

Proposal for a model for analyzing strategies for cross-border trade union collaboration

Propuesta de un modelo de análisis de estrategias de colaboración sindical transfronteriza

Jesús Rubio Campos ^{a*}  <https://orcid.org/0000-0001-5381-732X>

^aEl Colegio de la Frontera Norte, Departamento de Estudios de Administración Pública, Monterrey, Nuevo León, Mexico, e-mail: rubio@colef.mx

Abstract

The aim of the present research is to analyze the effectiveness of cross-border union collaboration to address the adverse effects of globalization on working conditions. The methodology used is compared analysis, with cases from North America and the European Union. In a first level of analysis, the cases were divided into four typologies and in a second level two categories were constructed, the intensity and effectiveness of the collaboration, with graduation variables within each category. The value of the study lies in the new proposed model of analysis and the number of cases reviewed, but one limitation is its exploratory nature. It was found that cross-border union collaboration result an effective strategy to address the adverse effects of globalization on labor conditions, to varying degrees depending on institutionalization and frequency of collaboration.

Keywords: unions, cross-border trade union cooperation, NAFTA, European Union.

Resumen

El objetivo de la presente investigación es analizar la eficacia de la colaboración sindical transfronteriza para enfrentar los efectos adversos de la globalización sobre las condiciones laborales. La metodología utilizada es la comparada, con casos de América del Norte y la Unión Europea. En un primer nivel de análisis, los casos se dividieron en cuatro tipologías y en un segundo se construyeron dos categorías, la intensidad y eficacia de la colaboración, con variables de graduación al interior de cada categoría. El valor del estudio reside en la nueva propuesta de modelo de análisis y la cantidad de casos revisados, pero una limitación es su carácter exploratorio. Se encontró que la colaboración sindical transfronteriza resulta una estrategia eficaz para enfrentar los efectos adversos de la globalización sobre las condiciones laborales, en diversos grados dependiendo de la institucionalización y frecuencia de colaboración.

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*Corresponding author: Jesús
Rubio Campos, e-mail: rubio@
colef.mx



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Palabras clave: sindicatos, colaboración sindical transfronteriza, TLCAN, Unión Europea.

Introduction

The question that guides this study is whether cross-border union collaboration helps address the adverse effects of globalization on working conditions, which are the result of the relocation capacity of transnational corporations, the fragmentation of worker organizations, and the tendency to diminish the rights of workers for the sake of attracting foreign direct investment.

For this reason, the objective of this study is to analyze the different experiences of cross-border union collaboration that have arisen since the last quarter of the past century to determine whether they are effective for addressing the adverse effects of globalization on working conditions. To that end, this study uses a theoretical model that was created expressly for this purpose and that is based on a review of the most recent literature on the subject.

In this study, cross-border union collaboration is defined as a defensive strategy that is planned and executed by organized workers to reinforce the protection of their working conditions and to avoid the potential instability resulting from processes of trade openness and relocation of foreign direct investment. This is achieved by forming and making use of worker organization networks and social networks at the transnational level to enhance the defense of workers' interests through resources such as financing, consultancy, the standardization of working conditions, the protection of union rights, and pressure and public support among unions and social actors of different countries that have shared interests.

The research methodology used in an initial stage consisted of a review of documentary sources specializing in cross-border union collaboration, taken from peer-reviewed international academic journals. This literature review is presented in the first section of this paper, entitled the theoretical framework. Based on this review, in the second section, the methodology is reinforced with the proposal for a comparative analysis model that consists of categories and typologies of cross-border union collaboration.

In the third section, this comparative model is used to analyze eight different experiences of cross-border union collaboration that were included in the present study. These experiences were included to ensure that all forms of union collaboration found at the national and international levels in the aforementioned literature review were taken into account. This was necessary to generate an empirical body of knowledge that could be analyzed using the proposed model that was derived from the literature reviewed and refined based on the experiences found therein.

The cases found in this literature review were very diverse. On a first level of selection, it was possible to include both Mexican and international experiences. Some of the experiences found refer to the relationship formed between unions on their own initiative. Others refer to a relationship cloaked in the mantle of international trade agreements or a relationship that will form part of value chains. All of the identified cases were included. Although they are not necessarily comparable in all aspects, they show us the different types of existing union collaborations from which important lessons can be derived.

The following experiences of international union collaboration were analyzed:

- El Sindicato Nacional de Trabajadores Mineros, Metalúrgicos, Siderúrgicos y Similares de la República Mexicana (The National Union of Mine, Metal, Steel and Allied Workers of the Mexican Republic - SNTMMSRM)
- El Sindicato Mexicano de Electricistas (The Mexican Electrical Workers Union - SME)
- The Maquila Solidarity Network (MSM)
- The United Students Against Sweatshops (USAS)
- The National Administrative Offices (NAO), established by the North American Agreement on Labor Cooperation (NAALC), under the North American Free Trade - Agreement (NAFTA) between Mexico, the United States, and Canada.
- The Interregional Trade Union Councils of Europe (IRTUC)
- The European Works Council (EWC)
- International framework agreements (IFA)

This study intends constitute a contribution to the theoretical debate and empirical understanding of cross-border union collaboration and that the experiences analyzed will prove instructive and shed light on the challenges that this type of collaboration presents.

Theoretical framework

It can be considered that trade union internationalism began in the second half of 1800s with the International Workingmen's Association, also known as the First International and the Second International, whereas by the beginning of the nineteenth century, the International Federation of Trade Unions had formed, providing financial support to strikers between countries (Brown, 1928; Wills, 1998). The most recent development of trade union internationalism has its precedents in the Cold War era when two large rival organizations existed. These were the World Federation of Trade Unions, of communist origin, and the International Confederation of Free Trade Unions, of a socialist leaning. There was also a third smaller organization, the World Confederation of Labor, of a Christian democratic leaning (Sadler, 2000, p. 137).

Once the Cold War was over, the trade unions were forced to seek new allies in a movement that could be called "new labor internationalism" (Wills, 1998), which has since migrated from being a movement with ideological ends to a more pragmatic movement. In this sense, Hanagan (2003) notes that modern transnational solidarity, as a process of identity formation, no longer simply consists of workers recognizing themselves as equals. Rather, it is now a deliberative process that considers alternatives and makes choices regarding courses of action.

The above become more necessary due to the socio-economic integration processes that occurred in the last two decades of the past century and the greater capacity of movement of investments from international companies. These processes have accelerated in the post-Fordism framework and have resulted in the reconfiguration of the national labor market and its increasing flexibility (Harvey, 1998, p. 143). This market has faced enormous challenges due to the increased competition of nations and their efforts to attract greater foreign direct investment.

According to authors such as Castel (2002, p. 13), the current employment situation is characterized by “the instability of working conditions, the inadequacy of classic protection systems and the multiplication of individuals who hold the position in society of temporary, unemployable, unemployed, or precariously employed workers”.

For Wills (1998, p. 111) there are two possible interpretations of the impact that economic globalization and the mobility of capital in search of greater yields have had on the working class. The first interpretation is that trade unions remain powerless to protect their rights in the face of powerful multinationals. The second is that the erosion of national barriers allows workers to make connections through territories.

These connections are currently facilitated by the use of internet-based technologies such as tools for organizing collective action and case documentation, social media, trade union news portals, Skype video calls, conversations using WhatsApp, and the use of YouTube, among others. Just as these tools have been used by regular citizens and businesses, they are being used by unions to form and consolidate transnational networks.

Thus, for authors such as Beneyto (2016, p. 84), a “strategic turn is being made in global unionism that would surpass the ritual proclamations against globalization to implement a union action in globalization”.

In their desire to minimize costs and maximize profits to be able to participate in the international competition of goods and services, multinational companies perform contractual negotiations with unions of the countries where they will establish themselves. They frequently demand salaries and working conditions that are increasingly lower than those of their countries of origin or of other nations where they have the option of establishing themselves. For Beneyto (2016, p. 74), this occurs in a context in which unions’ traditional resources of representation, dialogue, and pressure have been weakened.

This competition has made it so that some countries adopt behavior such as social dumping or whipsawing, that is, a means of attracting capital investments on the basis of low salaries, poorer working conditions, and weak regulations (Alves & Rego, 2012, p. 414; Beneyto, 2016, p. 68; Wills, 1998, p. 113). For Beneyto (2016, p. 64), to date, neither national laws nor international institutions have been capable of effectively counteracting these behaviors.

The above situation has led local and national unions to establish defensive sectorial and regional collective strategies to avoid falling into a downward spiral with working conditions that are increasingly precarious in terms of both their salary and benefits, access to social security, health services, contract duration, and safety conditions and comfort in the workplace. According to authors such as Carr (1999), these strategies are part of a broader position of resistance against capitalist globalization, labor flexibilization, and cuts to social security systems.

