

SINDICATOS, CORPORATIVISMO Y SISTEMA DE RELACIONES INDUSTRIALES EN MEXICO

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1. La crisis de la Formación socioeconómica de sustitución de importaciones

México ha sido uno de los países latinoamericanos mas estables políticamente de América Latina en este siglo, su actual Estado fue producto de una larga revolución social y de una guerra de clases (1910-1920) de la cual salieron derrotados los terratenientes y que marcó el ascenso de la burguesía moderna. La Formación Socioeconómica mexicana de antes de 1980 comúnmente se denominó como de Substitución de Importaciones, y fué caracterizada por un Estado fuerte y autoritario que impulsó la industrialización en el país. Esta industrialización fue protegida de la competencia externa por el Estado, proveyendo a los industriales de créditos blandos, y favoreciendolos con el control de los precios agrícolas. Desde el punto de vista económico, esta Formación transitó de una industrialización ligera en los años treinta y cuarenta hacia la industria pesada en los cincuenta y sesenta; sin embargo en la década siguiente se entró en una turbulencia económica y política que llevó a esta Formación a su desintegración y sustitución por la Formación Neoliberal actual.

El auge en los sesenta del modelo de Substitución de Importaciones se apoyó en una reestructuración productiva

caracterizada por la introducción de una primera automatización en procesos de flujo continuo, por ejemplo en el petróleo; por cadenas de montaje y taylorismo en las industrias en automotriz y metalmecánica; por servicios taylorizados en bancos y telecomunicaciones. Al mismo tiempo, se consolidaron relaciones industriales caracterizadas por la centralidad del Corporativismo Estatal. El corporativismo implicó, en primer lugar, que los sindicatos fueran concebidos como organismo públicos y políticos, corresponsables de la estabilidad del Estado y de la continuidad de la Formación Socioeconómica. Esta función se concretó a través de mecanismos formales e informales, donde el mas significativo fue la inclusión de los sindicatos como organizaciones dentro de la estructura del partido gobernante (PRI) y su consiguiente participación orgánica en el sistema de partidos, reparto de puestos administrativos del gobierno y de elección popular. En segundo lugar, el modelo en general implicó que el espacio privilegiado de negociación de los sindicatos fuera el de la definición de las políticas estatales con respecto del trabajo, de hecho se concibieron las relaciones laborales como asuntos de Estado y su negociación se daba en este mismo nivel. Los sindicatos en la época de oro de este sistema (años sesenta) lograron beneficios para los trabajadores a cambio de su control político organizativo. Se trataba en este sentido de sindicatos "de la circulación", es decir, preocupados por la seguridad en el empleo, los salarios, prestaciones y seguridad social pero no por el control de decisiones dentro de los procesos productivos. Este sistema implicó el control estatal del registro y legalización de los sindicatos, de la huelga y la contratación colectiva. Frente a esta alianza entre cúpulas sindicales corporativas y el Estado, las oposiciones frecuentemente de izquierda, encontraron múltiples obstáculos legales y extralegales para prosperar. No se trató de un sistema pacífico, las irrupciones obreras en búsqueda de democracia sindical se produjeron periódicamente desde los años treinta, sin embargo siempre el Estado logró

reducirlas a expresiones minoritarias.

Este largo predominio del corporativismo de Estado en México (60 años) es probable que haya contribuido a forjar una cultura sindical particular caracterizada por el patrimonialismo, el estatismo y la delegación de decisiones en las cúpulas sindicales

Habría que añadir que la tasa de sindicalización en México nunca ha sido especialmente alta, en su mejor momento ha alcanzado alrededor del 27% de la población asalariada (1980); y que los sindicatos están centrados en el sector formal de la economía, especialmente en las grandes empresas. El organismo cúpula de los sindicatos corporativos es el Congreso del Trabajo que agrupa alrededor de 8 millones de trabajadores. Este Congreso se forma a partir de varias Confederaciones y Sindicatos Nacional de rama industrial. La principales centrales son la Confederación de Trabajadores de México con 5 millones de trabajadores y la Federaciones de Sindicatos de Trabajadores al Servicio del Estado con dos millones. Además existen sindicatos minoritarios de izquierda que no pertenecen al Congreso del Trabajo, ubicados principalmente en el sector educativo, especialmente en universidades públicas, transporte y prensa. El tercer tipo de sindicato, también minoritario, se asemeja a lo que en los Estados Unidos llaman sindicatos amarillos, de control directo por parte de las gerencias de las empresas. En México existe un Código del Trabajo para todo el país, pero los empleados al servicio del Estado en los ministerios se rigen por una ley especial que les impone grandes limitaciones en la contratación colectiva, la huelga y la libertad sindical.

