

# **2008 Report on Colombian Cut-Flowers: Labor conditions and the crisis of the sector 2008**

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*The English translation of this report was edited and shortened significantly by ILRF.  
To view the full report with references, see Corporacion Cactus' original Spanish  
version.*

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## Table of Contents

Chapter I : Geneology of the Colombian Floriculture crisis  
Chapter II: Global Context  
Chapter III: Certainties and Uncertainties of the sector in face of the crisis  
Chapter IV: The Impact of the Crisis on the Areas of Production  
Chapter V: Labor Rights: a Structural Crisis  
Chapter VI: : Some emblematic cases of violation of labor rights in floriculture in 2008  
Conclusions

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## **Summary:**

Colombia is the world's second largest exporter of flowers and has held a competitive advantage in the industry for the last three decades. The industry has faced challenges such as the revaluation of the Colombian peso but has also received enormous trade preferences from the U.S. and subsidies from the Colombian government. Colombian flower producers have enjoyed the excitement of becoming more competitive to increase profits but the neoliberal economic recipe used to sustain the industry focuses on an increase in the productivity of workers, reducing labor costs and taking advantage of more job "flexibility" and forms of "precarious work" such as contract labor to exploit the workforce.

The flexibility and the deregulation of the labor system in Colombia is based on attracting foreign investment and catering to business and generate productive employment. The reality is that a policy of accumulating capital through the reduction of labor costs has resulted. (Sunday supplements, severance compensation, overtime have all been reduced, reducing cut-flower workers' wages and quality of life.) This, among strong opposition to unionization in the industry on the part of employers, has been to the detriment of economic and social rights of workers.

This report demonstrates the history of the sector and how workers are always the first to be squeezed as the industry is in crisis, citing local Colombian examples. It also shows some of the most recent examples of worker rights violations on Colombian farmers and some of the 2008 trends and patterns of labor rights abuses.

## **Chapter I: Genealogy of the Colombian Floriculture Crisis**

For more than two decades, multiple social and union organizations have gathered evidence on the social, labor, and environmental impact of the cut-flower industry (floriculture) and have justified the need for a new model of production that contributes to real social change.

The impacts of the revaluation of the peso in Colombian floriculture, the economic downturn in the consumer countries, and the general economic behavior of the sector indicates to us that the floriculture sector is based on a model of production that on the one hand violates worker rights and on the other hand demonstrates its economic unfeasibility.

The 1980s are characterized by the Colombian flower producers' fight to reduce the aerial freight rent fees. This led to the fight by California and Florida based flower producers to condemn the "dumping" of Colombian flowers onto the US market. The low prices of Colombian flowers flooding the US market justified the accusations of unfair competition that constituted the argument for trade barriers on Colombian flowers.

Within the framework of the first fight against drug trafficking in Colombia and following the internationalization of Latin American economies, the United States established the Andean Trade Preference Act (ATPA) of 1991—now known as the Andean Trade Promotion and Drug Eradication Act (ATPDEA). Since its enactment, Colombian flowers could enter the market without tariffs payments, generating conditions even more favorable for the growth of Colombian business.

Having not overcome the demands of the North American producers, 1994 revaluation of the peso was denounced by Colombian producers. The revaluation simultaneously presented the issue of internal growth costs due to inflation; the producers complained about the growth of wages and about the cost of public services. Within the most difficult 6 month period, 1,600 jobs were lost but the biggest companies organized and continued to profit.

Why has the cut-flower sector been so affected by the most recent revaluation of the peso if this is not a new issue? Hasn't the industry learned?

The answer is in the economic model. For years these producers enjoyed the excitement of becoming more competitive to increase profits. Unfortunately, the neoliberal economic recipe focuses on an increase in the productivity of workers, reducing labor costs and taking advantage of more job "flexibility" or "precarious work" to exploit the workforce.

The flexibility and the deregulation of the labor system was based on attracting foreign investment, cater to business and generate productive employment, but in reality earned a policy of accumulating capital through the reduction of labor costs (Sunday supplements, severance compensation, overtime have all been reduced.) This has been to the detriment

of economic and social rights of workers.

Instead of investing in new technology or seeking other alternatives to achieving the desired competitiveness, employers began used this strategy which led to an oversupply of cut-flowers.

