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Recommended Citation
LADB Staff, "Government Forces End To Strike At Mine In Sonora State; Decision Angers Miners Union." (2008). https://digitalrepository.unm.edu/sourcemex/5176

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Government Forces End To Strike At Mine In Sonora State; Decision Angers Miners Union

by LADB Staff

Category/Department: Mexico
Published: 2008-01-16

The giant mining conglomerate Grupo Mexico resumed partial operations at the Cananea open-pit mine in northern Sonora state in mid-January, after a federal labor board declared a miners strike illegal. The decision by the Junta Federal de Conciliacion y Arbitraje (JFCA), which was followed by a brief clash between police and strikers, worsened relations between the federal government and the country's largest miners union, the Sindicato de Trabajadores Mineros Metalurgicos de la Republica Mexicana (STMMRM). The union called a one-day nationwide strike to express its disapproval of the decision. The company claims to have lost about US$600 million in sales as a result of the strike.

The 1,300 striking miners, who had been away from their jobs for five months, called the strike at the end of July to protest low pay and poor health and safety conditions at the Cananea site, which produces copper, silver, and gold. As part of the strike, workers blocked company officials from access to the facility. The Secretaria del Trabajo y Prevision Social (STPS) declared the strike illegal shortly after the walkout, but the STMMRM was able to continue the labor action after filing a court injunction.

In a preliminary decision in mid-December, the court said workers would be allowed to continue the strike until the JFCA, a unit of the STPS, handed down a final verdict. In the verdict, announced in mid-January, the labor board said the strike was illegal because of a technicality. "The labor board said the strike was not valid because the workers did not all walk out at the same time," union lawyer Juan Rivero Legorreta told the Mexico City daily newspaper Reforma. Union to appeal decision; calls nationwide strike Union officials said the STMMRM was planning to contest the JFCA's decision. "We have the appeal ready, and the lawyers are working on it right now," union spokesman Carlos Pavon told Reuters.

Immediately following the JFCA ruling, Labor Secretary Javier Lozano ordered hundreds of federal and state police to be dispatched to the site to remove strikers who were blocking the four gates to the facility. This action sparked brief and sometimes violent clashes between police and STMMRM members and resulted in significant property damage. Several trucks were torched, and some of the equipment at the facility was disabled or destroyed. The JFCA's ruling opened the door for Grupo Mexico to resume limited operations at the Cananea site, about 48 km southeast of the Sonora-Arizona border.

The company tried to lure back workers by offering productivity bonds and other benefits. Most workers refused to return to work, although 150 miners crossed picket lines on the first day of operations. On the third day of operations, about one-third of the work force was back on the job, company officials said. Sonora Gov. Eduardo Bours Castelo said state police would protect workers who crossed the picket lines. "We have the obligation to protect their rights...so that people who..."
want to enter, can enter," the governor said. Union criticizes government for using force to retake mine The union decried the government's use of force to retake the Cananea facility, threatening legal action against Lozano and Bours. "To break up a strike through the use of force is an abuse of authority in a country where people are supposed to have basic rights," said Rivero Legorreta. "It's a shame that this kind of action still occurs in Mexico."

To protest the JFCA ruling and the government's crackdown on strikers, the STMMRM called on all its members nationwide to walk off the job for a day on Jan. 16. About 270,000 miners and steelworkers participated in the action, shutting down mining and steel facilities throughout the country. Grupo Mexico's mining subsidiaries have a poor safety record, with accidents, sometimes fatal, reported at several facilities. One of the worst accidents occurred in March 2006, when an explosion caused the Pasta de Conchos mine in Coahuila state to collapse, killing 63 miners (SourceMex, March 1, 2006, January 10, 2007 and October 24, 2007). Grupo Mexico management and union representatives have held some discussions, but talks broke down in mid-December after both sides accused the other of failing to negotiate in good faith.

The union claims that the company is not taking its concerns about safety seriously and that workers are not being compensated adequately for the dangerous work. "Wages need to reflect the efforts and dangers of the work," Pavon told reporters on the day of the nationwide strike. Grupo Mexico has offered to correct the safety problems but also claims the true purpose of the strike is to increase support for union boss Napoleon Gomez Urrutia, who fled to Canada last year to escape arrest warrants for corruption charges (SourceMex, August 16, 2006). The union boss was removed from his post during the administration of former President Vicente Fox, creating strong animosity between the STMMRM and the federal government (SourceMex, May 03, 2006). The STPS action to end the strike has worsened relations between the two sides.

**Study backs union's safety, health concerns**

The union backed its concerns about safety by releasing a study indicating that workers at the facility have been "exposed to high levels of toxic dusts and acid mists" and "work in simply dangerous surroundings." The study, funded by the US-based United Steelworkers (USW) union, blamed the situation on the company's failure to maintain equipment and correct visible safety hazards. Among other things, the report alleges that the company dismantled dust collectors in the mine's processing plants two years ago, leaving workers exposed to 10 times more "respirable quartz silica" than allowed under Mexican law. This level is so high that the paper masks worn by workers do not provide sufficient protection. The study was coordinated by Garrett Brown, an industrial hygienist and founder of the California-based nonprofit Maquiladora Health and Safety Support Network. Also participating in the study were several industrial hygienists and physicians from the US and Mexico.

The USW became involved in the issue because the Cananea mine has US connections. The facility is owned by Southern Copper Corp., an Arizona-based publicly traded mining company that is majority-owned by Grupo Mexico. Grupo Mexico officials acknowledged that the health and safety concerns are legitimate but said the company would take steps to correct the problem. "[The company] hired an international company to ensure that the facility is in perfect condition as
far as safety and health before starting operations," Grupo Mexico attorney Salvador Rocha told the Mexico City daily newspaper Milenio Diario. "This way, the union won't be able to use this argument as an excuse to call for illegal strikes."

-- End --