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U.S. Labor Department to Review Complaint by Mexican Flight Attendants

by LADB Staff
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The US Labor Department's National Administrative Office (NAO), invoking labor rules established under the North American Free Trade Agreement (NAFTA), has asked for a meeting with Mexico's Secretaria del Trabajo y Prevision Social (STPS) to discuss a complaint filed by flight attendants against Transportes Aereos Ejecutivos (TAESA) late last year.

The complaint, presented by Mexico's Asociacion Sindical de Sobrecargos de Aviacion (ASSA) and the American Flight Attendants Association (AFA) in December 1999, accused TAESA of exposing flight attendants to unsafe and unhealthy conditions and also questioned the airline's safety record (see SourceMex, 1999-12-01). TAESA flight attendants are represented by the Sindicato Nacional de Trabajadores y Empleados de Taesa (SNTETA) and not by ASSA.

TAESA was forced to suspend all its flights in November 1999 because of extreme safety violations. In March, a bankruptcy court declared TAESA officially defunct after it determined that the airline could not pay its debts (see SourceMex, 2000-05-17).

The Mexican government is in the process of selling the airline. The ASSA and AFA complaint, which has the support of the influential US labor organization AFL-CIO, also alleges that TAESA violated the rights of several flight attendants who were dismissed when they attempted to affiliate with ASSA instead of the TAESA-designated labor union. ASSA secretary-general Alejandra Barrales Magdaleno said the airline also failed to make the proper payments into employee social-security and pension plans.

Under the NAO request, US Labor Secretary Alexis Herman would discuss the TAESA complaint with her Mexican counterpart Mariano Palacios Alcocer at a yet-to-be-determined date. The ASSA and AFA complaint is also directed at the Mexican government, which failed to enforce its own labor laws. This is a violation of NAFTA's side agreement on labor, said Barrales. But the complaint and the NAO ruling have been criticized by SNTETA officials.

SNTETA secretary-general Angel Celorio Gevara said the US government should not intervene in the matter, which should be resolved at the domestic level. "This is a strictly internal matter," Celorio told reporters. Celorio also pointed out that flight attendants do not have access to relevant technical information on the condition of aircraft. "They are not qualified to file complaints on matters related to maintenance and operations," he said.

NAO reviews complaint about Tamaulipas maquiladora plants
The NAO is also considering a request from 20 organizations in the US and Mexico to investigate labor practices at two maquiladora plants in Tamaulipas state. The request, presented to the NAO
in July, alleges that plants operated by Auto Trim and Custom Trim/Breed have failed to provide safe working conditions for 700 employees. The plants, in Matamoros and Valle Hermoso, are subsidiaries of Florida-based Breed Technologies.

The groups filing the complaints include Mexico's Pastoral Juvenil Obrera and the Casa de la Mujer, and US-based organizations Coalition for Justice in the Maquiladoras, the AFL-CIO's Union of Electricians, and Global Exchange. In a 100-page document presented to the NAO, the organizations said employees are forced to handle toxic substances without proper protection, resulting in increased instances of dermatitis, headaches, and respiratory ailments.

The conditions may have also been responsible for birth defects in the children of some of the female workers, the complaint said. The organizations say the Mexican government is partly to blame because it failed to enforce labor laws that require safe conditions for workers. The NAO has until January 2001 to determine whether to follow up on the case with Mexican authorities. (Sources: Reforma, 07/12/00, 07/13/00; Notimex, 07/11/00, 07/16/00; Novedades, Reforma, El Financiero, 07/17/00)

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