El año de 1982 ha sido el gran parteaguas de la Formación Socioeconómica Mexicana y, aunque con desfases y titubeos, también del cambio en sus Sistema de Relaciones Industriales. En este año contradicciones que se venían acumulando desde hacía mas de 10 años explotaron en la forma

de crisis financiera del Estado, en especial como crisis de la deuda externa. En lo superficial, se trataba de la coincidencia de la caída en los precios del petróleo un año antes (México es gran exportador) y la elevación de tasas internacionales de interés; pero en el fondo era, la conjunción de varios problemas: el agotamiento del sector agrícola que ya no podía crecer con la política de precios del gobierno favorable al sector industrial; también de la crisis fiscal del Estado, que con su gasto deficitario subsidió durante décadas a la industria; lo que coincidía además con la nueva política de las transnacionales en México de dirigirse al mercado internacional en lugar del mercado interno. En estas condiciones, desde el Estado se inició el cambio hacia el Neoliberalismo, que implicó extensas privatizaciones, la retirada del Estado de la inversión productiva, desregulaciones, apertura al mercado externo, fin de la política industrial de fomento, y preeminencia del sector financiero y de la tasa de cambio como anclas de la economía.

Frente a este viraje de la economía mexicana aparecieron los planteamiento de reestructuración productiva de las empresas para enfrentar un nivel de competencia nunca antes conocido en la Formación anterior: en particular la transformación del Sistema de Relaciones Industriales hacia la flexibilidad.

2. El cambio en el sistema de relaciones industriales en México hacia la flexibilidad

El proceso de cambio en el Sistema de Relaciones Industriales en México puede ser dividido en tres períodos. Primero, el de 1984-1992, cuando se inicia la flexibilización de los contratos colectivos ; segundo, el de 1992-1994, cuando hay un intento de reestructuración del corporativismo sindical ; y, tercero, el de la crisis económica y política del neoliberalismo, a partir de 1994.

A). 1984-1992 : la flexibilización salvaje

The installation of various automobile plants in the northern part of the country at the beginning of the 1980's marked the onset of productive restructuring in Mexico. It also highlighted the characteristics of a new international division of labor which was supported by a reorientation of state policies beginning in 1983. Since then, improvement in quality and productivity have become central objectives. As a result, large firms have embarked on processes of productive restructuring which include, among other things, changes in technology, workplace organization and labor relations.

In Mexico in the last 16 years after the notion of flexibility is perhaps the common thread linking these various forms of restructuring. Nonetheless, in a period as turbulent as this one, there has emerged a wide range of differing and often contradictory conceptions. At least two such concepts underlie the management strategies of the past decade: In the first case, flexibility is understood as a "giving room" for management, which above all implies attempts to increase production with fewer workers and/or a reduction in real wages. This is the savage flexibility that predominates today in most Mexican firms. A second conception differs to the degree that it considers elements such as persuasion, workers participation, or promotion of work initiatives as a means of increasing productivity ("Toyota-style" flexibility) (See OECD, 1988).

Despite their differences, savage and Toyota-style flexibility can take root unilaterally, without the intervention of labor unions, or through the principle of bilateral negotiation¹. Unilateral flexibility is not limited to cases where there is no union or where the

¹It is useful to note that Toyota-style flexibility can imply agreement with rank and file workers, but not necessarily with the union.

latter is not involved in agreements. A worker-management pact that implies the exclusion of the union from decisions related to production also should be considered as unilateral.

Entre 1984 y 1992 se extendieron en México las concepciones acerca de la flexibilidad del trabajo como estrategias del management apoyadas por el Estado. En este período tendió a identificar la flexibilidad con desregulación y exclusión de los sindicatos de las decisiones concernientes a los cambios productivos. Las consecuencias fueron las modificaciones de los contratos colectivos de grandes empresas, especialmente de aquellas pertenecientes al Estado y que estaban en vías de privatización. Esta línea de flexibilidad salvaje se acompañó de muchos enfrentamientos con los sindicatos, incluyendo a los de tipo corporativo, que en términos ideológicos no encontraban su correspondencia con la doctrina neoliberal (Garza, 1994).

From this period Labor flexibility in Mexico has meant the ability to rapidly adjust the number of workers, their activities in the working process, and, to a lesser degree, their salaries, according to the needs of production and the market. To achieve flexibility, worker-employer relations have been combined along with organizational policies, often under the label of total quality policy.

However, companies vary greatly in the extent of labor flexibility they have achieved. In the first place, one must recognize that only 27 percent of salaried workers over the age of fourteen are unionized in Mexico. Without a union, there is no collective contract (Garza, 1993). Furthermore, employees in positions of management (such as supervisors and those working in planning, administration, and control) are legally prevented from joining blue-collar unions. Unionization by economic activity is very unequal. It is almost non-existent in farming, trade, and

traditional services. It is prevalent in the state employees, large industry, and modern services, and is particularly high in state-owned companies and large private companies. Unionization is modest in medium-sized businesses and virtually nonexistent in small businesses. The factor that has influenced the degree of contract flexibility in Mexico include the geographical area, the previous nature of the contract, the kind of the union, government labor policy for particular sectors, management modernization strategies, and management and worker cultures.

