community that they do not have the freedom to associate with the union of their choice.

Asia



Cambodia
Highly respected union leader assassinated

Philippines
Violence increases and workers are imprisoned for speaking out

Pakistan
Women still the lowest paid in the soccer ball industry

Bangladesh
Export-processing zones strip away even the most basic worker protections

Violence Against Unions in the Philippines

Asia



Credit: Jay Directo/AFP/Getty Images

Violence against unions in the Philippines has been escalating in recent years. In 2005, the Centre for Trade Union and Human Rights reported 226 cases of anti-union violence including killings, assaults on worker picket lines, threats, intimidation and the filing of legal charges against union activists. This figure represents an increase of 86% from 2004.³⁴ Workers, along with other social justice activists, are labeled as Communists and targeted by the government. These forms of intimidation are part of a widespread crackdown by the former President of the Philippines, Gloria Macapagal Arroyo, since she came to power in 2001 and left office in 2010. Over 800 people have been killed or disappeared since the beginning of her presidency, including at least 70 individuals within the labor movement since 2004 alone.³⁵

The levels of violence and impunity in the Philippines are comparable to those of Colombia, but the main difference lies in the perpetrators of anti-union acts. Whereas Colombia is overrun by paramilitary groups, many of whom work closely with high-level government officials and multinational corporations, the attacks on labor unions in the Philippines are perpetrated by the official Armed Forces. These attacks often come in the form of false arrests, detentions and acts of violence. Being a labor activist becomes even more dangerous when workers know that they could be directly thrown in jail by their own government.

Sugar Workers Massacre in the Philippines

On November 16, 2004, seven labor activists were shot dead by a combined force of Philippine Army and Philippine National Police (PNP) officers in what is commonly known as the Hacienda Luisita Massacre. The activists had been taking part in a strike of thousands of sugar mill workers led jointly by

the United Luisita Workers Union, a farm workers' union, and the Central Azucarera de Tarlac Labor, a mill workers' union. After a protracted standoff, the police and army trained tear gas and water cannons on the strikers and shot at them and their supporters.

Among the dead was Jessie Valdez, a farm worker who was shot in the thigh. Rather than being taken to the hospital, he was put in a military camp where he died of blood loss.³⁶

The False Arrest of a Labor Rights Defender

In October 2008, Remigio Saladero, the chief legal counsel for the KMU (an independent labor federation in the Philippines) and for the union representing Dole Philippines' workers, was illegally arrested by the Philippine government. Mr. Saladero is a close ally of ILRF and a well-known human rights defender in the Philippines. Mr. Saladero was charged with conspiracy to commit rebellion and murder for allegedly participating in an undisclosed murder in the Philippines. The filing of unfounded charges such as these is an increasingly common tactic used by the government as it steps up its legal attacks against politicians, church leaders, labor activists, and civil society organizations in the Philippines who speak out against the policies of President Arroyo.

Attorney Saladero's detention further restricts the ability of both labor organizations, like the KMU, and legal professionals to exercise their rights and defend themselves and others from the Philippine government and from multinational companies like Dole Foods. In the case of the Philippines, the government is the actor responsible for promoting a climate of violence and impunity in which companies like Dole Foods are able to thrive.

Export Processing Zones in Bangladesh

Asia



Credit: International Labor Rights Forum

An Export Processing Zone (EPZ) is a specified industrial zone that attracts foreign investors using special economic incentives. EPZs import materials, apply some degree of processing, and then re-export the product.³⁷

Bangladesh is home to over 3.4 million workers in EPZs and other special economic zones, where approximately 85% of the workforce is female.³⁸ Exports from the zones amount to \$11.7 billion USD annually, making up over 75% of the country's exports.³⁹ The zones eliminate taxes and tariffs on imported materials (like fabric), and exported products (like garments), and manufactured products for many of the major global labels like Walmart, Target, Gap, H&M, and Nike. In the zones, factory owners can be exempted from taxes and minimum wage laws and efforts to unionize are often repressed.

