



MAQUILADORA NEWSLETTER

“Unfortunately that’s how the maquila is: it finishes you and destroys you”

Maquiladora Tour

Come to learn about Tijuana workers’ conditions and struggles!

About every other month we organize a maquiladora tour.

- We visit the border fence from the Tijuana side where crosses symbolized the more than 4,500 immigrants who have died trying to cross to the US.
- We go to the Otay Industrial Park where Sanyo and other companies have their maquiladoras. We learn about the case of Metales y Derivados, We will visit the Tijuana industrial area but won’t enter any factory.
- We visit also the community Ejido Chilpancingo-Rio Alamar to learn about the consequences of industrialization on health and environment.
- We meet a group of maquiladora and community activists, eat a lunch prepared by them and discuss with them issues regarding NAFTA and fair trade, immigration and exploitation, industrialization and labor health, activism and social change.
- If you are interested on attending a maquiladora tour, visit the website www.sdmaquila.org

Some Tijuana Major Maquiladoras

HIRED WORKERS

- Foxconn: 9,000 (electronics) Taiwan
- Samsung: 6,000 (electronics) S. Korea
- Sia Electronica: 5,000 (electronics) USA-San Diego
- Kenmex: 3,200 (medical devices) USA
- Mabamex: 2,400 (toys) USA-CA
- Rectificadores Int: 2,400 (Semiconductors) CA
- Hitachi: 2,100 (electronics) Japan
- Sanyo: 1,900 (TVs, refrigerators) Japan
- Levimex: 1,700 (interrupters) USA
- Juguetrenes: 1,600 (toys) USA
- Phillips Lighting: 1,600 (electr ballasts) Holland
- More in: www.sdmaquila.blogspot.com
Source: *SD Source Book, Maquila Portal. com*

Organizations

Colectivo Chilpancingo for Environmental Justice

Phone: 011(52)664-647-7766

E-mail: chcolectivo@prodigy.net.mx

<http://www.environmentalhealth.org/BorderEHC>



Colectivo Ollin Calli

E-mail: ollin.calli.cm@gmail.com

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Coalition for Justice in the Maquiladoras

E-mail: cjm_martha@igc.org

<http://coalitionforjusticecjm.blogspot.com>



San Diego Maquiladora Workers’ Solidarity Network

Phone: 619-216-0095

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<http://sdmaquila.org>

<http://sdmaquila.blogspot.com>



Cooperatives

Working women in Tijuana are organizing artisan cooperatives and promoting an alternative economy.

Cooperativa
Ollin Calli

Cooperativa
Manos Creativas

Cooperativa
Valle Verde



MAQUILADORAS 101

WHAT IS A MAQUILADORA?

Maquiladoras are factories and assembly centers of foreign companies operating in Mexico under the Mexico/the US agreement called: "Maquiladora Program." Most maquiladoras are US companies, but corporations from Europe, Japan, South Korea, and even China (the sweatshop world capital) operate maquiladoras in Tijuana.

WHAT ARE SOME OF THE PROBLEMS WITH MAQUILADORAS?

In maquiladoras:

- Human rights of workers are frequently not respected. Going to the bathroom and drinking water are not permitted to most workers in order to speed production.
- Labor rights are not respected. The Mexican labor laws are rarely followed.
- The health and safety of the workers is at high risk. Unsafe working conditions often result in labor accidents. Exposure to toxic chemicals often causes industrial diseases.
- Environmental laws are frequently not respected. The factories pollute the air, water and land.
- The wages are not enough to meet the most basic needs of families. Living in a shanty house and hunger are the reality of workers' children.
- Women's rights are not respected. Sexual harassment and sanctions for being pregnant are normal in many factories.

DO MEXICAN WORKERS HAVE RIGHTS?

Yes, the Mexican Constitution and the Mexican Federal Labor Law contain specific labor rights, and in many cases Mexican labor law is more favorable to workers than is US labor law. Some examples follow.

1. Sustainable wages to maintain a family and provide education for children
2. Maximum 8 hours workshift, 48 hours per week; voluntary overtime paid double and triple
3. A free day, with pay, after six working days
4. Illegal to hire children under 14
5. Pregnancy paid leave of absence for 12 weeks, then 1 hour everyday for breastfeeding
6. Security, protection and training: employers are responsible for labor accidents and diseases—employees are allowed to stop working if a risky, unhealthy, inappropriate or unethical task is assigned.

7. Workers compensation is paid when labor-related accidents and/or sickness occurs.
8. Right to have collective contract, collective bargaining, unions and coalitions, and the right to go on strike—when workers go on strike, the company's production and all other activities have to stop until the strike is over
9. Job security—this means:
 - a. Employees must be hired full time, 100% benefits, since the first working day. For most jobs, hiring part time is illegal under Mexican law.
 - b. Employees must receive a contract in which labor conditions like schedule, location and assignments are specified. The employer cannot change these conditions if the employee does not agree.
 - c. Beginning with the first working day, employees must receive complete medical insurance for themselves and their families and sick leave days; after a year they are entitled to paid vacations and two bonuses per year (share-profits bonus and Christmas bonus)
 - d. Severance payment—the employer cannot lay off a worker without a precise justified reason. Otherwise, a severance packet must be paid. It includes three months' salary, plus 20 days' pay per each year worked. If the company refuses to pay, the employee can bring suit against the company. If the employee wins, the company must pay all the salaries from the day the worker was laid off to the day the suit ends.
 - e. A worker has the right to rescind the contract and receive a severance payment if the employer violates his/her rights (see point 6 and 8b.) Conditions described in the previous point (8d) apply in this case.