We resume the degree to which and how flexibility has been increased in the collective contracts and corporate policies across different economic sectors since 1984.

a) In-bond Processing (Maquiladoras) on the Northern Border.

This sector has been the most dynamic sector in the Mexican economy over the past 16 years. It employs more than 800,000 workers and this sector's productive processes consist mainly of assembly lines. New organizational practices have spread faster in the maquiladoras than in any other sector in Mexico. Fifty percent of border establishments use a just-in-time system. Sixty percent of the personnel of these establishments are organized into work teams. Functional mobility exists among 40 percent of the workers and there is internal rotation among 30 percent of the employees (Carrillo, 1991).

There are two different situations with respect to collective bargaining contracts (Quintero and Eugenia de la O., 1992). Ones, provide management with unilateral flexibility. Others, are agreed upon with the Confederation of Mexican Workers (CTM). These contracts are flexible, but contain a certain degree of bilateralism. In some cases the contracts contains rigidities which originate with the

CTM's interest in maintaining its representational monopoly.

Whith some exceptions, the norther maquiladoras show a high level of labor deregulation, in favor of, and at the demand of management. Labor relations, in spite of the extensive use of new organizational and production policies, are very far from any sort of post-Fordist utopia (Taddei, 1992; Pozas, 1992; Carrillo, 1991; Lara, 1992).

b) Large State-Owned Enterprises, Domestic capital Companies, and Trasnationals.

State-owned enterprises, both those remaining state-owned and those that have been privatized over the past 12 years, have probably shown the greatest degree of change to unilateral flexibility in their collective contracts between 1984 and 1992 (Bensusan and Garcia, 1990). In trasnational companies there was also a clear tendency toward unilateral flexibility. Nevertheless, those plants that have opened since the 1980's (such as Ford in Hermosillo) were highly flexible at start-up. Older plants owned by trasnationals were generally still engaged in various stages of this process of change (Mora et al., 1990).

Areas targeted for flexibilization by the management of large companies in Mexico are:

- 1). Freedom by management to employ temporary or subcontracted labor to perform tasks within the plant.
- 2). Freedom to employ new staff with a minimum of union involvement.
- 3). Fewer restrictions on management in the disciplining of workers.
- 4). The establishment of internal mobility across positions, categories, departments, shifts, and workplaces.
- 5). Reduction of number of positions in the scales.
- 6). Promotion by qualification instead of by seniority.
- 7). Reductions in the number of unionized workers throught

the transfer of workers to positions of management.

The larger companies have more extensively introduced certain aspects of total quality, such as quality-control circles, statistical control of process, and just-in-time systems. This is most evident in export companies and transnationals, followed by large domestic capital companies, and enterprises still owned by the state (Arteaga et al., 1989).

c) Contracts of industrial branches

In Mexico it is possible for one ("standard") contract to govern an entire industrial sector, whether or not this sector contains a variety of companies and unions. Sectors that have these contracts include rubber, radio and television, sugar, and textiles. The latter is divided into subsectors of stiff fibers; cotton; wool; synthetic fibers and silk; knitwear; ribbons; elastics; and lace and tape. Industrial contracts are probably the most complex and rigid in the country. Formally they have not changed much in the last years, despite the pressures of management that has generated prolonged strikes. Industrial contracts do not all have the same degree of rigidity. At the top of the scale (most rigid) are those for radio and television, rubber, and knitwear. The rest of the textile industry follows, while sugar occupies the bottom of the scale.

The lack of change in industrial contracts is probably due to the strength of corporatist union control. In the face of these obstacles, management has opted for a "termite strategy" of flexibilization. This strategy includes the signing of single-company contracts that violate the standard industrial contracts, or the establishment of flexibility in practice (Mondragon, 1993; Roman, 1992; Covarrubias, 1992).

d) Contracts in the "Sham Unions".

In Mexico, "sham unions" are those that depend directly on the employers without state mediation. These unions do not belong to the Workers' Congress, nor are they connected to the independent left-wing unions. In sham unions contracts flexibility tends to be high. Subcontracting is permitted as is casual hiring, internal mobility, and cutbacks in order to modernize production. The working week is long (often forty-eight hours). Management is free to fill positions in the sack. The hours of work can be changed to adapt to the company's production needs, and the unions are committed to supporting production plans, including an explicit commitment for productivity increases. In recent years the flexibility provisions in these contracts have not been significantly modified.

e) Labor Contracts in Small and Medium-Sized Businesses.

In these sectors labor contracts range from those that are very flexible and similar to contracts of the northern maquiladoras, to contracts that are more similar to contracts found in the larger companies. In general, however, prior to the wave of flexibilization, contracts in this sector were either highly or moderately flexible. Recent changes have been less drastic here than in the large companies.

f) Collective Contracts in the Universities.

There are sixty-five collective contracts in Mexican universities, and the unions are grouped into five large organizations. A distinction must be made between those contracts governing labor relations for academic staff and those applying to administration and service personnel. In the first case, the following significant changes were made in the 1980's: 1) union exclusion from the admission and promotion of academic personnel, and 2)

the institution of productivity-related incentives plans for research and teaching which are not included within the collective contract.