These union strategies have the objective of establishing standards in contractual conditions in different countries and regions so that the aforementioned processes of international competition, cost reduction, and maximum profitability do not affect workers. They necessarily involve establishing negotiations using persuasive tools with union representatives from different countries where the companies of the economic sector in question tend to establish themselves, in addition to providing different types of support and learning experiences. Carr (1999) indicates that regional economic integration can also promote the globalization of union internationalism from below, even if doing so goes against the wishes of certain architects of the integration process. Similarly, Kay (2005, p. 719) argues that institutions of global governance stimulate the emergence of transnational social movements by creating new structures of political

opportunity. These structures, together with social actors that are associated with each other, constitute an emerging field of political action.

For Hopkins and Wallerstein (cited in Hanagan, 2003), global value chains, understood as networks of work production processes that result in a final commodity, are very important in the construction of international solidarity. The reason is that cross-border union collaboration for the protection of workers' interests can be organized from below through the participation of the unions along the entire value chain and the consumers of the final product. For Williams (as cited in Carr, 1999), the first initiatives of cross-border union association were short-lived. However, this appears to be changing. As Sadler (2000) notes, work can be strengthened by international solidarity when resources are provided and pressure is exerted beyond the national realm.

Authors such as Kay (2005, p. 725) propose a model of the process that is followed in cross-border union collaboration. This process consists of five stages: 1) the initial contact, 2) interaction and the mix of interests, 3) the growth of trust, 4) joint actions or actions to support needs and mutual interests, and 5) the incorporation of mutual interests.

Waterman, cited by Wills (1998, p. 119), suggests the following principles for driving international union collaboration: 1) prioritizing face-to-face relations among workers at the ground level, those working in production plants, or those working in their communities; 2) stimulating an international network model based on self-empowerment, horizontal decentralization, and democratic relations; 3) replacing the "support model", in which there are one-way flows of money and material of rich and powerful unions, with a multi-directional "solidarity model", in which there is a flow of political support, information, and ideas; 4) focusing priorities on direct activities, visits, and support at the ground level and moving away from verbal declarations, conferences, and calls to action; and 5) linking solidarity abroad with action at home and combatting racism, nationalism, and all types of discrimination that exist at the local level.

Having analyzed the recent literature on cross-border union collaboration, in the following section, the model for analyzing its effectiveness for protecting labor rights and conditions is developed.

Methodology for the construction of a model for analyzing experiences of cross-border trade union collaboration

Based on the theoretical review, in this study, a model is proposed for the analysis of the eight experiences of cross-border union collaboration that are documented here. In the first stage of this model, four typologies were constructed. Peters (1998) defines typologies as the interaction between two or more variables, which, in turn, produces a new variable or classification. On the first level, the typologies were constructed according to whether collaborations occurred voluntarily or in an institutionalized manner and, on a second level, according to whether they were sporadic or continuous (Table 1).

Table 1: Typology of cross-border union collaboration

	Voluntary	Institutionalized
Sporadic	Sporadic voluntary	Sporadic institutionalized
Continuous	Continuous voluntary	Continuous institutionalized

Source: Creation of the author.

A voluntary form of collaboration means that the relationships occur in an informal manner, through verbal agreements or tradition, whereas institutionalized collaboration is governed by treaties, laws, deals, agreements, or regulations. Both voluntary and institutionalized collaborations can occur sporadically, to respond to a particular case or crisis, or in a continuous manner, within a collaboration plan with long-term goals.

In the first typology, called sporadic voluntary, the experience of international collaboration of a Mexican union, the SME, is analyzed. In the second typology, continuous voluntary, the experiences of the USAS and the MSM are analyzed (Table 2).

Table 2: Typology of cross-border union collaboration experiences

	Voluntary	Institutionalized
Sporadic	<ul style="list-style-type: none"> - The Mexican Electrical Workers Union (SME). 	<ul style="list-style-type: none"> - The National Union of Mine, Metal, Steel and Allied Workers of the Mexican Republic (SNT-MMSRM). - National Administrative Offices (NAO) of the NAALC, NAFTA.
Continuous	<ul style="list-style-type: none"> - United Students Against Sweatshops (USAS). - The Maquila Solidarity Network (MSM). 	<ul style="list-style-type: none"> - The Interregional Trade Union Councils (IRTUC). - The European Works Council (EWC). - International framework agreements (IFA).

Source: Creation of the author.

Regarding the third typology of sporadic institutionalized experiences, the case of the SNTMMSRM and the National Administrative Offices, established by NAALC under NAFTA between Mexico, the United States, and Canada, are studied, in addition to the case of another Mexican union. Finally, in the fourth typology, continuous institutionalization, three primarily European experiences are analyzed: the IRTUC, the EWC, and the IFA (Table 2).

Once the typologies were constructed, a second stage of the model of analysis, in which the taxonomic categories were designed, was conducted. As Sartori (2011) explains, these categories refer to classifications or conceptually defined data bins that allow us to analyze a phenomenon that gathers similar characteristics, that is, a phenomenon of the same type that can be differentiated from phenomena with different characteristics. The experiences are analyzed in light of these categories, which, in turn, are composed of variables. Two categories related to the intensity and effectiveness of collaboration are proposed. These categories are presented in Table 3. Each of these categories and variables allow for graduated levels of interpretation of the intensities.

Table 3: Categories for analyzing cross-border union collaboration experiences

	Categories	
	Intensity of Collaboration	Effectiveness of Collaboration
Variables	<ul style="list-style-type: none"> -Depth in the formation of stable networks of actors. -Institutionalization of collaboration. -Type of one-way or multidirectional collaboration. 	<ul style="list-style-type: none"> -Joint activities to protect interests, direct and indirect. -Capacity for effectively protecting freedom of association, collective negotiation, salary level, and working conditions.

Source: Creation of the author. Kay (2005) and Waterman (cited in Wills, 1998, p. 119) analyzed some of the variables introduced into the model.

To determine the intensities of collaboration according to the model, it is important to verify depth in the formation of stable networks of actors, taking into account the number and type of actors involved in the experience of cross-border union collaboration. Similarly, to calibrate the institutionalization of the collaboration, it can be verified whether there are instruments that place it at the level of rules, directives, agreement, regulation, or law. To determine whether the type of collaboration is one-way or multidirectional, the type of activities performed by each actor and whether these activities generate dependency or, rather, relationships of mutual support are taken into account.

To analyze the effectiveness of collaboration, it is necessary to identify the type of joint activities for the protection of interests that characterize it, that is, whether the joint activities are direct, meaning that they entail an action on the level of negotiation, or indirect, as in the case of public or private verbal positions. To calibrate the capacity for effective protection, it is established whether previous actions had a positive impact on the variables, such as freedom of association, collective negotiation, salary level, and working conditions. The two categories analyzed are divided according to three levels, low, medium, and high. These levels depend on the intensity and effectiveness achieved by the collaboration according to the information available for the analysis of each case. This information is of a subjective nature in accordance with the author’s interpretation and is subject to debate.

Below, using this model as a guide, the eight experiences of cross-border union collaboration are analyzed, beginning with the informal or voluntary collaborations, then proceeding to the formal or institutionalized collaborations.

Analysis of experiences of cross-border trade union collaboration

Typology 1. Sporadic voluntary

The Mexican Electrical Workers Union

During the administration of Felipe Calderón Hinojosa (2006-2012), various confrontations between unions occurred. One of these was linked to the extinction of the decentralized public body the Luz y Fuerza del Centro (Power and Light Company of Central Mexico - LYFC), which entered into conflict with the SME, represented by Martín Esparza Flores. This conflict has been documented by Rubio (2016).

Although the struggle with the SME was supported by international actions of protest, they were insufficient to reverse the extinction of the LYFC or to attract the government's attention. To cite a few examples, the Global Power Trade Unions Congress organized protests in front of the Mexican embassies of the countries where it operates, such as Australia and Ireland. The Danish Union of Electricians sent a letter to Felipe Calderón (SME, 2013) but to no effect. Afterwards, in the presidential term of Enrique Peña Nieto (2012-2018), international support was manifested to resolve the SME conflict. This support came from the Confederación Nacional Metalúrgica-Central Única de Trabajadores (National Confederation of Metalworkers-Single Workers' Center; CNM-CUT) of Brazil, the Italian Federation of Metal and Mechanical Workers, the Utility Workers Union of America, the Independent Miners Union of Russia, and the Finnish Metalworkers' Union (Sindicato Mexicano de Electricistas Departamento Cuernavaca [The Mexican Electrical Workers Union Cuernavaca Department], 2013).

