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AFL-CIO to File Complaint with U.S. Labor Department's NAFTA Agency

by LADB Staff

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The US labor federation AFL-CIO in late April announced plans to submit the third complaint this year to the US Labor Department's National Administrative Office (NAO). The NAO was established under the labor parallel accord of the North American Free Trade Agreement (NAFTA) to hear complaints on labor violations by US subsidiaries in Mexico. The first two complaints received by the NAO were filed by the Teamsters Union and the United Electrical Workers (UEW) on behalf of Mexico's independent Authentic Workers Front (Frente Autentico de Trabajadores, FAT). Both complaints allege that workers at a General Electric plant and Honeywell factory in Chihuahua state were dismissed for attempting to organize workers ([SourceMex, May 4, 1994](#)).

The AFL-CIO filed the complaint on behalf of workers at the Sony Corporation plant in Nuevo Laredo, Tamaulipas state. Even though Sony's corporate headquarters is located in Japan, the complaint to the NAO was applicable, since the company's US subsidiary, Sony Electronics of Park Ridge, New Jersey, supervises operations at the maquiladora facility in Nuevo Laredo. According to the complaint, the company dismissed six workers for organizing a work stoppage at the plant on April 16 to protest fraudulent union elections and the imposition of a new six-day work week.

The AFL-CIO also alleged that the company did nothing to prevent an attack by riot police on 100 workers involved in the labor action. The AFL-CIO received support from 28 members of the US House of Representatives, led by majority leader Richard Gephardt (D-Missouri). On April 27, the US legislators wrote Sony Electronics officials urging new union elections. "We urge you to support a new, fair, secret-ballot union election that can be monitored by independent observers, and we call upon Sony to desist with threats against union activists," stated the letter addressed to Carl Yankowski, president of Sony Electronics.

Responding to the letter, Sony officials said they would be willing to work with the unions to hold a new election. They asserted, however, that the first election was free and open, and the same standards will be applied to a new election. Sony Electronics spokesman Jim Clancy denied the company had influenced the election in any way, but reiterated that Sony is willing to allow workers to hold a new election. In an interview with Mexico's official news agency Notimex, Clancy suggested the riot was the result of a dispute between rival union factions at the plant. A faction affiliated with the pro-government Mexican Workers Confederation (Confederacion de Trabajadores de Mexico, CTM) won the union election. Clancy also said the decision to extend the workweek is in compliance with Mexican labor legislation, which allows up to a 48-hour workweek.

Meantime, the Teamsters and the UEW have asked the NAO to hold public hearings to address the issue of labor violations listed in the complaints they filed in April. The two unions requested that the hearings be held in US communities bordering Mexico or in a Mexican city. The NAO, which

is investigating the incidents, is required to release a report within four months of accepting the complaints. That means the report must be out by Aug. 15.

On a related matter, the US-based International Longshoremen's and Warehousemen's Union (ILWU), at its annual convention in Los Angeles in mid-April, promised to support the rights of dock workers in Mexico. ILWU delegate Jack Heyman suggested that Mexico's move to partially privatize the country's ports has weakened longshoremen's unions in Mexico. The privatization plan replaces government-owned port management operations with private-sector enterprises. In the process, dock worker contracts are voided. Dock workers have had to renegotiate new contracts, often at substantially lower pay. Heyman said many Mexican dock workers who used to earn US\$8 an hour are now making US\$1 an hour.

Separately, the Associated Press reported that the AFL- CIO has decided to ease pressure on US legislators who supported NAFTA. After the agreement was ratified in November 1993, the federation vowed to seek the defeat in upcoming primary elections of all Democrats who voted in favor of NAFTA. According to AP, the AFL-CIO has now determined that its interests will be served better by not attacking Democrats who supported NAFTA. "Things got pretty heated and it will not be forgotten," said Don Sweitzer, the Democratic National Committee's political director. "But the labor folks are practical. Incumbents have the best odds of winning in November. So you don't want to knock off a guy who angered you on one issue and end up with some Republican who will oppose you on every issue."

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