In 2009, Bangladesh was among a list of countries compiled by the International Trade Union Confederation where "outright denial and other violations of labor and trade union rights" occurred.⁴⁰ Unions in Bangladesh must obtain government approval to operate legally, and once union members are fired from a factory their union membership is immediately revoked, even if the termination is contested. The Bangladesh government enjoys extraordinary control over the freedom and rights of unions, retaining the power, for example, to ban strikes or detain unionists without charge. In EPZs, the Ban-

gladesh Labor Act, which outlines all the labor rights enjoyed by the rest of Bangladesh's workers, is not applicable. EPZ workers have only enjoyed the right to legally form and join unions since 2006, but even still the process is "complicated" with "cumbersome procedures," such as the system of "phases" that must be followed to form a union. EPZ workers are banned from conducting strikes and lockouts.⁴¹

"Bangladesh is home to over 3.4 million workers in EPZs and other special economic zones, where approximately 85% of the workforce is female."

In 2010, workers in the garment sector in Bangladesh staged massive protests calling for higher wages. Their rallies were met with police violence and the international media reported that activists including children were beaten in the streets. During this period, one of ILRF's partner organizations, the Bangladesh Center for Worker Solidarity, had non-governmental organization registration revoked and the organization's offices were raided by government authorities. Two leaders of the organization, Kalpona Akter and Babul Akhter were arrested on trumped-up charges. Babul reported being beaten while in detention. While both Kalpona and Babul were released from jail after international outcry mounted, the charges against them remained.⁴²

Where Have All the Permanent Workers Gone in Pakistan?

Asia

Pakistan is the second largest soccer ball exporting nation in the world and the primary source for hand-stitched balls. Most soccer ball stitchers are concentrated in the Sialkot region of Pakistan and are employed as temporary, non-formal workers. In 2009, ILRF and local Pakistani NGOs conducted surveys of workers⁴³ in seven soccer ball manufacturers and supply chains in Sialkot. ILRF discovered that in almost every instance stitchers were not given access to formal work contracts and significant portions of the workforce were temporary workers.

Without formal contracts, workers become more susceptible to arbitrary wage cuts, firing, and layoffs and are not enrolled in the social security system. Using temporary workers is also a strategy to avoid a unionized workforce. Temporary workers do not have the ability to form a union, as the right to organize is only protected for permanent workers.

ILRF's study found that of the 218 interviewed workers in Sialkot, 70% of them were casual workers. For example, in the Talon Sports stitching center, the total number of casual workers both in the stitching center and home-based workers represented 93% of the work force. The remaining 7% were six permanent workers, four of whom had no written contract with Talon Sports.

Workers at stitching centers producing for Vision, a FIFA and Fair Trade Certified company, were also interviewed by ILRF and its local partner. One hundred percent of those who responded were casual workers. Some reported they would find themselves unexpectedly out of work when they would return to work during the off season and find the stitching center closed.

Pakistan's standard for permanent worker status is based on the Industrial and Commercial Employment (Standing Orders) Ordinance of 1968. According to this ordinance, "every workman at the time of his appointment, transfer or promotion shall be provided with an order in writing, showing the terms and conditions of his service. A workman who has been engaged in work after nine months and completed a probationary period of three months in an industrial or commercial establishment shall be considered as *permanent workman*."⁴⁴ Yet Pakistan's soccer ball stitching centers continue to deny their workers formal contracts, leaving workers in constant fear of job loss. Even loyal workers who have been stitching for years are denied job security and social security benefits.

Salim, 28, has been working at the Capital stitching center for 13 years, but he is still considered a temporary worker without access to the social security system. He lives with his family in a small house which is made of mud and has no other facilities except electricity and water. He works non-stop from 9am to 5pm and earns 5,200 PKR (US\$64) monthly at most, while the household expenses are 10,000 PKR (US\$123) minimum. He would like to send his children to school to obtain a proper education and learn skills other than stitching, but up until now this remains only a dream for the future.

Chea Vichea Assassinated in Cambodia

Asia

On January 22, 2004, as he read the morning paper at a newsstand in Phnom Penh, Chea Vichea was assassinated by close-range shots to the head and chest. In the following days, months, and years, thousands in Cambodia and around the world mourned the death of Mr. Vichea, a respected organizer and labor leader in Cambodia.

In his lifetime, Chea Vichea worked tirelessly as a champion of labor rights in Cambodia, serving as the President of the Free Trade Union of Workers of the Kingdom of Cambodia (FTU-WKC). FTUWKC, formed in 1996, primarily represents workers in the export garment industry.