ARE LABOR RIGHTS RESPECTED IN MEXICO?

Labor laws are not enforced in Mexico. Enormous competition for getting a job and government inefficiency and corruption undermine legal rights. Combined unemployment and subemployment account for 40 % of the Mexican labor force. The laws are only respected when workers stand up for their rights, but maquiladora workers face enormous obstacles when attempting to demand their rights. Some obstacles follow.

- Workers have to challenge multinational corporations like Sony or General Electric that often have more power, in general, than the Mexican government.
- The maquiladora companies largely control the government Labor Department. Therefore, the Labor Department usually sides with the employer.

Government and the companies are on the same team.

- The maquiladora management controls the unions. In most cases, the union is actually a part of the company's management.
- Most Tijuana maquiladora workers don't know their rights.
- Most Tijuana maquiladora workers are immigrants from Central Mexico and Central America with no experience in industrial jobs. Most are working women, many of them mothers or single mothers without extended families and support.

HOW DO MAQUILADORA WORKERS FIGHT FOR THEIR RIGHTS?

Many times, in spite of huge obstacles, workers challenge maquiladoras when their rights are abused and/or an administrator is especially tyrannic. Some struggle tactics follow.

- In groups or individually, workers sue the company from within the legal system.
- Workers pressure the company by calling national and international attention to the abuses in the maquiladora.
- Workers organize protests and join other struggles, for example with Zapatistas or against NAFTA.
- Most struggles are a combination of the above.

NAFTA AND MAQUILADORAS

The Maquiladora Program was initiated in 1964, but the number of maquiladoras boomed after 1994, when NAFTA went into effect. Before maquiladoras, companies did not respect many labor rights; however, NAFTA and the maquiladoras worsened labor conditions in Mexico.

- NAFTA resulted in putting out of business much of the Mexican agricultural sector, causing widespread unemployment and migration.
- NAFTA and maquiladoras have undermined and in fact rejected key Mexican labor laws that used to be respected. Examples are the points 1, 2, 3, 5 and 9 listed above. (See "Do Mexican Workers Have Rights?")
- Maquiladoras have increased Mexican industrial productivity to US and Japanese standards without increasing the wages. The result has been extraordinary profits, but also extraordinary levels of pollution, misery, disease and stress.
- NAFTA and maquiladoras have made the Mexican industry and economy extremely vulnerable to the world economic oscillations, and especially to US recessions. Since the current US recession began,

40,000 maquiladora jobs have been lost in Tijuana and the wages have decreased even 50%.

WHAT ALTERNATIVE JOBS TO MAQUILADORAS ARE AVAILABLE IN TIJUANA?

Almost 40% of all Tijuana jobs are in the maquiladora. Even university students work in the production lines. Other option is to cross the border and work in San Diego, but it is not available for everybody. Small business operated as a cooperative is also an option.



SHARP WORKERS WALK OUT

On Sep 29, 2010, about 700 maquiladora workers walked out in Sharp Rosarito, next to Tijuana. The workers created a committee to talk with the company administration, the Secretariat of Labor and the union that "represents" them. The managers of the Japanese company did not want to talk with the committee. Meantime, a outsourcing company setup a booth next to the factory to hire people in order to replace the workers who participate in the walkout. At the end, the resistance of the workers forced the administration to talk. The workers got a 4% pay increase and transportation to and from the company.



Resources

Beautiful Flowers in the Maquiladoras
Norma Iglesias. University of Texas Press

Children of NAFTA
David Bacon. University of California Press

Globalization at the Crossroads: Ten years of NAFTA in the San Diego/Tijuana Border Region. A Bilingual Report

Environmental Health Coalition
<http://www.environmentalhealth.org/>
(Click "publications" and then "reports")

Maquiladora Health & Safety Support Network
<http://mhssn.igc.org/>

Maquilapolis-A documentary
<http://www.maquilapolis.com>

NAFTA from Below
Martha Ojeda and Rosemary Hennessy, eds
Coalition for Justice in the Maquiladoras

Metales y Derivados



Of the 66 documented toxic waste sites in Mexican border states, the most infamous is Tijuana's Metales y Derivados, a U.S.-owned maquiladora factory that recycled batteries imported from the U.S. The owner, José Kahn, fled across the border when the maquiladora was shut down in 1994 after community reports of health problems and repeated violations of environmental law documented by the Mexican government. Mr. Kahn left behind 23,000 tons of mixed contaminated waste, including 7,000 tons of lead slag, exposed to the elements and threatening workers and families living in the adjacent Tijuana neighborhood of Colonia Chilpancingo.

Foxconn = Workers commit suicide

The tragic series of suicides among young workers of the "Foxconn City" factory compound in Shenzhen, China, has alarmed the world. Until now, only few people knew that this is the largest electronics factory in the world, employing more than 300,000 workers. The factory is run by a large multinational company from Taiwan, Foxconn (a subsidiary of Hon Hai group), which is one of the largest electronics manufacturing companies in the world. It produces for the most famous brand names in the global IT industry such as Apple, Hewlett-Packard, Dell, Nokia or Sony. Since contract manufacturers like Foxconn and their global customers try to keep their manufacturing operations hidden, this system has correctly been labelled "stealth manufacturing".

Trade unions, individual consumers, labour groups, campaign organisations, academics etc. from all over the world have joined in the protest to condemn the suicidal regime at Foxconn's Chinese production sites and the still inadequate responses of the global electronics industry so far.

More info: sdmaquila.blogspot.com



Metales y Derivados, 2006: Pollution, before the struggle

More info: <http://www.environmentalhealth.org/BorderEHC>