By contrast, the contracts governing administration and service personnel have not changed. They continue to be extremely rigid. The unions recommends new employees and controls temporal labor and positions of management. The catalogue of positions is agreed upon bilaterally. Neither functional nor internal mobility are stipulated. The use of overtime is regulated, as are disciplinary procedures. These are joint commissions on hygiene, safety, and retraining. Promotion is based on seniority. In contrast to academic personnel, incentives for administration and service personnel have so far been negligible, being confined to punctuality and attendance bonuses. In these contracts, however, there is no room for union initiatives concerning new technology or organizational restructuring.

g) The State personnel.

State employees, not to be confused with those who work in state-owned enterprises, are governed by special legislation, and each government department has what are called general working conditions (CGT). The CGT establish the manner in which workers are expected to perform their tasks. The legislation prohibits collective contracts, and the CGT are not legally binding. Instead, they are issued by the corresponding authority after taking into account the views of the union. The CGT has changed in the last years but not the legislation about State personnel

En síntesis, en este período la flexibilidad del trabajo pasó a ser parte integrante de la nueva ideología del management, se flexibilizaron grandes contratos colectivos dando origen a graves conflictos con los sindicatos. En general las luchas obreras de resistencia a la flexibilización fueron derrotadas a través de una acción

conjunta entre empresas y Estado. Aunque lo anterior no significó que la mayoría de los contratos colectivos en México hayan sido flexibilizados, probablemente porque una parte importante de los de empresas pequeñas y medianas ya lo eran previamente, y porque las condiciones técnicas y sociales de la producción no siempre aconsejaron a los empresarios a establecerla. En cuanto a las relaciones entre Estado y sindicatos, en este período hubo una pérdida de influencia de los segundos en las políticas estatales, el corporativismo como sistema de intercambios se debilitó y no hubo claros proyectos de recambio sindical.

B). El "Nuevo sindicalismo": 1992-1994

The historical trajectory and the characteristics of Mexican unions largely account for their disinterest in addressing issues related to the control of the labour process. The great majority of Mexican labor organizations were established as state unions. This implies not only that unions were subordinate to the state with respect to political decisions, but also that they share responsibility, however asymmetrical, in state order. The "historic alliance of unionism and the post-revolutionary state", an expression that aptly synthesizes the statist nature of Mexican unionism, has left its mark in at least two respects. On the one hand, in the extent to which the principal focus of union negotiation was concentrated not on the factory but rather on the determination of comprehensive state policies; and, on the other hand, in the politicization and involvement of the state in the definition of labor relations at the level of the workplace (Garza, E. de la, 1988).

The nature of relations between the rank and file and the leadership is the second characteristic of Mexican unionism that illuminates interest in production-related issues. In this respect, various authors agree that the collective bargaining advanced by most Mexican unions

forstered a culture that nourished patrimonialist practices whithin the workplace (Garza, 1991). From an economic perspective, the patrimonialist relationship between the rank and the file and the relationship engendered a series of obstacles for productivity increases and operational improvements. In the political sphere, it implied a peculiar kind of clientelistic relationship between the labor rank and file and mid-level union functionaires, based on the day-to-day administration of various rights instituted either by collective contracts or merely by tradition, convention or custom.

In the best cases, mexican unions have acted defensively in production issues, intervining to avoid layoffs, internal mobility and multi-tasking, and to defend a "blind" seniority system: opposition to the use of temporary workers or subcontractors; defense of union rights in grievance procedures against workers, etc. Thus, the Mexican experience highlights a unionism that has traditionally disdained active participation in processes of productive restructuring, except in the sense of preservating the terms of collective contracts. Its defensive character can be contrasted with a proactive union strategy capable of combining, on the one hand, the struggle for benefits and the protection of labor rights, and on the other hand, the fulfillment of union control of the labour process, and decision-making in firms.

In Mexico, industrial democracy was never taken up by social authoritarian state or by corporatist trade unions. It has no precedent and there is no history of labor demands unified around an industrial democracy formulation, with the exception of a few, very short singular episodes that did not leave traditions.

Mexican unions have been, above all, state unions, either allied with, or against, the state. The state has provided their main arena of struggle and negotiation.

Rather, Mexican unions have focused on the protection of working conditions, health and preservation of their representation monopoly. That is, the unions have concerned themselves principally with employment conditions (their demands center around the conditions under which the workforce is bought and sold, employment security issues, and working conditions). Unions have also been patrimonial, an important aspect of their domination of the workers. In particular, this domination has manifested itself in the exchange of permits, certificates of leave, low workloads, and so on, in exchange for the consensus granted to union leaders.