There was a clear need to reduce cultivated land but employers continued to focus on the productivity of workers.

In order to compensate for the losses caused by the devaluation of the dollar since December 2004, the flower and banana producers began to receive assistance from the government of \$200 per each dollar. \$150,000 million was given to exporters that year. The public began to question this assistance which represented a great relief to offset the losses. It was reported that 8% of the recipients of flowers and bananas were left with 44% of subsidies.

Just in 2004, a study of Bank of the Republic by Fernando Tenjo showed that 70% of all businesses were in financial risk for loss of profits due to a dependence on the exchange rate. It found that the more exports, the more was lost.

In 2006 Dole Fresh Flowers (a subsidiary of Dole Foods) and the biggest flower exporter in Colombia, announced that it had reduced its operations in Colombia and Ecuador. The revaluation, together with the global oversupply and the threat of overproduction by the entry of outside countries with low production costs were a strong threat against the industry. "The business of cut flowers is highly fragmented and is very competitive. The oversupply has led to falling prices, which puts significant pressure on growers to improve their profitability", John Amaya said in the statement announcing the closure.

The liquidation of Flores de la Sabana, just like that of Flores Moraci, Auarela, Florex, Alto de Pacande and seven more companies at the national level, this reflects the unprecedented crisis in the Colombian floriculture sector that has led to the loss of 22,000 jobs in four years, according to Marcos Ramirez Ossa, director of Antioquia chapter of the Antioquia de la Asociacion Colombiana de Exportadores de Flores, Asocoflores.

Falling prices that occurred in the periods in which the floriculture already had to deal with the devaluation of the peso were due to increased competition. This has meant the loss of market share, though Colombia may still be the main supplier of flowers to the US. In the domestic market new competitors have emerged with good growth rates: Brazil has grown 37%, Taiwan 24%, New Zealand 23%, and Canada 8%.

Even with the measures taken by the Banco de la Republica against the revaluation of the peso in mid-December 2008 was around \$ 2,252, *employers maintained their policy of socializing the losses but not profits*, and the government continues with its policies designed to protect businessmen which has not benefited workers. Despite the rising price of the dollar not a single company has reopened its doors in recent weeks, not a

single worker has to be called back to work as a result of the revaluation of the dollar. "There has been no increase in wages, bonuses or reduced hours, which leaves it exposed to the workers and their communities. The crisis is structural."

Subsidies that the government gave cut-flower sector in the period 2005-2008 were distributed as follows: 10,000 million pesos (U.S. \$ 5 million) to offset losses from low temperatures, others in 2008 to 150,000 million pesos (7.5 million USD) for flowers, foliage and banana, announced by the agriculture minister Andres Felipe Arias, "that seek to support the proper management of crop health and maintaining employment." Furthermore, *the government awarded him 7,000 million pesos (3.5 billion dollars) to the Fund for Promotion of Flower Export to conduct of campaigns "to consolidate Colombia as the world's biggest exporter of flowers and promote domestic consumption."*

After all of the huge profits for entrepreneurs and the overcoming the challenges involved with tariff preferences, the fight against the revaluation of the peso and the low price of the flower on international markets the Colombian flower producers insist on the passage of a free trade agreement with United States within a framework of the product oversupply and the most powerful economic downturn of the past decades.

## **Chapter II: Global Context**

The market of the production of cut flowers had its origin in the 1970s with the prominence of the Netherlands, in Latin America; Colombia was the first producing country of flowers for export, under the orientation of the economic policies that drove the cultivation of "non-traditional agricultural products for export," known as PANTE.

This is the agro-export model that has been implemented as a solution to unemployment problems that afflict different populations and regions of the world. The production of flowers in different countries can be attributed to economic globalization, it creates homogeneous process of economic development, which seeks to base economic growth on an export model which inevitable involves agro-industry.

This model includes production of banana, African palm (for biofuels), asparagus, and other agricultural products based on the belief that "the output is exported." It is characterized by the implementation of monoculture crops, the use of natural resources in the regions where it develops, the linking of massive unskilled labor (especially women) to "flexible" (or precarious) forms of employment, the intensive use of agrochemicals, and technological innovation and marketing for the satisfaction of the consumers and the north, among others.