In this context, according to Rubio (2016), in 2015 and 2016, a new era began for the SME. The union formed a partnership with the Portuguese company Mota-Engil. The partnership, *Generadora Fénix*, would compete in the clean energy wholesale electricity market with the operation of various thermal power plants and combined cycle power plants in the country (that belonged to the extinct LYFC). The union would be an associate and simultaneously provide the working capital, whereas the private company would contribute the financial investment. Mota-Engil would have 51% of the shares of this new partnership, and the rest of the shares would be the property of the LYFC, a cooperative representing more than 14 000 500 workers who did not accept their settlement following the extinction of the LYFC in 2009 and who remained loyal to the SME (Rubio, 2016).

The above developments do not change the legal condition of the LYFC with regard to its extinction, but they represent a new strategy of the SME of reconverting itself into a cooperative associated with the Portuguese company to once again become an important actor in the sector. On the part of the new federal government, they represent a different method of negotiating with the SME following the extinction of the LYFC, allowing it to once again participate in electricity generation. It is difficult to know the extent to which the changing of the political party in power facilitated this

relationship and how much it was facilitated by international union pressure. Perhaps the effect of international union pressure would be clearer if the same political party had remained in power and had changed its position regarding the conflict as a result of the shows of support.

The struggles between the Sole Union of Electrical Workers of the Mexican Republic (SUTERM) and the SME facilitated the extinction of the LYFC (Rubio, 2016). In this case, although the SME had the support of international trade unionism, as stated above, this support was not sufficient to reverse the extinction.

According to the proposed model of analysis, we find that these sporadic voluntary experiences of cross-border collaboration show informal networking under construction. Regarding the actions of collaboration between the SME and international trade unions, these were limited to long-distance declarations of support, and their ability to effectively protect union interests was low. The type of collaboration was one-way, that is, from the foreign unions to the SME. Cases of similar actions in the opposite direction have not been documented.

Typology 2. Continuous voluntary

United Students Against Sweatshops

An emerging form of cross-border collaboration is that performed by the USAS,¹ a national organization of working students in the United States founded in 1997. This organization fights for workers' rights, particularly university campus employees and workers who manufacture, under license, original university clothing bearing the university logo, in a framework of responsible consumption, against exploitative conditions, poverty wages, forced overtime, sexual harassment, lack of freedom of association, and violations of safety and occupational health.

According to the organization's website, its strategy is the following: 1) demanding that its universities reveal the location of factories of the brands that produce university clothing, 2) incentivizing universities to adopt codes of work conduct that establish minimum standards for the production of university clothing, and 3) requiring schools to affiliate with the Worker Rights Consortium (WRC), that is, the only independent garment supervision entity.

In 2001, the USAS, in alliance with the WRC, the Korean House for International Solidarity, the MSM, the lawyer of Mexico's Frente Auténtico de Trabajadores (Authentic Labor Front - FAT), Arturo Alcalde, and students of the Autonomous University of Puebla, forced the clothing factory Kuk Dong, a Nike contractor in Puebla, to recognize an independent trade union that would benefit the employment conditions of its workers (Hathaway, 2002, p. 52).

As a result of the tragedies that caused hundreds of deaths in the garment workshops in Bangladesh, the USAS launched the "End Deathtraps" campaign in 2013. This campaign required university brands under license to sign the Bangladesh Accord on Fire and Building Safety, a contract between clothing companies and Bangladeshi

¹ The organization's web portal can be consulted at: <http://usas.org/about/national-leadership/>.

unions that holds brands responsible for the safety of the factories that they subcontract (USAS, n.d.).

As recounted by Beneyto (2016, p. 62):

On April 24, 2013, the Rana Plaza building in Bangladesh collapsed. The collapse of its eight floors on which operated, in violation of the most basic safety regulations, five textile factories and various ancillary workshops, working in a subcontracting situation for 28 large fashion/apparel multinationals, resulted in the death of 1,138 people and the injury of another 2,437, the majority of whom were women and even some little girls. Beside their bodies amid the rubble could be observed the labels of the world's best-known clothing brands.

The USAS is a very innovative form of protecting the conditions of workers within a responsible consumption framework. Although it is not in itself an example of pure collaboration among unions, it is an example of collaboration among consumers, other actors, and unions. According to the proposed model of analysis, we find that the USAS shows a medium intensity of collaboration among unions and other actors. That is, it is in the formative phase of maturing networks, with an institutionalization of collaboration in progress, mainly through the signing of agreements, and with activities that are still one-way.

Regarding the effectiveness of the collaboration, it was found that although joint activities for the protection of interests are related to demands made of companies (to verify the working conditions of the supply chain) and the pressure of civil society organizations and international unions (for the recognition of independent unions), the capacity level of effective protection is medium. This mainly pertains to support for the recognition of independent unions and the verifications of working conditions on the part of large companies of the textile industry.

The Maquila Solidarity Network

Another experience of continuous voluntary collaboration pertains to the MSM,² a labor rights and women's rights organization that supports the efforts of male and female workers of the garment industry in global supply chains to obtain better salaries and working conditions and more respect for their rights.

The MSM mainly works in Central America, Mexico, and Bangladesh on cases of violations of workers' rights and in joint projects and initiatives with a focus on systemic problems. The MSM believes that clothing brands and large international stores share responsibility for the working conditions in their suppliers' textile factories and should be made responsible for the policies and practices that contribute to the abuse of workers' rights in these factories.

According to the proposed model of analysis, we find that this experience of cross-border collaboration is the same as that of the USAS, with which the MSM has also collaborated. It shows the same medium intensity of collaboration and is also in the formative phase of

² The organization's web portal can be consulted at <http://www.maquilasolidarity.org>.

maturing networks, with an institutionalization of collaboration in progress mainly through the signing of agreements and with activities that are still one-way.

Regarding the effectiveness of collaboration, as in the case of the USAs, it was found that joint activities for the protection of interests are related to the organization of workers. Similarly, it was found that demands that companies verify the working conditions of the supply chain and the pressure exerted by civil society organizations and international unions to obtain recognition for independent unions resulted in a medium capacity for effective protection. A case in point is the support provided by the maquila solidarity network in terms of obtaining recognition of independent unions and the verification of working conditions in the large companies of the textile industry.

Typology 3. Sporadic institutionalized

The National Union of Mine, Metal, Steel and Allied Workers of the Mexican Republic

During the six-year term of former Mexican president Felipe Calderón Hinojosa (2006-2012), Napoleón Gómez Urrutia, General Secretary of the SNTMMSRM, was persecuted. In 2006, Gómez Urrutia fled to Canada following accusations of an alleged embezzlement of the assets of the union and its workers. This was revealed after the dispute that occurred between the union leader and the federal government and Grupo México due to the death of 65 miners in the Pasta de Conchos mine in Sabinas, Coahuila, on February 19, 2006. Gómez Urrutia held both entities responsible for the deaths of these miners.

Since 2006, the mining leader has remained in power despite his exile. He is protected by the mining union of the Canadian Labour Congress and holds assemblies through videoconference while fighting in the Mexican courts to return once there is no longer a warrant for his arrest.

According to García (2012, p. 313), in 2003, Gómez Urrutia affiliated the Mexican mining union with the Trade Union International of Workers in the Mining, the Metallurgy and the Metal Industries (TUI-WMMMI). In 2005, he was named representative of the Latin America regional bureau of this organization. In the same year, he was also included in the organization's world steering committee, travelling and participating in meetings with the miner and metalworker unions of Argentina, Brazil, the United States, Canada, and various European countries.

García (2012, p. 313) notes that in 2005, it was announced that workers in Mexico and the United States would form a common front against Grupo México, which they accused of violating general working conditions, freezing salaries, and reducing medical benefits and pensions. For this reason, in 2006, the TUI-WMMMI filed a complaint with the International Labor Organization (ILO) against the Mexican government, citing violations of Convention 87 of the ILO related to freedom of association and the protection of the right to organize.

Subsequently, García (2012, pp. 313-319) notes that the U.S. United Steelworkers (USW) filed charges for violations of the NAALC on the part of the Mexican government when the latter would not recognize Napoleón Gómez Urrutia and the president of the USW,

Leo Gerard, publicly demanded that Felipe Calderón cease the negative governmental interference in mining trade unionism.

This cross-border union collaboration sets the norm for the future defense of unions in the face of government interference in union leadership and the autonomy of trade union organizing. Using the proposed model of analysis, in this case, the networks with international unions are formal and institutionalized because they are part of an international federation of miners. Regarding the actions of collaboration, these were direct insofar as they effectively protected the Mexican leader by giving him asylum in Canada and lodging formal complaints with the ILO and under the NAALC. The type of collaboration was one-way, that is, from foreign unions to Mexican unions, and no cases of similar actions in the opposite direction have been documented.

