

## CWA 73<sup>rd</sup> Convention Resolution: Oppose Columbia Free Trade Agreement

Resolution: 73A-11-4

Adopted: July 12, 2011

Colombia has institutionalized an economic and legal system that has virtually eliminated workplace protections and the right to collective bargaining for most workers. In a framework of Orwellian doublespeak, Colombia has defined away workers' rights, effectively stripping 85 percent of the workforce of any legal protections. By re-defining a workplace as a "cooperative" or a person's employment status as "temporary," Colombian law effectively exempts 15 million of the nation's 18 million workers from all worker protective and collective bargaining legislation. Fewer than three million or only 15 percent of Colombian workers are officially classified as "workers" with even nominal legal protection, only four percent of Colombian workers are members of a labor union, and only two percent are covered by collective agreements. In essence, Colombian employers – with government acquiescence -- have free reign to trample on the rights of workers.

Over the past 25 years, nearly 3,000 union activists and leaders have been murdered in Colombia, many after being kidnapped and tortured. During this period, more trade unionists were killed in Colombia than in all other countries combined. In 2010, even as Colombia should have been on its best behavior as the Colombia Free Trade Agreement was considered in Congress, 51 trade unionists were murdered, more than in 2009. Yet, the Colombian conviction rate for these murders and other forms of violence against trade unionists is in the single digits. This type of rampant violence against workers must stop before Congress approves a Colombia Free Trade Agreement.

The Colombia Free Trade Agreement as currently structured, including the Colombia Action Plan Related to Labor Rights side letter, legitimizes a global economy based on disregard for workers' rights and labor standards. The Obama Administration intended the Labor Action Plan to fill the gaping omission in trade agreements negotiated by the Bush Administration. But the Labor Action Plan is not part of the trade agreement, and therefore does not have full enforcement powers. At a minimum, the Labor Action Plan must be incorporated into the Colombia Free Trade Agreement. Congress should not approve the Colombia Free Trade Agreement until there has been demonstrable progress in protecting workers' rights. To date, this has not happened.

While the attack on workers' rights in the United States has not reached Colombian proportions, it is clear that in our country, workers' rights in the public and private sector are also under assault. The recent wave of state initiatives to roll back or eliminate collective bargaining rights for public sector workers, to ease union decertification, to ban project labor agreements, and to introduce "right to work" laws are some of the ways in which workers' rights are under attack in this country. The failure to pass much needed federal legislation such as the Employee Free Choice Act, which would help to restore the collective bargaining protections guaranteed under the

National Labor Relations Act, makes efforts to form unions or bargain first contracts difficult at best. As in Colombia, the U.S. has experienced a steep decline both in union density and collective bargaining coverage.

**Resolved:** CWA opposes the U.S.-Colombia Free Trade Agreement and will work to educate leaders in the U.S. about how this Free Trade Agreement moves our global economy in the wrong direction by sanctioning an economic and legal system designed to prevent effective collective bargaining rights and other workplace protections.

**Resolved:** Each CWA local president will write to their Members of Congress to express opposition to the Colombia Free Trade Agreement.

**Resolved:** CWA will take immediate action to have at least 5,000 members contact their Members of Congress urging them to oppose the Colombia Free Trade Agreement and asking for their commitment to the protection of workers' rights, collective bargaining, and trade unions.