

Continuity in labour policy: Early signs

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Despite the initial talk that the new Fox government would move quickly and with determined will to democratize Mexico's labour system, this will not happen quickly or automatically within the political transition taking place.

When Fox was elected president, there was hope for badly needed, long-overdue reform of Mexico's collective bargaining and labour relations practices. It was hoped that the much-needed labour reforms would become a central part of Fox's national agenda and would play a key role in revitalizing political democracy in Mexico.

During his campaign, he accepted the "20 Commitments for Labour Union Freedom and Democracy" and promised to use them to overhaul Mexico's labour relations. So far, despite high expectations, this has not happened. Instead, Fox, like his predecessors, has accepted the status quo and given Mexicans more of the same.

LABOUR REFORM UNDER FOX

Fox's "new" labour reform initiatives share many similarities with the earlier labour initiatives of the PAN and PRD parties. In general terms, they have all started from the same proposition—the need to liberalize the rules of the game in the workplace, while at the same time eliminating institutional ties to the PRI and increasing transparency throughout the system.

Some of the proposed changes include registering labour unions along with their leadership with the government-sponsored labour tribunal; the creation of a public registry of labour unions and collective bargaining units; the election of union leadership through secret, direct voting by all union members; the right of individuals to join or not join unions; properly supervised certification practices that would give workers the right to choose the union of their preference; secret direct voting by all union members in certification elections; the elimination of sweetheart contracts; and new legal and institutional guarantees to prevent corruption and wrongful discharge. In short, the proposed changes would mean a modern collective

bargaining system that would be autonomous and independent and able to ensure labour justice for Mexican workers.

Even before President Fox took office there were signs that his commitment to fulfilling his campaign promises to bolster union freedom and enhance democracy was beginning to fade. It became apparent that he intended to maintain the same general economic policies toward union and labour reform without any fundamental changes.

The original impetus for the Mexican system of industrial relations emerged from the Mexican revolution. It was a largely corporatist model of labour relations that also related to Mexico's national economic model of develop-

ment. This meant a highly formalistic system of labour relations characterized by cooperation with employers suspicious of any attempt on the part of Mexican workers to develop an independent voice in labour relations. The corporatist model of Mexican labour relations excluded too many workers from joining unions, often accepted sweetheart contracts that kept wages down and labour standards unenforced. Mexican workers have never had full industrial citizenship in the workplace, as Canadian workers attained through post-war labour reforms, which transformed Canadian industrial relations practices.

A NEW DESIGN

A new design for Mexico's labour system needs policies and practices that would facilitate investment of public and private resources in training, high levels of productivity, and health and safety protection with the end of supporting higher wages and better living conditions for Mexican workers. To take this step would also require institutionalizing the reforms and reaching agreements among all social actors involved. Most importantly, the reforms would have to strike a balance between labour and industrial public policy needs and the rights and obligations of the private sector.

The appointment of Carlos Abascal, the former COPARMEX president, who promoted the Worker-Management Dialogue for a "New Labour Culture" in 1995, as the new secretary of labour and social security (*Secretario del Trabajo y Previsión Social*), sparked much concern when he was appointed to lead Fox's labour transition team. He has very close links to employers and is passionate in his public statements, which have a strong religious component and conservative view of society.

Other key members appointed to his team in the Department of Labour and on the Federal Labour Relations Board (*Junta Federal de Conciliación y Arbitaje*) have very strong links with employer associations and have made it clear that employers will continue to define labour policy in Fox's new Mexico.

MORE OF THE SAME

Fox's own public statements confirm that labour policy will remain the same as in the last three administrations. He has publicly supported labour leaders who were selected through anti-democratic internal processes. He has also delayed the reform of legislation until he has succeeded in forming a consensus with key industries. Since this may not happen for some time, the whole process has been bogged down and has lost any sense of urgency.

His administration refused to recognize the demands of the strikers in the sugar refineries, when it was plain to everyone that their grievances were legitimate. In the key area of minimum wages, he has followed the same restrictive policies as the preceding three administrations. None of this augurs well for labour reform in Mexico.

There are other signs that the Fox administration is interested, not in innovation, but in supporting past practice. The only innovation has been to include the National Union of Workers (*Union Nacional de Trabajadores* (UNT)), created in 1997 by breakaway labour unions from the Congress of Labour (*Congreso del Trabajo* (CT)), as well as other rank-and-file unions not linked to the government. The groups for genuinely autonomous worker organizations want to change the way collective bargaining is carried out with the government.

What has made the labour scene even more complicated is that the National Federation of Independent Labour Unions (*Federación Nacional de Sindicatos Independientes* (FNSI)) was invited to the table. There is little that is reformist about its goals and practices.

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It has a long history as an employer-sponsored union with many links to powerful corporations in Monterrey, in northern Mexico close to the U.S. border. Monterrey businessmen have acquired influence and power within the new Department of Labour and Social Security and many expert observers are not surprised that the NFILU was invited to be part of sector economic pacts. Legitimate reformers were angered by the attempt of Monterrey interests, under the mantle of reform, to give credibility and respectability to the NFILU, which it does not warrant in the least.

In the end, due to internal problems within the organization, the autonomous unions of the UNT did not come in from out of the cold. The UNT also demanded guarantees of power sharing that would ensure that it would have a real effect on the Council for Dialoguing with Productive Sectors. This body is one of Mexico's peak labour institutions charged with forming sectoral agreements with employer and worker organizations.

THE ISSUE OF REPRESENTATION

The way the Fox administration handled this episode reveals its limited intention to create a level playing field on which workers' duly elected leaders defend the interests of union members. The issue of representation is also important in terms of the democratic composition of the council. Businessmen are doubly represented in this body and also fill important posts in the Department of Labour and Social Security. Furthermore, many of the trade union representatives who are appointed to the council come from organizations whose internal procedures and practices do not meet rudimentary democratic standards—often those who can vote are restricted by exclusionary clauses.

If all of this sounds very pessimistic, it is. The broom of reform has not changed very much in the way Mexico's labour governance bodies operate nor are the results any more equitable.

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Fox's administration continues to rely on most of the old institutional arguments and practices.

So, despite the initial talk that the new Fox government would move quickly and with determined will to democratize Mexico's labour system, this will not happen quickly or automatically within the political transition taking place. The new administration has demonstrated little interest in or desire to accelerate the process in order to bring its labour relations practices in

line with the system of political representation and reform that played no small role in Fox's electoral victory.

After six months in office, labour reform is no longer a priority, if it ever was. Despite all the talk, the results are meagre and disappointing for Mexican workers who have waited many decades for democratization in labour relations and practices. If labour relations are to become a priority, political parties and social movements will need to exert the necessary pressure to make la-

bour reform once again one of the top priorities of the Fox administration, as well as the Congress. So far the interests of wage earners have not been taken into account when decisions affecting them are made.

On the labour front, the Fox administration has been a disappointment. It looks more like the PRI, with its corporatist beliefs, than a government committed to significant democratization and modernization in Mexico's labour relations and collective bargaining practices. ❁

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