The cut-flower industry exemplifies the North-South disparity between production and consumption in global trade. While the "developed countries" like the United States, Japan, Holland that are the biggest consumers of the cut flowers are self-sufficient while countries to a large extent, countries like Colombia, Kenya and Ecuador basically produce for export. In the latter case, the subordinate countries in the world economy are

limited to compliment the “powers” with agricultural goods under the model that defines internal agricultural development.

The Netherlands is world’s largest producer of flowers, and also has the status of importer and exporter. At the same time, it works as a channel for exports from third world countries. It also has an advantage in the distribution of the product given its proximity to a number of importers. The quality of the network of motorways in Western Europe provides the use of refrigerated trucks to transport cut flowers.

The flower trade is defined by regions: United States’ suppliers are Ecuador and Colombia. Colombia has had one of the more prominent roles in the global market for flowers since the 1960s as an exporter in the line under the impetus of PANTE. During that time has become the most successful in exploiting its comparative advantage due to favorable climatic conditions, water availability and cheap and abundant labor. 85% of the national production is exported to the United States.

Since its beginnings in the the cut-flower industry sixty years ago, Ecuador has been in strong competition with Colombian producers. Ecuador is the third largest exporter of flowers worldwide and 76,758 people are directly employed by the industry.

Although competition has been stiff for many years, in the late 1990s Ecuadorian producers managed to seize 20% of the market that was controlled by Colombia who already in 1995 controlled 70% to 50% of the U.S. market in 1999.

Mexico, Peru and Kenya have also increased their cut-flower export industries in recent years.

### *Labor Flexibility*

In countries that produce flowers for export there is a global trend towards more flexible work characterized by “flexibility in the organizational structure of companies with networks of subcontracting and partnerships between firms” and “flexibility in the work market, with increasing deregulation and changes to contracts..facilitating the contraction and firing workers.”

In addition, most people working in this industry are women who are subjected to more precarious contracts and forms of employment. Further, “women’s work is linked preferentially to areas where it is not necessary to have any qualification and therefore there are fewer possibilities for promotion or training.”

Without a doubt, the business of flowers has tended to be prosperous and has grown over the years because it has been facilitated by policies and incentives for consumers in northern countries like United States and the European Union through tariff preferences, but also encouraged by national governments through tax exemption in the municipalities where it develops.

Nevertheless, the entrance of new competitors like India, China and the strong strategies of those that have made a time in the market like Costa Rica, Kenya, Zimbabwe, Uganda, Tanzania has generated an economic battle that has a greater global supply than demand which has lowered prices in each competing country.

As the costs in the chain.....

### Summary: Chapter II

The cut flower market began in 1970s in the Netherlands. In Latin America, Colombia became the first country producing flowers for export, known as PANTE or “agricultural products not traditionally exported”. This led to the development of the agro-export model of “the output is exported” which is a monoculture. The international division of work defines the production and consumption of the floriculture: Developed countries are self-sufficient while countries like Colombia produce mainly for export.

unskilled labor--especially women

flexible

Monocrop monoculture

The Netherlands is the largest producer of cut flowers but also has the status of importer and exporter, serving as a channel for third world country exports, as well as distribution to importers.

Ecuador is the third largest exporter of flowers worldwide and provides competition to Colombia.

Ecuador became a strong competitor especially in the US market. Mexico has always been seen as having potential in the flowergrowing market and has 11,000 hectares under cultivation and provides 100,000 jobs.

Asia gets most of its supplies from Japan, Taiwan, New Zealand and Europe. Europe's main suppliers are in Europe and Africa. Women are the characteristic and most prevalent workers in floriculture as it does not require qualification and offers no possibilities for upward mobility.

### **Chapter III: Certainties and Uncertainties of the Colombian Floricultures In Face of the Crisis**

Colombia's best land for intensive flower cultivation is in the savannah of Bogota, Antioquia, Valle, Eje Cafetero, and Cauca.

As the the number one nontraditional product for export in Colombia, the cut-flower sector enjoys special treatment in terms of tariff preferences and exemption from municipality taxes on production. Marketing through supermarkets has been critical to increasing consumption as cut-flowers no longer become a luxury item and become more accessible to the consumer.