Following intense international criticism and scrutiny, the Cambodian police began an investigation into Chea Vichea's murder. Several days later, the police announced they had found the two individuals responsible for Chea Vichea's

death, but with no solid evidence and numerous contradicting accounts, few believe that Chea Vichea's real killers have been found.

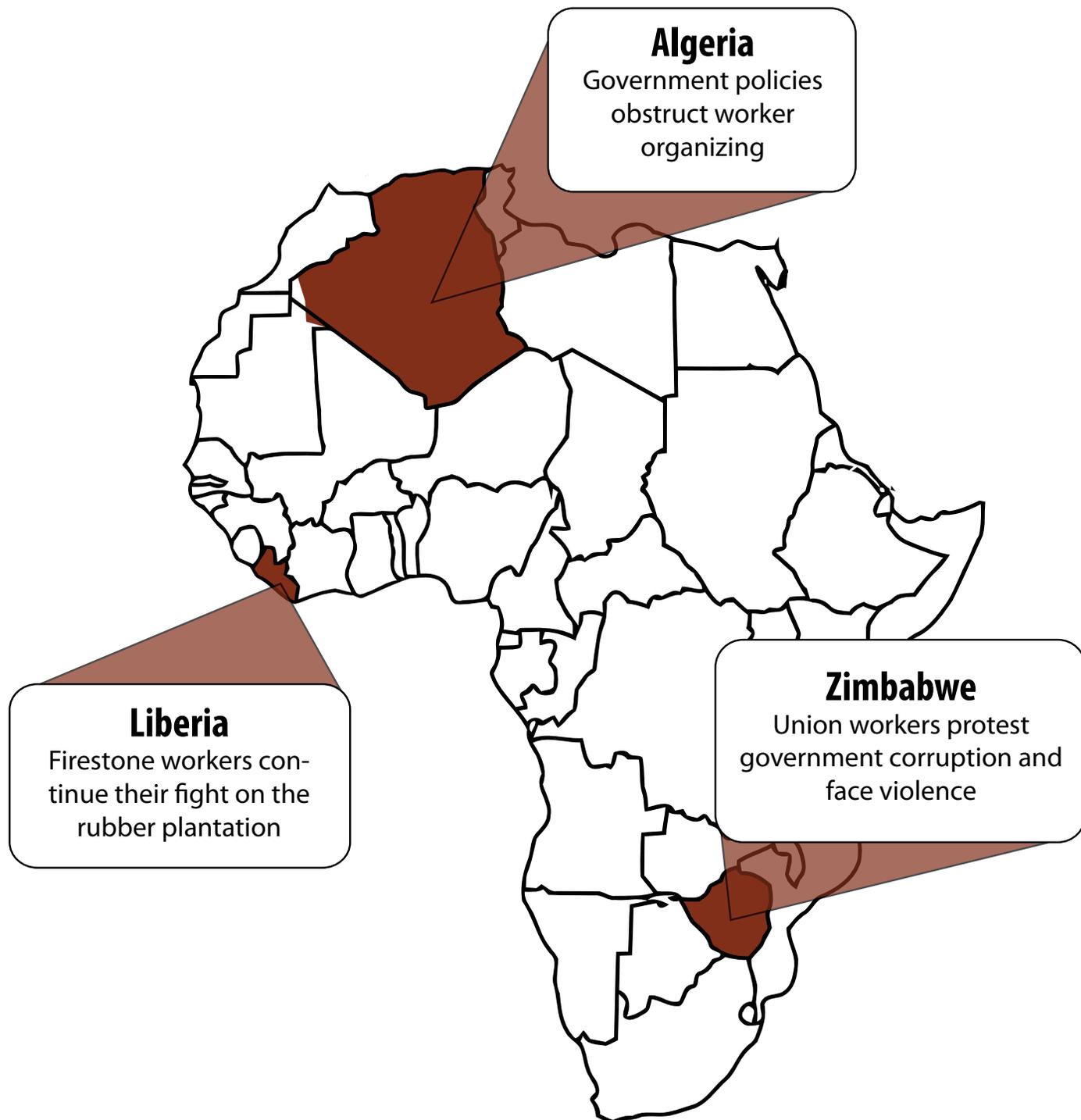
Despite the baseless nature of the case, both accused individuals were found guilty, sentenced to 20 years in prison, and ordered to pay compensation to Chea Vichea's family. Tellingly, Chea Vichea's family refused to accept the money, stating that they did not believe the men were responsible for Chea Vichea's death.

