

Raise Wages, But Not Without Shoring Up Rights

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Much has been said about the possibility of using the NAFTA renegotiation as a means of pushing the issue of wage increases in Mexico, since raising Mexican workers' incomes would eliminate Donald Trump's pretext for making the agreement more difficult; he claims that the wage discrepancy is why the deal works in favour of Mexican companies and against US and Canadian interests.

Meanwhile, Andrés Manuel López Obrador has proposed raising the basic minimum wage to bring it in line with the United States, to a little over 1,000 pesos (\$53) per day at the current exchange rate.

There is no doubt that increases are needed. After three decades of neoliberal politics, the poverty rate remains very high, affecting more than 50 per cent of the Mexican population. According to the National Council for the Evaluation of Social Development Policy (Coneval), the number of Mexican people in poverty rose from 49 million in 2008 to 53.4 million in 2016. Wages in China are twice as high as they are in Mexico.

Wages increases are however far less valuable if they are introduced without the attendant democratic rights that allow workers to defend their benefits and gains. In recent years the National Miners Union has achieved an average increase in salaries and benefits of 12 per cent, two or three times higher than its corrupt counterpart organisations. This success is fundamentally the result of our members' willingness and ability to mobilise along with their communities, to exercise the right to strike in a democratic and responsible way in order to help the union to grow through new projects, and by bringing new colleagues into union membership.

It would be a mistake to think that wage increases alone could resolve the issue of the lack of democratic rights that persists in the Mexican labour market. As many experts have observed, Mexican salaries in major industries are lower than in other countries – this is not due to a lack of productivity, but to the diabolical pact forged between politicians, corporate bosses and subservient unions to systematically rob workers of a judicial framework, while dividing up the spoils between them.

The most recent example of this alliance is the ruling on the secondary legislation to bring constitutional reforms to labour law, which is about to be debated in the Senate this very week. As

many lawyers, academics and trade union leaders have warned, the ruling is effectively an attempt to strengthen the control that corrupt unions, complicit civil servants and mafioso companies already have over the institutions of employment justice. It seeks to close off all spaces to workers who try to organise themselves in democratic trade union organisations and thereby negotiate collective bargaining contracts to guarantee themselves good wages, adequate health and safety in the workplace, benefits and profits that they legally and properly deserve, and the prospect of a dignified retirement.

It's no accident that the sponsors of this proposal are trade union representatives internationally known for their corruption and susceptibility to bribery. Consider Tereso Medina Ramírez, head of the CTM (Confederation of Mexican Workers) in Coahuila, who oversees some 146 employer protection contracts encompassing at least 22,000 workers in various industries, according to official figures. Then there is Isaías González Cuevas of the CROC (Revolutionary Confederation of Workers and Rural Workers), another corrupt leader; they have both betrayed the working class with their initiatives.

As the PT (*Partido del Trabajo* or Labour Party) senator Luis Humberto Fernández observed, the law is so shameful that nobody has come out in defence of it. It would be a real disgrace and source of shame if the Senate and the Chamber of Deputies go on to pass a law, as they have many before it, without a single person standing up to defend it publically, simply because they were instructed to do so, because their bosses told them to, because there were no reasons: just orders.

The only effective strategy for taking back control from big corporates and their corrupt lackeys is to dismantle this false ruling and pass one in its place which honestly implements the constitutional rules and international conventions subscribed to by Mexico to protect workers' rights.

This has been the main demand of international unions in Canada, Europe and the United States in their letters addressed to Mexican senators. It is another cruel irony that they show more concern for the rights of Mexico's workers than our own government and, naturally, than any corrupt union leaders.

Only one presidential candidate has declared himself clearly in favour of a true reform of labour law. In a recent document López Obrador calls for the following:

- Laws regulating constitutional labour reform must tightly adhere to the content and principles of the Magna Carta.

- Tasks which are specific to the judiciary must not be replaced by the National Autonomous Body of labour law, the functions of which are only limited to the agreement and registration of unions and collective contracts. This must not be tripartite, nor should its governance structure include representatives who can act as both judge and defendant in trials.



-Trials on which the exercise of labour rights depend, including disputes based on ownership and fulfilment of requirements to call a strike or sign a collective bargaining contract, must remain under the jurisdiction of the judiciary, to be managed justly and independently.

-It should be guaranteed that workers are consulted in advance of any collective bargaining contract being signed, through a secret ballot validated by the judiciary.

-The precepts of the General Law of Transparency and Freedom of Information should be applied to this process to protect these workers' same labour rights.

The National Miners Union, which I am honoured to lead, knows only too well the bitter reality of the netherworld of our current labour laws, where workers who try to join a democratic trade body like ours are subjected to interminable delays, summary dismissals without recourse, abuse, threats and even killings that go unpunished, such as in the recent case of the Canadian company Torex Gold Resources at the Media Luna mine in the state of Guerrero.

Even if we do manage to overturn the PRI party's reactionary reform this month, this September Congress will still need to faithfully set out new constitutional reforms to put a stop to these hellish employer protection contracts and the demons – corrupt people, company bosses and complicit public servants – who live off of them, once and for all.

From the moment of taking up the office of senator, I will be committed to fighting for labour reform that ensures the rights and dignity of the working class, and which therefore achieves genuine and permanent wage increases to improve people's living conditions, and to strengthen and grow the national economy. There is no doubt as far as I am concerned that this would be my first and foremost senatorial duty following the elections this coming 1st July. This will undoubtedly lead on to new opportunities and more important political, legal and social challenges for Mexico's development.