### *The oversupply and the prices in the supermarkets*

The oversupply of the product, as mentioned, has been a determining factor in the loss of earnings and therefore the threat of the existence and profitability of the cut-flower business. Alberto Caro, a member of the Colombian Association of Agricultural Engineers who was interviewed for this article said that only in Colombia, the cultivated areas are well above the current demand of the market. He believes that what happened with the carnations confirms this theory: for example in respect to the carnation: “there was a time when the losses were so great that a significant percentage of the area was left to sow.”

One of the many episodes that this engineer dealt with occurred ten years ago when Ecuadorian Valentine’s Day flowers arrived before the Colombian ones and United States prices collapsed. Domestic producers decided to throw away 50,000 boxes, leading to a loss of 11 million U.S. dollars.

In the period of 1996 to 1999 the price of carnations was severely affected by oversupply. The prices that were previously 30 and 40 cents per unit fell to 6 and 7 cents. At that time many producers after throwing out hundreds of boxes opted to reduce their areas planted.

As we note, countries in similar conditions to those of Colombia are also betting on the export of flowers and in some cases, as in several African countries, crops are supported by USAID and the European Union. Colombia has a 15% share of the global market but is concerned about the emergence of new producers and worse competition and bringing prices down. This is the case of India, China and Kenya among others.

Another effect of the oversupply, which explains the fall in the price of Colombian flowers in the U.S. market, is the concentration of shopping in department stores and superstores such as Costco and WalMart, who may impose any conditions on purchase and sale because they have ultimate power in the negotiations.

The business of bouquets since the 1990s has become a value-added product with high demand and now prioritized to offset the low prices paid by supermarkets and generate consumption throughout the year, not only on Valentine’s Day and Mother’s Day. At this time 55% of the flowers are exported to the United States with a gradual reduction in sales to florists and other retailers.

### *Flowers and the Crisis*

Colombia remains the largest exporter of flowers to United States, making 681,000 thousand dollars in 2003 to 1,114, 000of dollars in exports in 2007. Addressing this figure can only generate a false optimism as the appreciation of the peso meant lower profits for growers. It speaks of a 30% reduction in earnings and a reduction in revenue by \$3 billion in the last 5 years.

The exchange rate that ruled until mid-2008 was seen as a factor to the remaining competitive sector. Faced with the formula proposed by many, to offset the impact of the revaluation with increased productivity, Asocolflores claimed that they were unaware of the tremendous efforts of producers to increase productivity that reviewed not having an unlimited character.???

One of these strategies is to promote the “Florverde” approval stamp and other certifications that can expand their markets. In August 2008 it was distributed as a great achievement with the agreement with the international organization GLOBALG.A.P. and because this organization has a presence in 80 countries in which 108 companies have now Florverde certified market guaranteed.

In the age of greater concern/worry about the revaluation of the peso the Floricultures too has the government for measures

#### **Chapter IV**

#### **The Impact of the Crisis on the Areas of Production**

As a result of the economic crisis, more than 22,000 Colombians were left without work. Fifteen companies in the Savannah of Bogota were sold between March and August 2008, leaving around 800 workers without a job. Among others, Bochica Flores in the Antioqueño region, Alto de Pacandé, RDP Floral, Agricultural La Montaña, Bonanza Flores, Agricultural Guacatay and Hortícola en Triunfo de la Sabana in Bogota closed during 2008.

All the workers from these companies were dismissed without the unemployment compensation payments owed to them for being unfairly dismissed. Many of their employers had never paid into the workers’ health insurance, pension and unemployment funds, as required, leaving them with nothing.

Companies reduced their workforces as a strategy to resist the crisis. Some companies in the province of Madrid where there was once an average of 20 workers per hectare of land, reduced their workforce to 13 workers per hectare to reduce labor costs. Despite the revaluation of U.S. dollar and capital reinvestment made by companies’ business partners, none of workers faced the same conditions as they had before the crisis.

On the other hand, many employers developed a strategy of violating labor costs to reduce costs. In the case of Flores Colón, direct contracts were replaced by temporary contracts while in Camino Real, Poinzetia Flowers and El Pinar, the employers had not paid into the unemployment insurance system for 12 years, leaving nothing for those who were fired, while Las Palmas, CI Flores Selecta and Ayura, fired their sick workers.