Numerous international organizations, including Amnesty International and the International Labor Organization have expressed their belief that the two men in question are not Chea Vichea's killers.⁴⁵



Credit: Still Image from the motion picture "Who Killed Chea Vichea?" 2009 Loud Mouth Films

Africa



Ugly Rubber: Bridgestone Firestone and Abuses in Liberia

Africa



Credit: Green Advocates

What began as a peaceful demonstration quickly descended into chaos as police began beating unarmed civilians with sticks and batons, and the air became thick with tear gas. Many were arrested, the injured numbered in the dozens, and one individual later died of his injuries. The demonstrators were striking workers at Firestone Tire and Rubber Company's large rubber plantation in Liberia who, in 2007, were protesting against the company's efforts to thwart democratic union elections. For years, the workers' union had been dominated by company management, unresponsive to workers' demands, and swindling union dues. In response there has been outcry from workers in Liberia, U.S. labor organizations and other groups internationally.

In response, Liberia's Labor Ministry stepped in and union elections were held less than three months later. In an internationally monitored election, new, democratically chosen leaders were selected by workers. Despite international consensus that the election had been free and fair, a complaint was filed by the old, company-controlled union leaders challenging the fact that elections even took place. Although the results were eventually upheld by Liberia's Supreme Court, dozens more workers were imprisoned and

injured in strikes during the interim period. Many of these workers were illegally dismissed by the company. A number of international labor groups have supported the Firestone workers' courageous fight to win their basic human right of free association.

In 1926, Firestone Tire & Rubber Company signed a 99-year contract with Liberia to lease 1,000,000 acres of land to establish a rubber plantation. Today, Firestone is Liberia's largest private employer.

The majority of workers are employed as rubber tappers and were expected to tap up to 750 trees daily, a quota that even Firestone Natural Rubber Company CEO Dan Adomitis admitted would take 21 hours to complete.⁴⁶ In order to meet their daily quota, workers were forced to bring family members, including their children, to work. Even with the additional labor of their children, workers often work 12-hour days. Other workers hire sub-contractors to assist them in their work which means a large number of workers with no rights at work are laboring for Firestone. The salaries for sub-contracted laborers come directly from the pockets of the workers, eating into their already meager pay.

Ugly Rubber: Bridgestone Firestone and Abuses in Liberia (cont.)

Africa

In 2008, the Firestone Agricultural Workers Union of Liberia (FAWUL) reached an initial contract agreement with Firestone which was ratified by the membership and signed in early August. Among the provisions of the contract are retroactive pay increases, a 20% reduction in the production quota and provisions to end child labor in the plantations. A new contract was signed in 2010 that included additional wage increases as well as an agreement to update the system of transporting rubber on the plantation to ease the burden on workers.

The everyday reality of Firestone workers makes it immediately apparent why the workers' freedom to associate is crucial to their ability to fight for their rights in the workplace. It is also clear that Firestone has engaged in a number of activities over the years aimed to erect barriers to this fundamental freedom and human right.

For more information about freedom of association and its connection to other fundamental rights at work on the Firestone plantation, please see ILRF's report "Firestone and Violations of Core Labor Rights in Liberia": <http://www.laborrights.org/stop-child-labor/stop-firestone/resources/12060>



Credit: USW

"Among the provisions of the Firestone workers' contract are retroactive pay increases, a 20% reduction in the production quota, a mechanized transport system which will be used to haul the buckets of rubber, and provisions to end child labor in the plantation."

Unionists Defend Democracy and Protest Corruption in Zimbabwe and Algeria

Africa

In the midst of an ongoing economic, humanitarian and political crisis in Zimbabwe, trade unionists often bear the brunt of repression. An uneasy power sharing agreement exists in Zimbabwe between the Movement for Democratic Change (MDC), led by Morgan Tsvangirai, and Robert Mugabe's ZANU-PF. ZANU-PF clings to power having subverted the 2008 elections through alleged fraud.⁴⁷ Though the country is no longer on the brink of civil war, organized labor continues to experience brutal persecution.