Trailing "on-the-ground" advances in productive and economic restructuring, the Salinas de Gortari administration (1988-1994) began its term by attacking the leadership of two particularly powerful unions, the petroleum workers union and the educational workers union. It was the continuity of the policy of broken of resistance of strong unions to flexibility. But, on May of 1990, the President outlined a vision of a new Mexican unionism whose features would include:

- greater representativeness and democracy;
- decisions on labor relations decentralized to the enterprise level;
- maintenance of the historic alliance between Mexican unionism and the state;
- an approach characterized by negotiation rather than confrontation vis a vis capital;
- the fortering of a new labor culture among workers, that of productivity.

This speech coincided with the establishment of the Federation of Unions in Goods and Services Firms (FESEBES), led by the telephone workers union, which adopted a declaration of principles very similar to those proposed by the President.

After the Presidential speech about the new unionism and the experience of the telephone workers union in negotiating labor relations in a context of productive restructuring of the firm, senior state officials presented the unions with a strategy of "industrial democracy". This was understood to mean, on the one hand, negotiation between companies and unions concerning management and organizational decisions, and on the other hand, the possible acquisition by the unions of company shares.

Significant tensions between the CTM, FESEBES (cited by the government as an example of the new unionism) and the state emerged throughout 1992 and 1993. After considerable conflict, leaders of business, unions and the state signed the National Agreement of Growing of Productivity and Quality (ANEPC) in 1992. This accord was promoted primarily by the state, with the additional objective of modifying the structures and practices of the traditional corporatist unionism.

The signing of the ANEPC constituted in doctrinal terms the culminating moment of the state project of union restructuring. It detailed the government proposal for a productive-political pact encompassing unions, business and the state. It is necessary to point out that this accord advocated by the state, signed by the leaders of unions and management, and providing for tripartite national monitoring, constituted a continuation of the tradition of state corporatist pacts. Therefore, it does not point toward a state withdrawal from labor relations but rather to their becoming embedded within firms themselves. Nonetheless, in addition to adopting the most up-to-date concepts of productivity, the ANEPC clearly establishes a desirable cooperative framework linking business and unions through jointed commissions. More than a specific accord concerning productivity, the ANEPC puts forth an entire model of industrialization rooted in cooperative accords.

However, given that the document was presented merely as a recommendation by the signatories, who may well not be representative of their constituencies, and in light of the differences in strategy, knowledge and entrepreneurial and labor cultures across companies, it was very likely that the accord would generate highly differentiated outcomes. The ANEPC aims toward a bilaterally-negotiated flexibility and, in general, toward labor relations characterized by significant doses of active cooperation. Yet the agreement to elites representing business, unions and the state to accept the document did not ensure that it will lead completely away from the direction of unilateral flexibility promoted by business leaders since the 1980's.

Hacia mediados de 1993 las negociaciones del Tratado de Libre Comercio estaban por terminar y el gobierno mexicano para contrarrestar las críticas en los Estados Unidos de que el Tratado podría significar el traslado de muchas empresas a Mexico aprovechando el bajo salario, prometió que los salarios se indexarían con respecto de la productividad. Al mismo tiempo, in the second half of 1993, the impending presidential sucession altered the context for union negociation as the political debate took onrenewed dymanism, although this did not mean that the issue of productivity was abandoned. The dispute between FESEBES and the CTM, which had begun around 1990, seemed to resolve itself momentarily in CTM's favor based on the resolutions of its Nacional Council (February) and the National Assemby of the PRI (March). Strengthened by its role as an instrument for the political and electoral ends of the ruling party, the CTM made producing a primary objective. In june, it began negociations with the key economic ministries to reach agreement on specific productivity clauses to be integrated in collective contracts (GARZA and MELGOZA).

The Pact for Stability, Competitiveness and Employment

(PECE), promoted by the state and signed in October of 1993 by the leaders of business and the unions, incorporated the basic ideas of the CTM negotiators. In an unprecedented move, the pact changed the formula for calculating 1994 wage increases, setting them equal to the anticipated annual rate of inflation plus the increase in productivity gained during 1993. With these conditions, the CTM instructed its members unions to include specific productivity clauses or agreements in future contractual negotiations. At the "First Seminar on Union and Productivity" was drafted a model agreement, which was widely diffused by the CTM and the authorities in the Labor Secretariat. Its most noteworthy provisions include:

- promotion of group bonuses over individual ones;
- formation of jointed commissions for to identify obstacles to increasing productivity;
- joint elaboration of productivity and quality programs;
- cooperative definition of evaluation criteria;
- participation of jointed commissions in the determination of productivity incentives.

A partir de enero de 1994, por instrucciones de la Secretaría del Trabajo se presionó a las empresas que firmaban contratos colectivos o que revisaban salarios a que firmasen convenios de productividad. De esta manera, el número de convenios durante 1994 se incrementó considerablemente. Parecía que se iniciaba una nueva etapa en las relaciones laborales en México: la de la flexibilidad con bilateralidad. Sin embargo, el análisis concreto de los convenios de productividad firmados presenta un panorama mas complejo.