#### *Land of Flowers*

Madrid is one of the municipalities with the highest percentage of land cultivated for

flowers. It has been distinguished by businessmen in alliance with local authorities as the "Land of Flowers", in conjunction with the "Colombia: Land of Flowers" model used by Asocolflores, the Association of Flower Exporters, for international and national promotion. The First Festival of Flowers took place in the area in 2008, investing 20% of the annual production to demonstrate a huge sampling of flowers grown in the region. In contrast to these celebrations promoted by businessmen with support from the local government exists the desperation for those who have been dismissed because of the crisis, especially of women heads of households who are in desperate to earn enough income to cover their basic needs such as food, rent, and school fees.

Madrid was built for export within the agribusiness model of development, displacing land for food production. It has come to depend directly and indirectly from the decisions of the private investors. Dole, for example, decided to reduce its operations in Colombia leaving over 3,500 inhabitants without work thanks to the crisis in the business that has generated such precarious working conditions as we are seeing now.

The mayor of Madrid, Diego Humberto Sicard Garzón, said in an article, that 70% of the municipality is supported by flowers, "because not only do people survive on the flower sector, but that many plastic companies, restaurants and small businesses, are affected with the plant closings. In regards to unemployment, he says "There are only three companies left providing jobs, leaving over 2,000 workers filing for unemployment."

In general, with the increasing deregulation and flexibilization of labor, practices have degraded over time. The last major destabilization of work has been justified by the businessmen as due to growing pressures of competition in the international market.

## **Chapter V**

### **Labor Rights: A Structural Crisis**

National and foreign organizations and unions have demonstrated the continued lack of respect for labor rights and decent working conditions throughout the history of the Colombian cut-flower sector. From an analysis of legal complaints and testimony from workers, it is clear that the situation has become more desperate.

The destabilization of labor can be seen in the increasing practice of firing workers with more than ten years of seniority without just cause, including companies that have faced bankruptcy. Augusto Solano, president of Asocolflores, in the negotiation of the minimum wage of 2008, claimed that that the reevaluation had created a 30% increase in labor costs for producers. This increase was never seen by the workers.

The following reflects the characterization of work in the flower sector:

A major factor contributing to the decline in decent work has come with the onslaught of "labor flexibilization" in floriculture. This is evident in such hiring practices as:

- *Fixed term contracts*, generally no more than 4 months
- *Contracts based on production*, for example based on the number of flowers cut

- *Subcontracting through individuals or temporary employment agencies*
- *Subcontracting through Associated Labor Cooperatives* which are not legally recognized in labor relations so workers lose all of their labor rights.

In 2006, a number of NGOs and union organizations carried out survey of 1,397 flower workers in the Bogota valley, one of the primary flower growing regions. The results were such that 65% of those surveyed were contracted directly and 35% were subcontracted, 8.7% by Associated Labor Cooperatives and 21% and Temporary Employment Agencies.

After the expedition of Decree 4588 in 2006 and Law 1233 from 2008, which sought to limit Associated Labor Cooperatives as labor intermediaries, various labor cooperatives dismantled in floriculture. In 2005 and 2006, the Ministry of Social Protection sanctioned various cooperatives, however many converted themselves into Temporary Employment Agencies in order to continue functioning within the flower sector and others disappeared. In order to disguise genuine labor relations, many labor cooperatives continue to function in the Bogota valley.

With respect to fair remuneration proportional to work performed, the following has resulted:

- *Pay Stipulation:* The salary of flower workers is almost always the legal minimum wage
- *Overtime pay:* Flower companies require that during holiday seasons, workers labor for up to 10 hours a day. However, overtime pay isn't always distributed and workers are often forced to work without rest or compensation. It is important to clarify that the last labor reform, established by Law 789 from 2002, defined the workday to be 48 hours a week, distributed over a period of 6 days a week with one obligatory day of rest. This allowed the employer to create a margin of between 6 in the morning to 10 at night to organize the workday. The implication has been that many workers have to work on Sundays, receiving pay for that day as if it were any other day when in the past, they were paid extra for Sundays. In addition, this developed into the practice of workers continually working over 8 hours a day without being compensated overtime hours. Many employers prefer to impose this practice onto workers without their consent, while workers are at the disadvantage when trying to negotiate their hours.