National Administrative Offices

Nolan (2014) has analyzed the efforts of cross-border union networks under NAFTA. For Risse et al., cited by Nolan (2014), in this case, transnational defense networks have three purposes: 1) they provide information regarding human rights violations in the state involved, given that labor rights are second-generation human rights; 2) they legitimize the claims of opposition groups within the state, in this manner strengthening these types of claims; and 3) they defy those states that violate norms so that they may modify their behavior.

For Carr (1999), some examples of cross-border union collaboration between Mexico and the United States date back to the World War II era, when the Confederation of Mexican Workers (CTM) collaborated with the Congress of Industrial Organizations (CIO) to organize Mexican workers in California.

Authors such as Carr (1999) explain that although there have been important obstacles to unionization in the border region between Mexico and the United States, movements have been made, for example, by the Border Region Workers' Support Committee (CAFOR). This committee, together with the San Diego-based Support Committee for Maquiladoras, has developed programs in health and safety training for maquiladora workers. The Coalition for Justice in Maquiladoras has also been active in this arena. Carr calls such movements "bottom-up globalization".

According to Carr (1999), the NAALC was established in complementary manner under NAFTA. Its guiding principles are the right to negotiate collectively, the right to organize and strike, labor protection for children, equal salaries for men and women, and the protection of immigrant workers. Nonetheless, the NAALC has limited powers to act against the violations of these rights, given that NAFTA stipulates that each country is free to create its own employment standards. For this reason, attempts to use the NAALC to guarantee rights, such as companies' recognition of independent unions in Mexico, have failed.

To make the labor controversies presented under the NAALC effective, the NAO were created. The equivalent of the NAO in the United States is called the Office of Trade Agreement Implementation (OTAI). Nolan (2014) notes that the procedure before the NAO is the following:

Upon receiving a complaint, an NAO first determines whether the complaint should be reviewed in depth. If the United States or Canadian NAO decides to review the case, a public hearing is called with the interested parties and those involved in the complaint, and the allegations contained in the complaint are analyzed. Following this, the affirmations are corroborated to determine whether the state's actions, in the case filed, were consistent with national labor laws. Finally, the NAO makes public a report on how to address the questions posed in the case. The offices of the NAO can suggest three ways of addressing the issues involved in the complaints with the countries that have committed violations. For health and work safety violations, an entire range of solutions is included: ministerial consultations, the reviewing of the case by a panel of experts on labor affairs, the case can be submitted to a formal process of dispute settlement, or the application of fines and trade sanctions (Nolan, 2014, pp. 123-124).

Between 1994 and 2012, 25 cases were presented before the NAO. Twelve of these cases were concerning the United States, and 13 were for Mexico. The majority of the complaints directed at Mexico referred to matters of freedom of association, whereas in the United States, they concerned migrant rights and the right of collective negotiation (Nolan, 2014, pp. 125-126). Regarding Mexico, the author points out that issues of freedom of association are related to the reluctance of traditional unions such as the Confederación de Trabajadores de Mexico (CTM) to let independent unions advance and lose power with this situation, supported by the Conciliation and Arbitration Boards. Since 1995, Mexico and the United States have signed treaties regarding the commitment to freedom of association (cases Sony, Sprint, SUTSP, ITAPSA, and Han Young). Of these cases, the most representative is ITAPSA, in which 75 groups in the United States, Mexico, and Canada signed a petition on the violation of the right of freedom of association before the NAO of the United States and Canada. Another important case was that of the Maxi-Switch corporation in Sonora, in which the Mexican government granted recognition to an independent union that had been denied registration, given the complaint filed with the United States NAO. Yet another case was that of the Han Young corporation in Tijuana, in which there was a conflict concerning the recognition of an independent union and the Confederación Revolucionaria de Obreros y Campesinos (Revolutionary Confederation of Workers and Peasants - CROC). The federal government also intervened in this case to avoid controversies within the NAALC. The preceding actions also helped advance the institutionalization of the use of the secret vote in union elections in Mexico to avoid voter intimidation (Nolan, 2014, pp. 127-128).

Kay (2005, p. 740) indicates that the controversies presented before the NAO were reinforced by concrete actions such as protests in front of the central offices of the companies in question and actions presented in shareholder meetings, in addition to petitions to sign corporate codes of conduct. The Canadian Steelworkers of America (CUSWA) supported some controversies presented before the FAT, such as the case of the Echlin corporation, even financially, even though there were no Canadian workers involved in the cases (Kay, 2005, p. 740).

According to Nolan (2014, p. 130), the discussions under the NAALC positively influenced the establishment of measures to avoid the use of pregnancy tests in Mexico, first in the hiring process in maquiladora industries and subsequently in any type of

employment. They also influenced the sanctioning of child labor, gender discrimination, and discrimination against people with disabilities. Thus, Nolan (2014, pp. 133-135) explains that since the beginning of the NAALC process, the Mexican government has made important advances on the subject of the application of labor rights, in a spiral that goes from the outside in. That is, it is responding to pressure generated by its commitments under NAFTA in the NAO and exerted by national groups of the United States and Canada. For this reason, this parallel agreement created opportunities so that the transnational defense networks would establish a path to improving the application of labor rights in Mexico.

Another example of association analyzed by Carr (1999) that has prospered is the Strategic Organizing Alliance, which was founded before NAFTA between the FAT,³ of Mexico, and the United Electrical, Radio and Machine Workers of America (UE), of the United States. Carr (1999) notes that the initial objective of the alliance consisted of providing knowledge and money to the organization of maquiladora workers belonging to United States companies, beginning with a General Electric (GE) plant in Ciudad Juarez and a Honeywell plant in the city of Chihuahua.

For Hathaway (1997, pp. 1-30), the FAT, founded in 1960 by the Promoción Obrera (Promotion of Workers) group, which was born years before in 1958, emerged in Mexico City as a force that would independently represent workers' interests in the face of the corporatist relationship of other unions centralized in the Labor Congress (CT) with the Institutional Revolutionary Party (PRI). The origins of the FAT are more similar to those of a social movement than a trade union. It was partly financed by organizations linked to the Catholic Church, such as the Mexican Social Secretariat. However, the union gradually distanced itself from the Church and began to receive support from other national, European, and North American unions with socialist and social democratic ideologies and a class consciousness similar to its own. Simultaneously, during the 1980s, the FAT provided material and political support to workers in Central America.

The FAT distanced itself from the so-called "charros" unions that worked more for the interests of the party in power and for their own interests, capitulating to acts of corruption. The term "charro" union was coined following ex-president Miguel Alemán Velasco's protection of the railroad leader Jesús Díaz de León over other leaders who competed for power. Díaz de León liked to wear a charro suit while performing his union duties. For this reason, any union leader who is controlled by the party in power and is corrupt is known as a "charro" leader (Hathaway, 1997, p. 5).

The constituting principles of the FAT are freedom of association, union democracy, independence from political parties, union autonomy from governments and employers, and the constant struggle for the material and spiritual elevation of the working class (Hathaway, 1997, p. 7). In its beginnings, the FAT received training and some resources from the Latin American Christian Union Confederation (CLASC), and several of its first meetings were held in churches (Hathaway, 1997, pp. 4-7). FAT affiliates were estimated to amount to approximately 30,000 (Kay, 2005, p. 726).

When NAFTA was under negotiation, some unions in the United States and Canada with which the FAT had long-established contact saw in the latter an ally in the anti-free trade struggle due to its positions against the Mexican government's cheapening of labor. In April 1991, the Mexican Network Against Free Trade (REMALC) was formed. This same

³ The organization's web portal can be consulted at <http://www.fatmexico.org.mx>.

year, this network convened unions from the three countries to attempt to influence the treaty negotiations by forming a strategic alliance with organizations such as the UE, whose workers were threatened with dismissal when the companies in which they worked moved their operations to Mexico. In response to this threat, the network organized workers on both sides of the border, including workers from the GE plants in Ciudad Juarez and the Honeywell plant in Chihuahua (Hathaway, 1997, pp. 22-24). The UE was founded in 1936, and its members were estimated to amount to approximately 35 000, slightly greater in number than those of the FAT (Kay, 2005, p. 718). Before 1991, there were no ties between the FAT and the UE or any other North American union. Once the NAFTA negotiations materialized, unions reevaluated their strategies, viewing this agreement as a tangible threat to the region's working conditions (Kay, 2005, p. 727).

According to Hathaway (1997, p. 24), the FAT organized the first union election with a secret vote, and it was also the union to file the first complaint with the NAO in the Honeywell case, with the aid of the UE and the Teamsters, even though the complaint was dismissed due to inexperience in case documentation. Subsequently, the alliance between the FAT and the UE managed to organize Mexican workers in a small foundry in Milwaukee, Wisconsin. The UE itself had failed to affiliate these workers. It therefore sent a FAT representative to explain to them that the UE was an independent union, not a "charro" union. This brought the UE success at the registry, and it won the contract over the company. Given that one of the motives for which some initial joint struggles of the FAT and the UE did not thrive was the workers' lack of experience in these types of exercises, in 1996, both organizations founded the Centro de Estudios y Taller Laboral A. C. (Workers' Center for Labor Studies; CETLAC) for workers in Ciudad Juarez (Hathaway, 1997, p. 25; Kay, 2005, p. 730; UE International Mexican Labor, n.d.). In 1997, the FAT and the UE, together with their Canadian counterpart, met in Chicago to share information regarding their contracts and working conditions with an automotive company in which they either had or sought collective contracts (Hathaway, 1997, p. 25).