Agricultural workers have been particularly targeted for violence and harassment by security forces, which remain in the control of ZANU-PF. One third of workers surveyed by the Zimbabwean agricultural union GAPWUZ reported that children on farms had been forced to watch public beatings or torture.⁴⁸ GAPWUZ itself has suffered numerous crackdowns and in February 2010 its Secretary General, Getrude Hambira, was forced into hiding following a police raid at the union's offices.⁴⁹

The Zimbabwean security forces strike at the root and branch of organized labor across other industries as well. The ITUC reports how union leaders are targeted: "On 30 September [2009], the home of Zimbabwe Congress of Trade Unions (ZCTU)... District Secretary Ndodana Sithole was raided by police officers. ... They threatened to abduct Alluwis Zhou's wife..."⁵⁰ Days before, rank and file workers were pursued. Three striking Asbestos miners were shot and armed police and intelligence officers raided homes threatening if they did not end their strike they had better "get out of town."⁵¹

Algerian labor relations are seriously harmed by the continuation of emergency powers that date from 1992. Trade unions operate despite serious threats of violence and daily petty harassment by the government.⁵² Excessive legal limitations on strikes and protests make it difficult for workers to organize. The Algerian government can ban "strikes deemed to cause a serious economic crisis, or declare it a subversive or terrorist action if it obstructs public services or impedes traffic or freedom of movement in public places,"⁵³ the penalty for which can be 20 years incarceration.

Certain unions in Algeria have been singled out for particularly harsh treatment. The public administration workers' union SNAPAP has regularly faced harassment, with the government even refusing their registration unless they provided confidential information on members.⁵⁴ Labor organizing has been obstructed through the use of sanctions, threats and dismissals in local administrations, water sector, public works, customs, hospitals and in civil defense.⁵⁵ Their offices have been shut down, once on the eve of a North African union meeting they were hosting.⁵⁶ The National Council of Contract Teachers (CNEC) Union was treated harshly in a similar manner. Throughout 2009 and into 2010, CNEC protesters have been beaten by police or taken into detention. The ITUC reports: "In October 2009, a regional CNEC coordinator in Annaba was sentenced to a six-month prison term and a fine of 20,000 DZD (about 200 euros) for carrying a placard and protesting outside the local Education ministry offices."⁵⁷

"Due to the ongoing violations of freedom of association in Zimbabwe, an International Labor Organization commission of inquiry has been established to investigate labor rights abuses in the country. The delegation will interview victims of intimidation and violence and release a report on their findings."

What You Can Do

Organize for Decent Work (And Against Precarious Work)

Organize an event for a week of action around World Day for Decent Work, (October 7).

Check here to join the Global Precarious Work Affects Us All Campaign:

www.imfmetal.org/index.cfm?n=696&l=2

Work with your union or other organization to pass a resolution opposing precarious work. You can use this resolution from the International Metalworkers' Federation as an example:

www.imfmetal.org/files/09052714432479/Precarious_employment_in_the_economic_crisisEN.pdf

Tell your Members of U.S. Congress about EFCA and Labor Rights in Trade Agreements

Send a message to your Representative in support of the Employee Free Choice Act and tell your friends why it's important!

Both Colombia and Korea have Free Trade Agreements pending ratification by Congress and it's up to you to demand that strict labor and human rights pre-conditions must be met. Send a message to your Representative about the Colombia Free Trade Agreement at http://action.laborrights.org/p/dia/action/public/?action_KEY=350 and use this letter to write a similar letter regarding the Korean FTA.

Take solidarity action in support of union organizing in your community.

Check out Jobs with Justice to find out how your community group can build solidarity with local workers.

www.JWJ.org

Shop with a Conscience

Check out ILRF and SweatFree Communities' Shop with a Conscience Guide:

www.sweatfree.org/shoppingguide

Find unionized hotels to stay at here: www.hotelworkersrising.org/HotelGuide

And find out how to plan an event serviced by union workers here: www.inmex.org

Write a Letter to a Company

You can send a letter to companies mentioned in this report for violating workers' rights by going online here:

http://action.laborrights.org/p/dia/action/public/?action_KEY=347



Credit: Green Advocates

Glossary

Blacklist: An informal list of union activists that companies use as a discrimination tactic. These 'blacklists' are circulated to other companies who will not hire anyone whose name appears on the list.