#### *Analysis and Summary of Cactus Legal Data from 2008*

[Significant cuts have been made in this translated version of the report]

70% of the cases brought to Cactus' legal department were women and the largest percentage was brought by workers in the age 37-46 cohort, at 33%. 51% of the complaints were made by workers over the age of 37.

Termination without just cause was the primary reason for legal consultation, making up 24% of complaints. This makes sense in the context of the economic crisis where 22,000 Colombian workers were fired without just cause. Non-compliance of wage payments made up 22.7% of the complaints. Much of this was a result of employers' failure to pay

unemployment benefits to laid off workers, as they tried to justify that they were held back by the economic crisis. Workers from the company Flores Colon did not receive unemployment benefits from six months to a year after they were laid off. This company has systematically failed to comply with paying social security benefits (pension) to workers, though benefit payments were always deducted from workers' checks. The company has also been known for mistreating its workers in various other ways.

The firing of workers who tried to exercise their rights to freedom of association also occurred frequently, particularly with the company Elite Flowers, a company that carries various labels claiming strong labor standards. The farm CI Ayura, certified by Florverde and associated with Asocolflores clearly fired a female worker for being pregnant. In a clear act of discrimination, the company was clearly forcing her to produce more than her co-workers when she was six months pregnant.

Bochica Farms clearly fired workers for affiliating with an independent union. When workers demanded that the company begin contract negotiations, the company announced that it would close. Soon after all of the workers had been laid off, the company began to hire various workers through a temporary employment agency. This example demonstrates employers' abuse of subcontracting to undermine organizing rights.

### **Labor Practices of Companies with Certifications**

The levels of labor impunity and lack of application of labor standards continue to exist, even with the onslaught of company Codes of Conduct and labels that certify companies that comply with labor and environmental standards. Such certifications have tried to become tools to guarantee to consumers abroad that their products comply with standards laid out in each program by the producers in a voluntary manner.

The majority of the standards mimic ILO standards, particularly the Core Labor Conventions. From the beginning of the 80's, the promotion of these codes and certifications has tried to substitute the coercive power of the State as a voluntary tool that ultimately can undermine compliance with social and environmental norms and has mainly become more of a marketing or publicity strategy.

In addition, there has been evidence that gaps exist in these programs regarding such issues as right to associate, salary levels and forms of contracting. In the Colombian floriculture sector, various certification programs have developed but the most dominant by far has been that of the Flower Growers' Association, ASOCOLFLORES, Florverde. It was established in order to change the flower industries image to international markets, in terms of labor and environmental standards.

Currently, 171 Colombian companies participate in the program and 108 companies have the Florverde certification, which has complied with the Global Gap standard to reach the European market.

The Veriflora program is based in the US, containing standards that aim towards organic production, and has certified four companies in Colombia. Rainforest Alliance is similar and has 10 certified farms in Colombia. The Fair Trade program has certified two farms and Fair Flowers Fair Plants has certified six farms.

Here are a few cases of farms that have not complied with their publicized standards:

### **Elite Flowers**

This company carries the Flor Verde, Rainforest Alliance, and Veriflora certifications and has been used for diplomatic visits from the US to show the better side of floriculture with respect to labor practices.

Two workers approached Corporacion Cactus' legal services in 2008 for being fired after discussing the possibility of forming a union at the company. The termination was without just cause the workers were "indemnizados", a practice in Colombian legislation that allows companies to fire workers who initiative union organizing efforts.

None of the certifications establish in their programs, the obligation for companies to respect union freedom, negotiations and strike, and the case of Elite is a clear demonstration that the certifications insufficiently guarantee basic rights contained in the Colombian Constitution and international human rights instruments.

**Flores la Mana** certified by Flor Verde.

Three workers approached CC with occupational illnesses. One of the cases involved two work accidents that were never reported. The workers reported that they were discriminated against as the company demanded higher production levels, causing physical distress. This goes against Flor Verde's claims that it has strong occupational health and safety standards.