Another collaboration occurred between the FAT and the CUSWA in which a fund for emergency financial assistance was established for the FAT in the event that strikes of up to five years should occur. Thus, the FAT has used coalition formation strategies to achieve its objectives, both at the national level and under and outside of NAFTA (Hathaway, 1997, p. 30).

Another interesting case addressed by Carr (1999) is that of the (Sindicato de Telefonistas de la República Mexicana (Mexican Telephone Workers Union; STRM), which argued that Sprint Corporation had closed its operations in San Francisco and dismissed more than 200 Latin American employees from its Spanish-language telemarketing subsidiary (called *La Conexión Familiar*), lodging a complaint with the NAO responsible for addressing matters of labor arbitration under NAFTA. Carr also explains that the STRM has signed agreements with Canadian unions for information exchange, joint training programs, and international solidarity.

Although Carr (1999) views these as positive efforts, he urges us to maintain a critical view regarding what cross-border union collaboration can or cannot achieve, particularly due to the asymmetrical nature of the relationship between United States and Mexican unions, which favors the former. United States unions often perceive Mexican unions as a threat and seek a protectionist stance on the part of the U.S. government. This was the stance of the United States transport workers unions in regard to Mexican drivers under NAFTA.

For Hathaway (2002, p. 52), international solidarity with Mexican workers began in the United States and Canada when the unions attempted to detain Mexicans who had taken their jobs from them. That is, if the factories were moving to Mexico due to less expensive labor that did not require good working conditions, then one strategy is to advise the Mexican workers to improve this situation. In theory, this could make it relatively less profitable in the long run for companies to move to Mexico.

As Kay shows (2005, p. 716), the above contradicts the hypothesis that existed before the signing of NAFTA, which predicted that North American unions would compete for manufacturing jobs. The actual outcome, greater collaboration among these unions, was the opposite of this prediction. Rather, Kay (2005, p. 717) indicates that NAFTA and the NAALC stimulated the relationship between unions by constituting a new structure of transnational political opportunity for collaboration.

Kay (2005, pp. 718-741) explains that NAFTA catalyzed labor transnationalism in two ways: 1) it stimulated political mobilization against the signing of the agreement, fostering collaboration among unions in the three countries; and 2) the NAALC laid down new rules for establishing complaints against labor rights violations in North America in an NAO of a different country where it is alleged that labor rights were violated (it can be the NAO of the country of origin of the company, but the complaint is filed against the state, not a particular company or person). It requires unions to seek union allies in the country where the complaint is lodged. This requirement increases solidarity by enabling unions to learn through particular cases about the problems that workers in other countries actually face in a more in-depth manner. This learning promotes interaction and the dissemination of this information, and the number of unions that participate in lodging complaints with the NAO steadily increases. If, in the beginning, complaints were lodged by two unions, then now, more than 50 organizations participate. Thus, the NAALC catalyzed cross-border union relations that previously did not exist.

Hathaway (2002, p. 52) notes that the FAT is frequently used as a tool of foreign unions that claim to prevent the relocation of companies and their jobs to Mexico. The author indicates that an effect of this usage is that in their search for inexpensive labor, companies prefer to be located in countries such as Guatemala, El Salvador, Indonesia, or China. Therefore, in the long term, the objective should be to change international labor policy through strong democratic unions with a strong sense of international solidarity (Hathaway, 2002, p. 54).

Carr (1999) indicates that we must be aware of the dangers that exist, particularly in the face of the crises and challenges confronted by nations that can provide creative opportunities to the historical subjects in conflict. Carr adds:

Free trade could provide spaces for challenging and overhauling arbitrary state actions, provided, naturally, that it was accompanied by radical modifications of Mexico's federal labor law, to remove the state's powers to curb unions by denying them recognition, declaring strikes non-existent, and decreeing closed shops – battles that have still not ended (Carr, 1999, p. 13).

One of the dangers indicated by Carr (1999) is the coming to power of Donald Trump as president of the United States. Trump has manifested protectionist attitudes and demanded that his country's companies not take jobs away from U.S. workers by

relocating to Mexico. This could create and reignite struggles between the unions of the two countries.

Analyzing this experience of the NAO in light of the proposed model of analysis, we find that the networks created by North American unions before the signing of NAFTA served as a preamble for presenting labor claims before the NAO of the NAALC. This requires that there be an ally in the country where the claim is filed and that this country should not be the same as the country in which the problem exists that originated the claim. This has aided the formation of stable networks of collaboration. Instead of generating friction between unions, as occurred in the case of the transport sector, NAFTA allowed greater collaboration between unions for at least two decades before the Trump era.

Regarding joint activities for the protection of interests, these have been increasing and have mostly been of a direct nature, reinforced in some cases with direct actions such as demonstrations of support and international protests. The type of collaboration has been multidirectional, with allies supporting one another in cases of state violations of labor laws in different NAO, particularly in Mexico and the United States and, to a lesser degree, in Canada.

Collaboration is institutionalized according to NAALC rules. Furthermore, over the more than 20 years since NAFTA came into effect, a positive learning curve can be observed in the filing of claims and case documentation. This learning curve has resulted in a greater capacity for effective protection, particularly in the defense of freedom of association and union autonomy.

Typology 4. Continuous institutionalized

The Interregional Trade Union Councils of Europe

For Streeck and Schmitter, cited by Sadler (2000, p. 141), the construction of a single European market lead to the breakdown of corporative national systems of industrial relations.

With the creation of the European Economic Community in 1958, the European Secretariat of Unions was created, which, in 1969, became the European Confederation of Free Trade Unions and, in 1973, the European Trade Union Confederation (ETUC) (Sadler, 2000, p. 143).

The ETUC groups together 81 organizations from 36 European countries and 12 European trade union federations, and it has a total of 60 million affiliates (Eurored, n.d.). The ETUC's plan of action has as its objective to encourage, favor, and support collaboration initiatives between union sectors in areas in which economic, territorial, monetary, and social conditions are similar (the Interregional Trade Union Councils-European Trade Union Confederation-IRTUC-ETUC, [Consejos Sindicales Interregionales-Confederación Europea de Sindicatos-CSIR-CES], 2009).

This confederation coordinates the activities of the IRTUC, which organizes union collaboration at the transborder level, including unions of various cities in two or three countries. There are currently 45 IRTUC. The first was founded in 1976 (CSIR-CES, 2009; European Trade Union Confederation [ETUC], 2013; Hammer, 2010).

The IRTUC have set a goal of implementing strict collaboration activities between unions of different countries, with the purpose of influencing current collective negotiation practices so that when a company relocates, crossing different borders, it will encounter a single union and a single defense strategy for negotiating at the transborder level (CSIR-CES, 2009).

As part of the effort, during 2009, information exchange seminars were organized for the following seven IRTUC: Italy-Slovenia, Spain-Portugal, Italy-Switzerland, Germany-Poland, Italy-Croatia, Germany-Poland-Czech Republic, and Spain-Portugal. In these seminars, it was concluded that “We need to compensate as quickly as possible for the imbalance in the existing powers, in other words boundless freedom for businesses while collective bargaining powers remain hamstrung at the national level” (CSIR-CES, 2009, p. 48).

Alves and Rego (2012, p. 414) argue that despite having emerged in the mid-1970s, the IRTUC continue to be a “black box” in labor research. Recently, the experiences of the IRTUC have been addressed by Alves and Rego (2012), who have analyzed the four IRTUC of Galicia-North and Portugal, whereas Hammer (2010) has conducted his own analysis with the West Pannonia IRTUC, located on the Austrian-Hungarian border.

For Hammer (2010), the IRTUC were established as bottom-up initiatives to face the problems and asymmetries of the local market and industrial relations in adjoining regions, typically at the subnational level and particularly as pertains to salary levels, double taxation, and working conditions. This is very important for the cases involving weak or fragmented unions, for example, in new state members of the European Union. It is also important for cases involving workers who are employed between these borders and who frequently confront different working conditions and pressures on the part of companies that only grow worse. These situations, referred to as “social dumping”, simultaneously create incentives for union collaboration.