Collective bargaining agreement or employment contract: A collective bargaining agreement, commonly known as a contract, is a legal document that mediates the relationship between employees and their employer and outlines the rights and responsibilities of each. The contract is negotiated between the employer and the union and is renegotiated periodically.

Contract: See collective bargaining agreement.

Contract labor or Subcontracting: Contract labor and subcontracting are forms of employment wherein workers are hired by an agency and then contracted out to other employers for work and therefore are not directly employed by the company for whom they work on a day-to-day basis. Contract laborers are often unable legally to form unions or enter into collective bargaining agreements and are therefore subject to harsh conditions, low wages, poor job security, and other forms of exploitation. Use of contract labor also weakens the formally employed workers' ability to utilize unions and collectively bargain because with fewer potential members, unionists have less power at the bargaining table. The use of contract labor is on the rise around the globe through "labor cooperatives" and temporary employment agencies.

Economic Processing Zone (EPZ): An export processing zone (EPZ) is a specified industrial zone that attracts foreign investors using special economic incentives. EPZs import materials, apply some degree of processing, and then re-export the product. They are often exempt from labor laws establishing freedom of association, the right to bargain collectively, and laws setting wage, hour, occupational safety, and health standards.

Freedom of association: Freedom of association protects a worker's freedom to join or form a union or worker organization. The freedom to associate with an organization of one's choice is the right guaranteed to all individuals by the International Labour Organization and the Universal Declaration of Human Rights. In many countries (including the U.S.) freedom of association is undermined by employer intimidation and violence.

Strike: A strike, when workers stop working, is a tactic used by workers in order to protest their grievances and pressure employers to bargain in good faith.

Union: A union is a body formed by workers with leadership chosen through regular elections, which represents a constituency of workers and engages with the workers' employer. As a representative of the workers, the union has a responsibility to advocate on behalf of the workers for better employment contracts, which might include higher wages, more benefits, or address specific problems or complaints in the workplace. The union also creates a channel through which workers may submit grievances about the workplace. These contractual terms and procedures for handling grievances are often codified in a collective bargaining agreement.

Worker organization: A worker organization is an alternative form of organized workers to a formal union. Worker organizations often operate similarly to labor unions, but might lack the ability to legally engage in collective bargaining with an employer. Workers without the legal right to form unions, either in countries with restrictions on worker rights (like China) or in economic sectors where workers are excluded from this right (like the agricultural and domestic sectors in the U.S. or home based workers in India, may choose to organize themselves in this way.

For More Information...

On ILRF's Freedom at Work Campaign:

www.laborrights.org/end-violence-against-trade-unions

On Trade Union Rights:

International Trade Union Confederation 2009 Survey:

www.survey09.ituc-csi.org

American Rights at Work:

www.americanrightsatwork.org

International Labor Organization:

www.ilo.org

Human Rights Watch, Business & Human Rights Program:

www.hrw.org/en/category/topicbusiness

On Working Women and Unions:

Coalition of Labor Union Women (CLUW):

www.cluw.org

STITCH:

www.stitchonline.org

On Migrant Labor:

www.laborrights.org/creating-a-sweatfree-world/migrant-workersand-subcontracting

On Labor Flexibility, Contract Labor and Precarious Work:

Precarious Work Affects Us All Campaign:

www.global-unions.org/spip.php?rubrique69

Campana Regional Contra La Flexibilidad Laboral (in spanish):

www.laboralred.net

On Violence and Impunity in Colombia:

ILRF's Colombia Page:

www.laborrights.org/end-violence-againsttrade-unions/colombia

USLEAP's Colombia Campaign:

www.usleap.org/usleap-campaigns/colombia-murder-and-impunity

Solidarity Center's (AFL-CIO) Colombia page:

www.solidaritycenter.org/content.asp?contentid=442

On Labor Rights In Cambodia:

"Who Killed Chea Vichea?":

www.whokilledcheavichea.com

On Labor Rights in the Philippines:

Center for Trade Union and Human Rights:

www.ctuhr.org

Katarungan:

www.katarungan-dc.org

Stop the Killings in the Philippines:

www.stopthekillings.org

Human Rights Watch, Philippines Page:

www.hrw.org/asia-philippines

Project on Extrajudicial Executions, Philippines Page:

www.extrajudicialexecutions.org/communications/philippines.html

On Labor Rights in Liberia:

ILRF Firestone Campaign Page:

www.laborrights.org/stop-child-labor/stop-firestone

Stop Firestone YouTube Channel:

www.youtube.com/stopfirestone

On Labor Rights in Zimbabwe:

Zimbabwe Congress of Trade Unions:

www.zctu.co.zw

Corporate Campaigns:

Killer Coke Campaign:

www.killercoke.org

Rein in Russell Athletic:

www.reininrussell.blogspot.com

Stop Firestone:

www.stopfirestone.org

ILRF's "Working for Scrooge: 5 Worst Companies for the Right to Associate" report:

<http://www.laborrights.org/freedom-at-work/resources/12234>

On Union Issues in Your Community:

Jobs With Justice:

www.jwj.org

Interfaith Worker Justice:

www.iwj.org

Global Labor News and Views:

AFL-CIO Blog:

www.blog.aflcio.org

AFL-CIO YouTube Channel:

www.youtube.com/AFLCIONow

Business & Human Rights Resource Centre:

www.business-humanrights.org

Center for Labor Renewal:

www.centerforlaborrenewal.org

Change to Win Blog:

www.changetowin.org/connect

Global Labor Strategies:

www.laborstrategies.blogs.com

ILRF Blog:

www.laborrightsblog.typepad.com

International Trade Union Confederation:

www.ituc-csi.org

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Labor Notes:

www.labornotes.org

Labour Start:

www.labourstart.org

Labour Start News Videos:

www.labourstart.org/tv

Maquila Solidarity Network:

www.maquilasolidarity.org

SEIU Blog:

www.seiu.org/blog.php

Union Review:

unionreview.com

Write a Letter to Support Workers

Below is a sample letter to use. Research the companies behind your favorite products and send them a message to express your support for workers' rights to organize! You can also find contact info on Page 30 for any companies mentioned in this Toolkit. You can also e-mail to these companies line here: http://action.laborrights.org/p/dia/action/public/?action_KEY=347

Subject: Respect Workers' Freedom of Association!

Dear [CEO],

As a consumer, I am concerned about the rights of workers who produce the goods that I buy. I strongly support the rights of workers to organize democratic and independent trade unions around the world. Unions are an important way for workers to have a voice on the job and improve the working and living conditions for themselves and their families. More than ever, unions have a critical role to play in protecting working families from the impacts of the global economic crisis.

I have recently learned from the International Labor Rights Forum that workers in your global supply chain have seen their right to organize violated. How do you ensure that the freedom of association of the workers who make your products is protected?

In the coming year, I would like to see you take stronger action to ensure that the rights of your workers are protected. I will be watching closely to see what improvements you make in recognizing your workers' right to organize. I am committed to showing my solidarity with your workers globally to ensure that their conditions improve and their rights are respected.

Thank you for your time.

Sincerely,
[NAME]
[ADDRESS]

Contact Info for Corporations Violating Freedom at Work

Bridgestone Firestone

Dan Adomitis, CEO
(adomitisdan@firestonenaturalrubber.com)
Firestone Natural Rubber Company
250 W. 96th St.
Indianapolis, IN 46260

Dole Food Company

Sylvain Cuperlier, VP and Director of Worldwide Corporate Social Responsibility
(Sylvain.Cuperlier@dole.com)
Sue Hagen, Senior Vice President of Human Resources and Industrial Relations
(Sue.Hagen@dole.com)
P.O. Box 5132
Westlake Village, CA 91359

Dole Standard Fruit (Costa Rica)

Danilo Román, General Manager of Dole Standard Fruit
P.O. Box 5132
Westlake Village, CA 91359

Dolefil—Philippines

(RSilva@doleasia.com)
Fax: 823-8114
P.O. Box 5132
Westlake Village, CA 91359

Del Monte

Richard G. Wolford, President & CEO
(Contact-US-Executive-Office@freshdelmonte.com)
1 Market Street Fl 1
San Francisco, CA 94105
(415) 247-3000