At the beginning of 1994 the Metropolitan Association of Industrial Relations Executives carried out a survey of Productivity Agreements, the most important findings of which were the following:

- pressured by the PECE, most firms reached productivity accords in 1994;
- individual bonus payments predominated;

-of the firms that signed collective contracts early in 1994, 58 per cent established productivity accords;
-most of these accords established a level of 2 per cent of base wages to be paid in the form of bonuses, equal to that established by the PECE for minimum wages.

In sum, during 1994 there was a spectacular increase in the number of productivity agreements, and the PECE signed in October of 1994 again contemplates an increase in the base wage in accord with anticipated inflation plus an additional increment for productivity gains during 1994.

A comparison of the characteristics of some of the productivity accords signed by September 1994 provides: In every case the accords use similar terms to express the commitment of both parties to confront the challenges of globalization, promote a new workplace culture and involve the union and the workers in productive modernization. They recognize as well the new dimensions of training and the needs to move from confrontation and mistrust between capital and labor to a climate of negotiation and collaboration. They differ in their provisions for group, individual or mixed incentives, and while some contemplate the functioning of jointed commissions, others make no mention of such bodies or assign their tasks to traditional labor unions. Some accords that include mixed commissions assign them broad functions, similar to those we have categorized in terms of a proactive strategy. Methods for measuring productivity and types of incentive payments both vary greatly, with the latter including monthly, biannual and annual arrangements as well as a range of combinations. Some accords establish a ceiling on bonuses vary as well: in some cases they are tied to the achievement of preestablished goals, while in others they are linked to the achievement of increases over historic levels of one or another productivity index. The total resources devoted to bonuses can be set in advance, specifying a maximum level, or they may depend, on actual results. Finally, in

some cases companies offer productivity bonuses in exchange for flexibility in the collective contract, multi-tasking, or the simplification of wage categories.

Proactive productivity accords involve only a minority of unions. Proactive Production accords combine the objective of bilateral negotiation with a broader strategy that seeks to convert the arena into a space of negotiation, which may augment the faculties and power of union negotiators.

In contrast, defensive productivity pacts limit union activity to the mere acceptance of entrepreneurial projects in exchange for the preservation of certain working conditions and, in particular, for the awarding of productivity incentives. In this case, the union does not participate in the design of the productivity plans or in the determination of productivity indicators. This, then, is an instrumental pact which does not modify the relations of power between company and union. In short, it sanctions the freedom of management in exchange for supplemental income. Out of the agreement of productivity many companies implemented unilaterally a wide range of modernization process; some cases like of the public universities and the Volkswagen of Mexico, illustrate how unilateral measures have been introduced, with or without the ANPEC.

C). Diciembre de 1994-1997 : el nuevo impasse

En diciembre de 1994 la economía mexicana entró en una profunda crisis, el PIB decreció en 6.2% en 1995 en términos reales, el índice de remuneraciones medias reales en la manufactura cayo en ese año en 8%. Frente a esta gran crisis, cuando la inflación llegó a 50%, los convenios de productividad otorgaron solamente 1.4% de incremento salarial; en 1996 la inflación fue de 25 % y los bonos por productividad dieron 2.2% de aumento. Es decir, frente a la

gran crisis el gobierno y las empresas optaron por deprimir el salario real y los sindicatos corporativos aceptaron la situación. Sobre la estrategia de bonos de productividad se volvió a imponer la política macroeconómica monetarista en el sentido de tratar de controlar la inflación entre otras medidas a través de la depresión de los salarios reales. En esta medida, la conversión de los convenios por productividad en el eje de un nuevo Sistema de Relaciones Laborales e Industriales, en el mejor de los casos ha tenido que esperar tiempos mejores.

Fuera de este impasse hay solo dos novedades en el panorama de las grandes negociaciones y reacomodos del SRI en México : Por un lado, la principal confederación obrera de México, CTM y una organización patronal, la Coparmex, iniciaron una peculiar negociación a mediados de 1995, cuando la crisis económica estaba en su punto máximo. Esta negociación por una Nueva Cultura Laboral terminó un año después con la firma de un documento por el cual se asumen los retos de la apertura de la economía y la globalización por parte de sindicatos y patrones, bajo el principio de que la empresa es una comunidad de intereses y de que el enemigo es la competencia en el mercado ; por tanto se impondría la conciliación de intereses entre el capital y el trabajo y no la lucha de clases. Esta concepción rompe con la concepción que, aunque de manera retórica, nutrió el discurso de los sindicatos corporativos en México durante este siglo, que veían sus intereses coincidentes con los del Estado pero no necesariamente con los de las empresas. Es decir, el corporativismo sindical a lo sumo ha tratado de continuar con su aparente reconstrucción a través de enterrar su antiguo discurso que hablaba de justicia social y de intereses contrapuestos entre capital y trabajo. Por su parte el débil sindicalismo independiente de izquierda se ha reagrupado en la Coordinadora Intersindical Primero de Mayo que se ha concretado a hacer denuncias públicas de las malas condiciones de trabajo y de vida de la clase obrera. Una parte de los sindicatos oficiales, ahora reunidos con

independientes moderados, ha realizados tres grandes foros de discusión acerca de alternativas al modelo económico neoliberal y de nuevas relaciones con el Estado. En enero de 1997, estos sindicatos liderados nuevamente por los de telefonistas, electricistas, de la educación y de la seguridad social han planteado crear una nueva Confederación. Se trata de los sindicatos que han sorteado mejor la reestructuración productiva y la flexibilidad, son aquellos que, entre los corporativos, tienen una vida sindical mas activa y democrática.