According to Hammer (2010), the IRTUC have demonstrated a positive development since their creation in 1976 and have come to fill a void in European political institutions in matters of labor, economic, and social policy. For Hammer (2010), collaboration through the IRTUC focuses on sharing information on employment regulations, legal advising, support, representation, training in matters of union organizing and negotiation, and face-to-face political representation with regional labor authorities to which they provide information regarding companies that violate labor laws and with which they are consulted over different employment policies, turning the IRTUC into important social actors. Regarding this, Alves and Rego (2012, p. 418) note that the IRTUC establish interregional networks not only among unions but also with employee associations, public services, and education and training institutions.

According to Alves and Rego (2012, pp. 415-417), the formation process generally followed by the IRTUC is the following: 1) establishing informal relations between regional unions; 2) signing a joint declaration to cooperate on program goals; and 3) formalizing the internal structure of the IRTUC, which is composed of two principal bodies: the joint conference, formed by an equal number of delegates from each union confederation whose president and executive committee rotate each year, and the president has the highest statutory level. It is at this level that strategies are defined and members of the executive committee are chosen. Noack, cited by Alves and Rego (2012, p. 416), explains that the majority of the decisions in the IRTUC are made by consensus and, in some cases, are decided by a qualified three-fourths majority.

Alves and Rego (2012, pp. 416-418) have encountered some obstacles to the sufficient functioning of the IRTUC. They indicate that the majority of times, the IRTUC team is formed by the team of the president in office, which makes continuity of efforts difficult. For this reason, some IRTUC have worked by designing exclusive personnel who do not change with the president. However, this is generally not possible due to budgetary questions. Another obstacle concerns language differences. Finally, the authors describe

the increase in forms of non-standard employment, such as temporary employment, subcontracting, and illegal work, as obstacles to the functioning of the IRTUC.

Thus, according to the model of analysis proposed for the present study, the IRTUC have steadily increased the formation of stable networks between unions of different regions in Europe since the creation of the first IRTUC in 1976 and up through the 45 councils that exist at present. This has given way to a greater institutionalization of this type of collaboration, which emerged as a bottom-up initiative that occurs in a multidirectional manner between the different member unions. These member unions often have problems in common given their geographical proximity, which also facilitates collaboration.

Joint activities for the protection of interests are primarily of a direct type, such as sharing information regarding employment regulations, legal advising, support, representation, training in questions of union organizing and negotiation, and face-to-face political representation with regional labor authorities, which are provided with information regarding companies that violate labor laws and which are consulted regarding different employment policies. In this manner, the capacity for effective protection in the face of the phenomenon of company relocation and social dumping is achieved primarily through the strengthening of union capacities.

European Works Councils

According to the European Trade Union Confederation (ETUC, 2008), in 1994, a directive called the European Works Councils (EWC) was approved. This directive applies to all of the companies of the continent that have 1 000 or more workers and that have at least 150 employees in each of the member states where they operate, requiring companies to establish these EWC where they operate so that the latter may meet with company administrators and offer them their perspective regarding strategies and decisions that affect the company and its workers. Before this directive, which went into effect in September 1996, the agreements were of a “voluntary” nature and were exempt from some requirements that were subsequently established by the directive (Spiegelaere & Jagodzinski, 2015, p. 13).

The ETUC (2008) estimates that of the 2 264 companies that fall under this directive, 34% have an EWC and that among the multinationals that employ more than 10,000 individuals or more, 61% have an EWC. The ETUC (2008) finds that the companies that have not been able to establish an EWC tend to be small companies with a low level of union organization and administrations that are averse to involving workers in decision-making processes or companies that have undergone drastic restructuring processes in recent years (ETUC, 2008).

The ETUC (2008) notes that there are few penalties for companies that do not conform to these directives and that it is therefore necessary to establish deterrent penalties, such as legally invalidating decisions that are made by companies without involving workers or compensating workers. This is important for avoiding cases such as those of Renault in Vilvoorde, Belgium, or Nokia in Finland, which made large restructurings without consulting workers, defying the spirit of this directive.

The majority of the EWC meet once a year, and their structure generally follows two models: 1) only representatives of the workers or 2) joint representation of the workers and the administration ETUC (2008). Sadler (2000, p. 147) notes that it is necessary to

consider various questions regarding the EWC: 1) there are concerns that they can erode current standards of worker representation; and 2) they can become merely another administrative tool that claims to create a sense of belonging in the company, without providing obvious advantages for employees. Lecher and Rüb, cited by Sadler (2000, p. 147), state that on many occasions, the information provided to workers' representatives is only presented orally and that the consultations are not performed in a serious fashion and are only used to legitimize decisions that were made beforehand by the companies.

However, for Sadler (2000, p. 148), the EWC are important because they open new mechanisms that transcend previous versions of relationships between capital and work, going beyond the national sphere and industries. According to Spiegelaere and Jagodzinski (2015), in June 2015, 1 071 active EWC were recorded. A total of 131 of these, that is, 12.2%, were established between 2010 and 2015, whereas 464 (43.3%) were instituted between 2000 and 2009 and the rest between 1985 and 1999. By number of workers, 32% of the agreements belong to companies with more than 10 000 workers, 15% to companies with 5 000-10 000 workers, 35% to companies with less than 5 000 workers, and the remaining 19% have an unknown number of workers. Regarding the presence of multinationals that have signed agreements, 42% of them have activities in more than 10 countries, 30% in 5-10 countries, and 18% in less than five countries, with these numbers being unknown for the remaining percentage. Spiegelaere and Jagodzinski (2015, p. 14) explain that although one out of every two EWC agreements is of an indefinite nature, they can be renegotiated to improve existing rights.

Thus, returning to the model of analysis proposed in the present study, we observe that collaboration intensity is relative. The EWC generate stable networks of actors with an institutionalization of collaboration that began with the creation of the first council more than two decades ago. However, the type of collaboration that occurs is between groups of workers of the same company in different member states. Nonetheless, these stable networks do not include other unions outside of the employer company, nor do they include civil society organizations. This limits their ability to obtain greater support if doing so should prove necessary, or to strengthen their capacities through consultancy, training, and access to better practices.

Concerning the category of collaboration effectiveness, this is limited. If the EWC represent a transnational mechanism of workers' voices and representation, then their consultation with workers on the part of multinational companies lacks formality and does not provide sound information that would allow workers to have an informed opinion on important matters. For this reason, these consultations are often viewed as a mere tactic to legitimize decisions previously made by the administration. Furthermore, there are few penalties for companies that do not conform to directives stipulated in the EWC, which undermines their effectiveness.

International Framework Agreements

According to Papadakis (2011), the IFA between multinational companies and International Trade Union Confederations (ITUC) are instruments that regulate working conditions and work relations within multinational companies and throughout all of their global value chains. For Hadwiger (2016), in the IFA, companies agree to respect workers' rights

and promote decent work or stable work throughout the world, both in their subsidiaries and in their entire global supply chain.

Papadakis (2011) indicates that the IFA strengthen trade-union capacities by allowing freedom of association and collective negotiation. This leads to more democratic labor relations and the improvement of fundamental rights in the work of global value chains. It also means that the IFA are starting points for other initiatives in the sphere of transborder union organization.

Beneyto (2016, p. 78) notes that the first IFA was formed in 1988 between the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and the Danone multinational corporation. At present, a total of 173 agreements have been signed. Another important IFA was that signed as an international collective agreement of the maritime sector between the International Maritime Employer's Council (IMEC) and the International Transport Workers' Federation (ITF) (Papadakis, 2011). According to Hadwiger (2016, p. 7), a comparison between the oldest and most recently formed IFA shows that their content and application have evolved over the last 15 years because the ITUC reviewed their strategy and the agreements now involve procedures that are more solid in their application, monitoring, and dispute resolution and that facilitate unionization rather than simply consent to it.

The territorial percentage distribution of the 173 existing IFA, according to the residence of the parent company, is the following: Europe 81.5%; America 11%; Asia 4.1%; Africa 1.7%; and Oceania 1.7% (Beneyto, 2016, p. 79). Thus, we observe that the effort has been made mostly at the European level but has begun spreading to other continents.

For Beneyto (2016, pp. 78-80), although the IFA may be lacking in regulatory effects and legal enforceability, due to the non-existence of the corresponding imperative norm in the global sphere, we are faced with the emergence of a labor relations framework for globalization. According to Hadwiger (2016, p. 6), approximately 80% of the IFA contain a reference to the global supply chain, and approximately 30% treat the respect of provisions in the agreements as a criterion for establishing and continuing business relations with suppliers and subcontractors.

In addition to making reference to core labor standards, an IFA often includes commitments in terms of information, training, participation, and the monitoring of compliance with agreements in the entire production chain (Beneyto, 2016, p. 80). Hadwiger (2016, pp. 6-7) explains that to ensure that agreements are complied with, the newer IFA should hold continuous consultation meetings and establish some type of global review of the agreement that includes site visits to subsidiaries and suppliers.