Grupo Acon (Biggest pineapple landowner in Costa Rica)

Jorge Acon Sanchez, President
(jacon@grupoacon.com)

Coca Cola

Muhtar Kent, CEO
(mkent@na.ko.com)
Jose Octavio Reyes,
President of the Latin America Group
Ed Potter, Direct of Global Labor Relations
PO Box 1734
Atlanta, GA 30301

Nestle

Parul Bulke, CEO
Brad Alford, CEO of Nestle USA
(brad.alford@us.nestle.com)
800 North Brand Boulevard
Glendale, CA 91203

Drummond Co., Inc.

Gary N. Drummond, CEO
P.O. Box 10246
Birmingham, Alabama 35202
Phone: (205) 945-6300

Chiquita Brands International, Inc

Fernando Aguirre, CEO
250 East Fifth Street
Cincinnati, OH 45202 USA
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More About ILRF and Thank You

October 7, 2010

The International Labor Rights Forum (ILRF) is an advocacy organization based in Washington, DC dedicated to achieving just and humane treatment for workers worldwide. ILRF serves a unique role among human rights organizations as advocates for and with working poor around the world. We believe that all workers have the right to a safe working environment where they are treated with dignity and respect, and where they can organize freely to defend and promote their rights and interests.

Freedom at Work to organize in the workplace and bargain collectively gives workers a voice on the job and the opportunity to strive towards a better life. Workers around the world face systematic barriers to organizing including violence and intimidation. Freedom of association is one of the four core labor standards recognized by the International Labor Organization (ILO). ILRF's Freedom at Work campaign works to empower workers to act collectively to protect their basic rights.

This toolkit was a long term project at ILRF. Many, many hours of research, writing and editing took place. ILRF greatly appreciates the dedication of Catherine Ammen, Sarah Farr, Amy Gellately, and Danielle Tipton in completing this document. Jessica Laney and Brian Hargrove were our fearless graphic designers. In addition, ILRF partner organizations and allies helped to provide further information. ILRF thanks everyone who helped to contribute to the Freedom at Work toolkit.

ILRF's additional campaigns include:

Stop Child & Forced Labor

ILRF engages in policy and corporate campaigns to fight for an end to child and forced labor globally. We are currently focusing on the cocoa industry (especially Nestle) for their use of child labor in West Africa and Bridgestone Firestone for child labor on their rubber plantation in Liberia. ILRF also has been heavily engaged in the issue of child labor in cotton and cottonseed fields.

Creating a Sweatfree World

Through this campaign, ILRF seeks to challenge sweatshop conditions globally, promote ethical alternatives and advocate for labor rights in U.S. trade policy. The ILRF also has a campaign targeting Walmart for abuse of workers' rights in their suppliers' factories. ILRF's newest focus is on sweatshops in the fields as the food and agricultural supply chains become increasingly consolidated and riddled with unimaginable labor rights violations. The Fairness in Flowers campaign raises awareness in the U.S. about labor rights violations and health and safety problems in the cut-flower industry.

Rights for Working Women

ILRF's Rights for Working Women (RWW) Campaign seeks to bring together allies throughout the developing world to promote viable remedies for the problem of gender discrimination in the workplace. The RWW Campaign works to identify the linkages between sexual violence in the workplace and broader labor rights violations to promote strategies that will advance the economic and social rights of working women, such as worker education, local law reform, judicial advocacy, and workplace monitoring.

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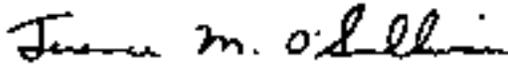
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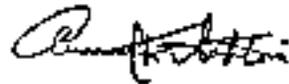
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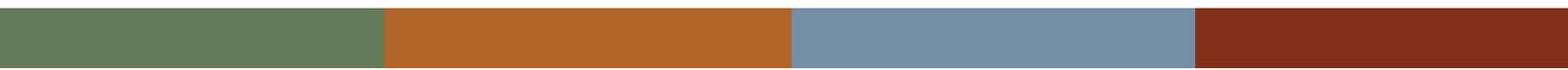
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