Conclusiones :Tendencias actuales en el SRI

En México ha habido cambios en relaciones laborales e industriales hacia la flexibilidad, pero no en línea recta.

La flexibilidad contractual ha avanzado pero básicamente en la gran empresa y de manera desigual dependiendo de instituciones anteriores, políticas empresariales y sindicales, así como culturas y tradiciones sindicales de democracia y relaciones laborales.

Until a few years ago, the symbiotic relationship that prevailed between the Mexican state and the trade unions gave them a common ideology, the "Mexican Revolution", that included an ideology with a powerful body of ideas that contributed to Mexico's cultural identity and state domination up to the beginning of the 1980's. On the one hand, the revolutionary ideology was linked to a concept of economic development involving state involvement and a mixed economy. On the other hand, production problems and workers' rights were not addressed directly by the ideology of Mexican revolution.

In 1982 a rupture began between the state policies and the Mexican revolution ideology. This split did not occur overnight, nor was a new ideology generated

instantaneously. The rupture began as an economic one with the state defining the economic crisis as a fiscal one. The split continued in the midst of the debate concerning state intervention in the economy. An alternative focus for state policies was developed over a decade's time. The emphasis here involved an economic policy of privatization and deregulation and, in the social arena, through the development of a National Solidarity Program (PRONASOL), a program of assistance for the poorest sections of society.

On march 1992, a new state ideology was baptized by President Salinas as "social liberalism". Economic development is left to the initiative of individual investors. The key aspect of the rupture between the Mexican Revolution ideology and the social liberalism was a movement away from the conception of the state as the center of the economic process, or the party responsible for social justice.

Labor policy places a subordinate role within this economic model. Labor markets, far from being liberalized, are controlled by the state more firmly than in any previous periods of corporatism. Nor has the political system -in particular, the electoral process- opened up to full democratic procedures.

The form of social liberalism introduced included corporative liberalism for the trade unions, but authoritarianism remained in the political sphere (Garza, 1993). A new unionism consistent with social liberalism would had to be a state corporative one, insted of a pluralistic one, so as to establish a corporatist link with employers, with a common concern for productivity (Schmitter might call this a combination of macro and micro-corporatism).

The new ideology renewed worker representation, without allowing democracy to become an intrinsic value. It

has been instrumental in achieving a consensus on productivity, eliminating confrontation with capital, and replacing it with agreement.

The system of labor relations has undergone significant change in the face of the restructuring of large companies and the process of the state reform. Important matters have been settled without union involvement or settled with unions in a ritualistic manner. The state had two alternatives. One option was to abide by the neoliberal premises upheld by large sectors of the business community stating that consensus should ultimately be left to the market. That is, it should not be necessary to resort special mediators or representation of interests outside the processes of citizen democracy.

On the other side, from State we had several intents of reconstruction of the corporatists relationships : although it is still an unfinished project, an attempt is being made to forge a neocorporatist discourse that would not come into conflict with neoliberal economic policies. To achieve this, the management doctrine of total quality has been incorporated into the corporatist relationship. That is, by means of neoliberal corporatism, an attempt is being made to preserve a macro-level pact between the state, unions, and business organizations. This pact is partially macroeconomic (controlling the principal macro variables), but is also a productivity pact intended to increase business competitiveness in the context of a deregulated and globalized economy. A pact of this kind could not, like the previous one, be restricted to the state; it includes middle and micro-levels if it is to provide competitive production.

The pact offers business a stable macroeconomic environment -above all, low inflation and attractive exchange and interest rates. It also promotes a state and

unions that adjust their policies for the benefit of business productivity through agreement instead of conflict, and a culture of labor that embraces total quality. The new corporatist pact offers survival to unions (defying predictions that unions would be excluded from the highest level of state power), wage increases linked to productivity increase, job growth generated by a growing economy spurred by the North American Free Trade Agreement, and "industrial democracy". The pact also offers unions participation in the plans being made for modernization, and in the processes of economic organization and management. Furthermore, unions are offered a stake in company ownership as part of a micro-level alliance never before seen in Mexico. The new "system of industrial relations", far from leaving all outcomes to market forces, has required that a pact be forged at the level of economic production, and therefore, has would been extended to middle and micro-levels through worker involvement. For the moment, the pact leaves aside social security, party politics, and union intervention in public administration. The market is being used to reward the most efficient players, including workers, even if to be more efficient, they have to become neocorporatist.