For Beneyto (2016, p. 81), the empowerment of grassroots and worker organizations throughout the entire production chain presents a challenge due to trade union weakness, corporate hostility, and limited institutional coverage, which represents one of the main risks of this collaboration model. As Hadwiger explains (2016, p. 7):

A review of 29 case studies on the implementation of IFA reveals their overall limited impact on suppliers and subcontractors in recent years. The monitoring of agreements can be particularly challenging in factories and other supplier and subcontractor locations that are not unionized.

To cope with the above, Hadwiger (2016, p. 8), recommends 1) reinforcing the participation of local agents in IFA processes from their inception to their application and throughout negotiations; 2) that multinational suppliers and subcontractors sign

the agreement together; and 3) strengthening dispute resolution mechanisms with procedures or arbitration and going beyond voluntary commitments.

Regarding the category of collaboration intensity, according to the proposed model of analysis, in the almost three decades of their existence, the IFA have generated stable networks of union collaboration between global value chains in the economic activities in which they operate. Regarding the type of collaboration, although it is multidirectional, it must strengthen the role of local unions in all aspects of the agreement, given that its operation is top-down.

Regarding the category of collaboration effectiveness, this occurs mainly in a direct manner in regard to questions such as information, training, participation, and monitoring of compliance with agreements in the entire production chain. This strengthens trade union capacities by allowing freedom of association and collective negotiation. Although monitoring visits to subsidiary and supplier sites are made to ensure that actions are effective, challenges exist such as the empowerment of grassroots and worker organizations throughout the entire production chain, given trade union weakness and corporate hostility, which limit the impact on suppliers and subcontractors.

Conclusions

Four typologies of cross-border union collaboration were proposed that allowed the analysis of eight empirical cases based on the theoretical model created. Table 4 presents a graduation of each of the categories analyzed according to low, medium, and high levels, which depend on the intensity and effectiveness achieved by the collaboration, according to the information available for the analysis of each case presented in this study. This information is subjective in nature in accordance with the author's interpretation and is subject to debate.

Table 4: Intensity and effectiveness of cross-border union collaboration

		Categories	
Typology	Case	Intensity of the collaboration	Effectiveness of the collaboration
Sporadic voluntary	SME	Low	Low
Continuous voluntary	USAS	Medium	Medium
	MSM	Medium	Medium
Sporadic institutional	SNTMMS-RM	Medium	High
	NAO	High	High
Continuous institutional	IRTUC	High	High
	EWC	Medium	Medium
	IFA	Medium	Medium

Source: Creation of the author.

First the typology of sporadic voluntary collaboration was analyzed using the case of the SME, in which conflicts with the SUTERM facilitated the extinction of the LYFC by the government of Felipe Calderón. In this case, although the SME was subsequently supported by international unionism, these actions were only indirect, limited to letters and declarations of support from a distance, and were therefore insufficient to reverse extinction. According to the proposed model of analysis, we find that this experience of sporadic voluntary cross-border collaboration shows a formation of informal networks under construction with a very low capacity for effective protection and one-way actions of the foreign unions toward the SME.

In terms of the experiences of continuous voluntary collaboration such as the USAS and the MSM, the collaboration intensity is medium, given that these experiences are in the network formation phase, with an institutionalization of collaboration in process through the signing of agreements and with activities that are still one-way. Regarding the effectiveness of collaboration, it was found that although joint activities for protection of interests are related to worker organizations, the expectation that companies verify the working conditions of the supply chain along with the pressure exerted by civil society organizations and international unions for the recognition of independent unions results in a medium capacity for collaboration-based effective protection. This is particularly the case of large companies of the textile industry.

Regarding experiences of institutionalized cross-border union collaborations, the sporadic experiences such as the SNTMMSRM and the NAO, established by the NAALC under NAFTA were analyzed first. In the case of the SNTMMSRM, it was found that Napoleón Gómez Urrutia, the union's General Secretary, was very skillful at constructing relations with the TUI-WMMMI and the miners' union of the Canadian Labor Congress. This allowed Gómez Urrutia to obtain protection when his persecution by ex-president Calderón began. He continues to enjoy this protection, with this case being one in which cross-border union collaboration has been very effective.

In this case of the miners' union, the networks tend to be formal because they form part of an international federation of miners. Regarding the actions of collaboration, these were direct insofar as they effectively protected the Mexican leader by giving him asylum in Canada. The collaboration was one-way, that is, from the foreign unions to the Mexican unions. Cases of similar actions in the opposite direction and of the same scale have not been documented. The institutionalization of collaboration is medium due to the affiliation with the international federation, and its capacity for effective protection was high in the cases of both the leader and freedom of association in general.

The second experience of this typology was the NAO. Analyzing the NAO in light of the proposed model of analysis, we find that the networks formed between North American unions previous to the signing of NAFTA served as a preamble for presenting labor claims before the NAALC. The NAALC requires that the union filing the claim have an ally in the country where the claim is filed, which must be different from the country from which the problem originates. This has aided the formation of stable networks of collaboration. Instead of generating friction between unions, as occurred in the case of the transport sector, it has allowed more collaboration between them.

Concerning the joint activities for the protection of interests, these have steadily grown in number and have mainly been direct actions, reinforced in some cases by indirect actions such as demonstrations of support and international protests. The type

of collaboration has been multidirectional, with support among allies in cases of state violation of labor laws in the different NAO, particularly in Mexico and the United States and, to a lesser degree, in Canada. The collaboration is institutionalized according to the rules of the NAALC, and furthermore, there has been a positive learning curve in the presentation of claims and case documentation in the more than 20 years since NAFTA went into effect. This has allowed collaborations to have a greater capacity for effective protection, particularly in terms of freedom of association and union autonomy. The coming to power of Donald Trump as the president of the United States may place these collaborations at risk in the future. Trump has manifested protectionist attitudes and demanded that his country's companies not take jobs away from U.S. workers by relocating to Mexico. This could create and reignite struggles between the unions of the two countries.

In regard to the last typology of continuous institutionalized union collaboration, the IRTUC were analyzed. They have steadily increased the formation of stable networks between unions in different regions of Europe since the first council was created in 1976 up until the 45 councils that currently exist. They have given way to a greater institutionalization of this type of collaboration, which emerged as a bottom-up initiative. It occurs in a multidirectional manner between different member unions that often share the same problems due to their geographical proximity, which also facilitates collaboration.

The joint activities for the protection of interests of the IRTUC are primarily direct, such as sharing information on labor regulations, legal advising, support, representation, training in questions of union organizing and negotiation, and face-to-face representation with regional labor authorities, which provide information regarding companies that do not comply with labor laws and which are consulted over employment policies. Thus, the capacity for effective protection when faced with company relocation and social dumping is achieved primarily through the strengthening of union capacities.

The next experience analyzed was that of the EWC, which, according to the model of analysis proposed in this study, have a medium level of collaboration intensity. This is based on the fact that the EWC generate stable networks of actors with an institutionalization of collaboration since the creation of the first council more than two decades ago. However, the type of collaboration that occurs is between groups of workers of the same company in different member states. Other unions outside of the employer company and civil society organizations are not included in these stable networks. This limits the EWC capacity for obtaining greater support when necessary, in addition to limiting their capacity to strengthen through consultancy and training.

Regarding the category of collaboration effectiveness, this is limited. Although the EWC represent a transnational mechanism of workers' voices and representation, the consultations that they perform with workers on the part of multinational companies are very informal and do not provide the sound information that would allow workers to have an informed opinion on important matters. For this reason, these consultations are often viewed as a mere tactic for legitimizing decisions previously made by the administration. Additionally, there are few penalties for companies that do not comply with the stipulated directives in the EWC, which undermines their effectiveness.

Finally, the IFA were analyzed. In the almost three decades of their existence, they have generated stable networks of union collaboration in the global value chains within the economic activities in which they operate. Regarding the type of collaboration, although it is multidirectional, it must strengthen the role of local unions in all aspects of the agreement, given the IFA's top-down method of operating. Regarding the IFA's effectiveness of collaboration, this is of a medium level and primarily occurs in a direct manner in matters pertaining to information, training, participation, and the monitoring of compliance with agreements in the entire productive chain. This strengthens trade union capacities by allowing freedom of association and collective negotiation. Although monitoring visits to the sites of subsidiaries and suppliers are made so that actions may prove effective, challenges exist such as the empowerment of grassroots and worker organizations throughout the entire production chain, given trade union weakness and corporate hostility, which limit the impact on suppliers and subcontractors.

It is considered that voluntary and institutionalized collaboration should not be viewed as mutually exclusive but rather as complementary. Some types of collaboration can reinforce others, as in the case of actions performed to strengthen the effect of the NAO.