**C I Ayura** is certified by Flor Verde

A worker approached CC, claiming that at 24 weeks of pregnancy, she was being forced to produce more than other workers, a tactic used by employers to push pregnant workers out. Another worker was fired after developing two occupational illnesses and had been working there for more than 10 years.

## **Chapter VI: Some emblematic cases of violation of labor rights in floriculture in 2008**

*The Right to Association in Colombian Floriculture: More fallacies, fewer guarantees*

The US Congress has been lobbied by the Colombian Government since 1994 in their hopes to sign a Free Trade Agreement. On their tours to Colombia, the flower industry has always been demonstrated as one of the largest and most recognized industries.

Floriculture companies have attempted to paint the industry as model of social development and have rejected the notion that union persecution exists within.

In fact, thousands of workers have never had the opportunity to form a union. According to personal testimonies of people tied to the industry, it's been clear that anyone who asserts their rights to unpaid wages or long workdays is considered a "revolutionary" and is often fired by the company. The persecution of workers through firings amongst those who have initiated organizing and the use of black lists to prevent workers from entering other companies; the bad publicity through affirmations like "unions break the company" and the use of company unions to restrict the expansion of independent unions and simulate union freedom are just some of the practices most representative in floriculture.

It's not rare to see such as the case with six workers at Mongibello, S.A., a company that employees thousands of workers in Bogota valley and tends to employ more men than women. These people, tired of the long workdays, third-party subcontracting and low salaries had plans to form a union organization but had not even initiated the first registration procedure when they received notice that they were fired from the company. Colombian labor legislation allows employers to fire workers if they pay them "indeminizacion" that has been reduced after decades of labor law reform. The Mongibello workers had worked there for 15 years.

The deterioration of labor conditions have been imposed by free trade: to attract foreign investment and provide increasingly better benefits to private foreign and national companies. Within this logic, profitability is inversely proportional to the respect for labor rights, and for this reason, the existing legislation is not applied and mechanisms of control and vigilance in complying with norms are increasingly weak.

When decent jobs are incompatible with the profitability that companies look for, labor legislation weakens to favor of free trade and companies count on governments to impede the union freedoms. Therefore, it's necessary for consumers to demand that those companies that violate labor rights, respect human rights.

#### *Story of a retaliation for exercising rights*

At the mark of the Feb. 14<sup>th</sup> celebration, a flower worker told us her firsthand experience with fighting for her rights and her dignity which in the end, motivated workers to demand their rights and expose labor rights violations in the flower sector.

"I love flowers a lot because they've given me what I have, and I'm very happy working with them. When people receive their products, they often forget where they come from, who makes them and who is behind their production. There are many people in Colombia that depend on this work those that buy flowers on Feb. 14<sup>th</sup> demand that people are treated decently.

My name is Diana Maria Goyenche Perez. I was born in Charala, Santander,

and my husband is Jose Antonio Galan. My mother died when I was 9. During my youth I lived in a young peoples' home. And worked in a shoe factory starting when I was 16. Later I graduated with a degree in business.

My child got sick in 2000 and I had to quit and return to Cucuta. I returned in 2002 and started at another company to work in cultivation and watering. I met my husband here and stayed.

In 2005 I started to work at Flores Singha as a cultivation operator. The company was just starting. There I always had to work in cultivation, working to cut and collect roses. They demanded that I cut 200 roses an hour and later it increases to 240.

I worked with an excellent engineer there that was a good person but then they replaced her with a an engineer named Cesar Agudelo presented me with many problems.

One day, I started to get Carpal Tunnel Syndrome and I had to get treatment for 8 days. When I returned, I they put me in an area where I had to do much harder work and I spent six months in misery(?) arodillada.

Later hormigueo my hand started to get swollen and inflamed and they still didn't relocate me to a less strenuous task. Instead they sent me to the post-harvest, a really hard job. Because of the hold, my problem got worse and even though the Administration of Occupational Safety visited the company and recommended that they move me to a different task, the company ignored it. The engineer told me- this is a business and here, those that can't produce, leave..and he continued to give me really difficult work.

Finally I was relocated to the "aseo", caring for the plants and washing around the office. One day the engineer set up a meeting to propose that we work Sundays instead of Saturdays. I told him that my coworkers wouldn't sign that because then we would lose our extra pay on Sundays and that counts towards unemployment and "cesantias".