Nonetheless, not only is there a considerable distance between discourses and reality, but the principal players may not be fully concived of the benefit of the new corporatist pact. For the moment, the success of the corporatist pact and its extension to other levels appears to depend largely on the capacity of businesses to modernize. In the fact, has been a polarization of the productive apparatus. On one side stand a minority of companies that have modernized by becoming efficient exporters, (these are mainly large industrial-financial groups). On the other side are the majority of medium-sized and small businesses that have not made significant changes. If these conditions persist it is unlikely that the new corporatist pact will give equal tratment to either

salaried employees or unionized workers.

In addition, the new pact has so far delivered little of substance in terms of material benefits to workers. Several neocorporatist pacts have been signed since 1987, but real wages have not recovered. Over the past ten years real wages increases have not, in fact, kept pace with productivity increases, and collective contracts have undergone modifications that, apart from a few exceptions, show a strong tendency toward unilateral flexibilization. In practice it seems that in practice management continues to regard workers as undersiderable players who must be excluded from questions of production. The dominant type of flexibility in Mexico can be characterized as unilateral (understood as giving employers a free hand). This goes against the discourse of industrial democracy.

After 1992, when the ANEPC was signed, the situation apparently changed, with the State pressing for company-by-company agreements. Nonetheless, two factors suggest that the drastic increase in the flexibility of labor relations has not been reversed. With a few exceptions, single-company pacts provides that unions give their approval to the employers' production policies in return for negligible productivity bonuses. In these cases, the union is very far from becoming a real joint partner even in companies espousing the doctrine of "industrial democracy".

Furthermore, after the signing of the ANEPC in May 1992, there have been several serious labor disputes whose settlements, pushed by business and the state, have gone in a direction opposite to that of industrial democracy. One of these was the strike at the Volkswagen in Puebla, which ended with the union being forced to submit to management through a belligerent intervention by the Ministry of Labor. The contract was made significantly more flexible, and the local union was defeated and divided, while the FESEBES (the model industrial democracy union) gave its

support to the process. The other telling conflicts concerned revisions to the standard contracts governing the cotton industry (in September 1992), and the rubber industry (at the beginning of 1992). In these cases the intentions of management were clear: to remove the legal standing of the standard contracts governing the respective industries in order to reduce union strength by negotiating single-companies contracts. It was also quite clear that the sympathies of the Ministry of Labor lay with the employers. Solutions that would have been in keeping with industrial democracy were never even considered.

Management-directed change has been reinforced by the total-quality programs found in many large Mexican companies that have often included just-in-time programs and statistical control of production. But the new organizational policies appears to delegate little power to work teams. They are combined with Fordist production methods and function more as instruments providing self-regulation to production decisions. Total quality without industrial democracy is particularly evident in decision-making processes that completely ignored unions.

Total quality efforts in Mexico are not being combined with better salaries or job security. The design of total quality programs has little union involvement, and unions in the end of simply rubber-stamp company decisions. Mexican employers show little consistency with regard not only to the discourse of industrial democracy, but also to that of total quality.

In short, the discourse concerning industrial democracy in Mexico only expresses certain aspects of the changing relationships between companies and unions. It conceals the fact that the modernization of the economic system is polarizing and reduced to a little number of firms, and also is characterized by low salaries, heavy workloads, and a lack of job security. Up to now, the

discourse has been promoted by the state hierarchy and is not linked to previous traditions in the system of industrial relations. The only continuity with the past is the strategic use of discourse by the rulers on the subject of the ruled.

El corporativismo de estado se resiste a morir, sigue siendo útil para el control salarial frente a las políticas de control de la inflación, pero en varias ocasiones ha tratado de ser refuncionalizado convirtiéndolo en cooperativismo neoliberal, de Estado y de empresa. Sirviendo para el control de los trabajadores en torno del estado, se trata de convertirlo en copartícipe de la competitividad de la empresa. No se violentaría con esto la asignación del mercado desde el momento en que no se trata de impulsar políticas redistribuidas o de seguridad social desde arriba, sino flexibilizar y descentralizar con la participación sindical, que recibiría como premio bonos por productividad y no política salarial general como antes.

A pesar de la retórica neoliberal de retirada del Estado de los mercados para llegar a equilibrios espontáneos la verdad es que en relaciones laborales e industriales continua una férrea intervención en negociación colectiva, huelga y libertad sindical. Sin embargo, no ha sido en México el panorama sindical el que mas ha cambiado en los últimos años, ni se han producido grandes irrupciones obreras a pesar del deterioro de los niveles de vida. Otros movimientos sociales (indígenas, urbanos y políticos) son los que han cuestionado y arrancado mayores espacios democráticos. Ante el deterioro actual del neoliberalismo en México, es mas previsible, en lugar de lograrse la consolidación del corporativismo neoliberal, la turbulencia en las relaciones laborales como resultado de la perdida del monopolio político del partido gobernante y con ello, e sus sindicatos protegidos.

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