It was found that beyond the conception that free trade always causes conflicts between unions in different countries, cross-border union collaboration presents itself as a viable and effective strategy for confronting the adverse effects of globalization on working conditions that are a result of the asymmetries between the greater power of multinationals and their relocation capacity and the consequent fragmentation of worker organizations throughout the world and social dumping tendencies that create a vicious circle in the interest of attracting foreign investment.

The proposed model proved to be suitable for analyzing the intensity and effectiveness of cross-border union collaboration in the eight cases analyzed according to the four typologies constructed. The hope is that this model can serve as a guide for a more in-depth analysis and evaluation of these and other union experiences in specific contexts.

References

- Alves, P., & Rego, R. (September 12-15 of 2012). The Interregional Trade Union Councils (IRTUC) and the Cross Border Workers: the Case of the Galicia Norte de Portugal IRTUC. In I. M. Pires (Comp.) *Borders and Borderlands: Today's Challenges and Tomorrow's Prospects. Proceedings of the Association for Borderlands Studies Lisbon Conference*, (pp. 413-428). Lisbon, Portugal: Centro de Estudios Geográficos. Retrieved from <https://dspace.uevora.pt/rdpc/bitstream/10174/10879/4/Borders%20and%20Borderlands.pdf>
- Beneyto, P. (2016). Trabajo y sindicalismo en la globalización. *Revista Española de Sociología*, 25(1), 61-87. Retrieved from www.fes-sociologia.com/files/journal/25/3/article.pdf
- Brown, J. W. (1928). The International Trade Union Movement. *Journal of the Royal Institute of International Affairs*, 7(1), 29-41. Retrieved from <http://www.jstor.org/stable/3014867>

- Carr, B. (1999). La globalización desde abajo: el internacionalismo sindical en el marco del NAFTA. *Revista Internacional de Ciencias Sociales*, (159). Retrieved from <http://www.ub.edu/prometheus21/articulos/nautas/17.pdf>
- Castel, R. (2002). *Las metamorfosis de la cuestión social. Una crónica del asalariado*. Argentina: Editorial Paidós.
- Consejos Sindicales Interregionales, Confederación Europea de Sindicatos (CSIR-CES). (2009). *Negociaciones Colectivas. Cooperación Transfronteriza*. Retrieved from [http://www.eurodetachment-travail.eu/datas/files/EUR/pdf_Brochure_CSIR_ES-3\[1\].pdf](http://www.eurodetachment-travail.eu/datas/files/EUR/pdf_Brochure_CSIR_ES-3[1].pdf)
- European Trade Union Confederation (ETUC). (2008). *European Works Councils (EWCS)*. Retrieved from <https://www.etuc.org/european-works-councils-ewcs>
- European Trade Union Confederation (ETUC). (2013). *Contribución de los CSIR a la realización de los objetivos prioritarios y el programa de trabajo de la CES en materia de coordinación de la negociación colectiva*. Retrieved from https://www.etuc.org/IMG/pdf/Contribution_IRTUC_SP.pdf
- Eurored. (n.d.). *CES. Descripción*. Retrieved from http://eurored.ccoo.es/eurored/CES._Descripcion
- García, A. (2012). Indicadores de trabajo decente y características de organizaciones laborales del sector minero-metalúrgico en México. *Revista Ide@s COCYTEG*, 7(81). pp. 300- 322. Retrieved from http://www.concyteg.gob.mx/ideasConcyteg/Archivos/81_3_GARCIA.pdf
- Hadwiger, F. (2016). *Acuerdos Marco Internacionales. Lograr el trabajo decente en las cadenas mundiales de suministro* (Reference document). Retrieved from http://www.ilo.org/wcmsp5/groups/public/-ed_dialogue/-actrav/documents/meetingdocument/wcms_434253.pdf
- Hammer, N. (2010). Cross-Border Cooperation Under Asymmetry: the Case of an Interregional Trade Union Council. *European Journal of Industrial Relations*, 16(4), 351-367.
- Hanagan, M. (2003). Labor Internationalism: An Introduction. *Social Science History*, Special Issue: Labor Internationalism, 27(4), 485-499. Retrieved from <http://www.jstor.org/stable/40267823>
- Harvey, D. (1998). *La condición de la posmodernidad. Investigación sobre los orígenes del cambio cultural*. Buenos Aires, Argentina: Amorrortu editores.
- Hathaway, D. (April 17-19 of 1997). Mexico's Frente Auténtico del Trabajo: Organizing Beyond the PRI and Across Borders. *Meeting of the Latin American Studies Association*, Continental Plaza Hotel, Guadalajara, Mexico. Retrieved from <http://lasa.international.pitt.edu/LASA97/hathaway.pdf>
- Hathaway, D. (2002). El problema de la organización de los sindicatos de las maquiladoras en una economía global antidemocrática. *El Cotidiano*, 19(116), 45-54. Retrieved from <http://www.redalyc.org/pdf/325/32511606.pdf>
- Kay, T. (2005). Labor Transnationalism and Global Governance: The Impact of NAFTA on Transnational Labor Relationships in North America. *American Journal of Sociology*, 111(3), 715-756.

- Nolan, K. A. (2014). Internalización de las normas laborales internacionales en el marco del TLCAN: el caso mexicano. *Norteamérica*, 9(1), 111-142. Retrieved from http://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S1870-35502014000100004&lng=es&tlng=es
- Papadakis, K. (2011). *Shaping Global Industrial Relations. The Impact of International Framework Agreements*. Retrieved from <http://www.confindustriaenergia.org/allegati/Shaping%20Global%20Industrial%20Relation.pdf>
- Peters, G. (1998). Comparative Politics. Theory and Methods. In V. Wright (Series Ed.), *Comparative government & politics*. Retrieved from <https://drive.google.com/file/d/0B1P3QNjE7yPmeFdYNVJDOWFsSUIkck40bk5EUURmQXIza-Flj/view>
- Rubio, J. (2016). La terminación de políticas y organizaciones públicas. El caso de la extinción de Luz y Fuerza del Centro en México. *Revista Gestión y Análisis de Políticas Públicas del Instituto Nacional de Administración Pública de España*, Nueva Época, 17(40), 85-96. Retrieved from https://www.researchgate.net/publication/303444843_Rubio_Jesus_2016_La_terminacion_de_politicas_y_organizaciones_publicas_El_caso_de_la_extincion_de_Luz_y_Fuerza_del_Centro_en_Mexico_Revista_Gestion_y_Analisis_de_Politicas_Publicas_Instituto_Nacional
- Sadler, D. (2000). Organizing European Labour: Governance, Production, Trade Unions and the Question of Scale. *Transactions of the Institute of British Geographers*, 25(2), 135-152. Retrieved from <http://www.jstor.org/stable/623188>
- Sartori, G. (2011). El método de la comparación y la política comparada. In G. Sartori, *La política. Lógica y método de las ciencias sociales* (pp. 261-318). Mexico: Fondo de Cultura Económica.
- Sindicato Mexicano de Electricistas (SME). (October 20 of 2013). *Apoyo Internacional al SME, Global Power Trade Unions*. Retrieved from <http://www.sme.org.mx/actividades/2013/2013-10-24apoyointernacionalalSME/reporte.html>
- Sindicato Mexicano de Electricistas Departamento Cuernavaca. (February 23 of 2013). SME. Apoyo internacional a los trabajadores mexicanos [Blog message]. Retrieved from <http://smecuernavaca.blogspot.mx/2013/02/apoyo-internacional-los-trabajadores.html>
- Spiegelaere, S. de & Jagodzinski, R. (2015). *European Works Councils and SE Works Councils 2015. Facts and Figures. European Trade Union Institute (ETUI)*. Retrieved from https://www.researchgate.net/publication/282132734_European_Works_Councils_and_SE_works_councils_2015_Facts_and_figures
- UE International Mexican Labor (n.d.). *UE & Mexican FAT Federation Organize Mutual Support*. Retrieved from http://www.ueinternational.org/Mexico_info/fat.php
- United Students Against Sweatshops (USAS). (n.d.). *Garment Worker Solidarity*. Retrieved from <http://usas.org/campaigns/garment-worker-solidarity/>
- Wills, J. (1998). Taking on the CosmoCorps? Experiments in Transnational Labor Organization. *Economic Geography*, 74(2), 111-130. Retrieved from <http://www.jstor.org/stable/144278>

Jesús Rubio Campos

Mexican. Doctor in Public Policies from the Instituto Tecnológico de Monterrey, Masters in Public Administration and Public Policy from the same institution, and Economics degree from the Universidad Autónoma de Nuevo León. He is a research professor at the El Colegio de la Frontera Norte. His research focuses on labor studies and public policy analysis. His most recent publication is from 2017, Syndicalization and labor precariousness in Mexico. *Región y Sociedad*, 29(68), 37-75.