So the engineer told me, at this company, from now on, you will only wash the bathrooms, change and stay outside of the office and don't talk to anyone. My coworkers cried seeing me there, and it caused me to enter into a deep depression. One day the owner of the company came and saw me standing there and didn't say anything. It stayed like that for five days.

So I filed complaint in the Municipal Personal office for a violation of human rights and the officer transferred the case to Asocolflores and the Ministry of Social Protection. I told him that the manager had offered me money so I would stop the complaint process. I told him that I didn't want money, but dignity.

In July, I finally left the company and now I'm waiting to achieve justice and that the company compensate me for all of the physical and psychological damage they have caused. I hope people understand my story and that nothing like this ever happens to anyone again."

## **Conclusion: Key findings in outlets of the crisis**

The drive to increase the competitiveness of the Colombian cut-flower sector has been associated with vying for advantages in production costs to compete in international markets. These cost reductions have been applied primarily to the workforce, leading to labor rights violations.

Productivity is associated with competitiveness in times of crisis. Such periods as 1993-1997 and 2004 to the present in Colombia have resulted in the demand for high production levels. This has contributed substantially to the oversupply of flowers in international markets and has created greater incidences of occupational illness.

Trade preferences, the support of the Colombian government through grants and funding campaigns to expand demand in consumer countries have not translated into respect for labor rights. On the contrary, this has translated into the practice of working long hours, non-payment of wages, job instability and discrimination against pregnant workers. Oversupply and saturation of demand, coupled with the appreciation of the peso and the recession in consumer countries casts a dark picture on the economic terms of floriculture, further supporting the need to rethink the model of production and strive for a conversion.

Either way, several aspects require rethinking the livelihood of the flowers in Colombia, even the great inequities in resolving labor-management relations and minimizing the impact of this production on the environment. Agribusiness in this country is the flagship production into the model of free trade and the savanna regions of eastern Antioquia and Bogota is the formula of integration into the global market, with several consequences: the model has shifted so that traditional agriculture municipalities that have increased the production of flowers are those with higher rates of regression of agriculture generated for food.

This affects the security and food sovereignty of the region and the country as we depend more and more on the price, variety and quality of foreign products. Furthermore local economies are dependent on the decisions of entrepreneurs and hired labor used for agro-industries in a development model that has deepened poverty, rather than provided the country with needed development. Such is the case of municipalities is as Madrid, where 70% of the population depends on this business yet poor working conditions are the norm.

Paradoxically, the cut-flower sector is proud of its social and environmental standards and boasts of being a sector that has high standards in both respects. The certifications of social and environmental quality do not guarantee respect for labor rights. Companies such as Elite Flowers, Inversiones Ayura and Flores La Mana certified by such programs have labor practices that harm the rights of their workers, demonstrating that these programs end up being no less than promotional strategies.

It is necessary to visualize the impact that the flower crisis has had on workers as compared to employers. Workers' depend on the industry for their salaries and survival. Now workers are assuming the losses of the crisis through cuts in compensation. On the other hand, producers have had the opportunity to reinvest capital as a possibility to cover their basic needs as they rely on government subsidies.

The same government has said these same subsidies are meant to save jobs but in reality, the subsidies have not converted into employment or even better working conditions. According to Asocolflores, 22,000 jobs have been lost and we have seen people dismissed who have served these companies for five, ten, and fifteen years and have developed occupational health problems. The subsidies allocated to businessman have allowed them to keep their capital safe while unemployed inhabitants of the Savannah of Bogota struggle to cover their basic needs.

On the 2009 celebration of International Flower Workers Day, workers asked the Colombian government to focus its policies on *socializing* the losses by implementing unemployment insurance, and enabling conditions that allow workers to have a decent life without relying on the compliance of previous employers.

Confronting the need to replace the current model of development that has furthered inequality and environmental destruction. Corporacion Cactus is currently concentrating its efforts on promoting processes for social participation and organization in the Savannah of Bogota, particularly amongst women, the young who have traditionally been excluded from spaces of participation. The idea is to propose an alternative model of development that respects economic, social, cultural and environmental rights.