



FINAL EVALUATION BRIEF | NOVEMBER 2024

STRENGTHENING WORKERS' ABILITY TO EXERCISE THEIR LABOR RIGHTS IN MEXICO (SC2)

BACKGROUND

Historically, Mexico's labor relations system was characterized by a corporatist model in which undemocratic unions aligned with the ruling party and employers represented workers only in setting social and economic policies. Workers were not able to organize freely and sign independent bargaining agreements. In 2018, a trade agreement was signed between Mexico and the United States, the United States-Mexico-Canada Agreement (USMCA) which contains labor clauses requiring signatories to adopt and maintain concrete measures to ensure respect for fundamental principles and rights at work. In 2019, the Mexican government approved the Labor Law Reform that overhauled the former union structure and created an opening to democratically elect independent union leaders. This reform recognized the right of workers to organize and engage in collective bargaining, prohibited employer interference, and required existing agreements to be revisited. The USMCA and the Labor Law Reform created an environment in Mexico more conducive to labor reform and worker organizing than ever before.

PROJECT DESCRIPTION

In 2020, the Bureau of International Labor Affairs (ILAB) awarded a USD \$10 million cooperative agreement to the Solidarity Center (SC) to implement SC2. This project aims to build the capacity of workers, support worker engagement and organizing, and strengthen democratic worker organizations in the aerospace, mining, and call center industries to claim new rights accorded them by Mexico's 2019 Labor Law Reform. Key activities to date include organizing, capacity building, research initiatives, women-focused activities, Labor Center-led research, and to a lesser extent labor rights violation identification and tracking activities.

EVALUATION BACKGROUND

ILAB leads the U.S. Department of Labor's (USDOL) efforts to ensure fair treatment for workers globally.

ILAB contracted DevTech Systems, Inc. (DevTech) to conduct a series of high-quality interim performance evaluations of SC2 and SC3 in Mexico, funded by the Office of Trade and Labor Affairs (OTLA) and implemented by the SC.

The core objectives of the evaluation were to: (1) Take stock of the extent to which the project is making progress toward achieving their intended outputs and outcomes; (2) Identify challenges and emerging opportunities; (3) Analyze the factors driving project performance; (4) Identify leverage points that hold transformative potential; and (5) Recommend time-bound, practical actions to be taken by different project stakeholders to improve project performance and effectiveness moving forward.

The interim performance evaluation used a utilization-focused, qualitative, and participatory approach. The evaluation questions and key findings are guided by the core evaluation criteria of ILAB technical assistance programming: relevance, effectiveness, coherence/alignment, equity/inclusion, and sustainability.

Across the evaluation of both SC2 and SC3, 41 Key Informant Interviews (KIIs) and 17 Focus Group Discussion (FGDs) with a total of 86 people were conducted remotely and in-person in San Luis Potosi, Queretaro, and Mexico City, Mexico, from April to June 2024.



KEY EVALUATION RESULTS

Key Findings are presented below organized by evaluation criteria.



RELEVANCE -The project’s overall strategy identifies the changes needed to operationalize the 2019 Labor Law Reform and build an independent and democratic labor movement. SC’s overall bottom-up and worker-led approach is adaptable and responsive to the needs of worker organizations and fosters ongoing support and engagement and is thus relevant. **Participants in both formal and informal capacity-building training sessions utilized the acquired knowledge to directly address their specific needs and create their own independent and democratic organizations, legitimize contracts, and negotiate CBAs, which ultimately led to an increase in salaries and improvement in working conditions.**

SC campaigns resulted in over 30,000 workers taking part in independent and democratic unions.



EFFECTIVENESS - SC and its partners are on track to achieve most but not all mid-term and long-term outcomes. SC has been successful at supporting workers to organize through campaigns. The tangible ‘wins’ create a multiplying effect as they serve to motivate other workers and increase knowledge of key processes. However, institution-building activities, such as coalition strengthening, need to be accelerated to provide enduring safety nets for workers. The project has yet to achieve sustained 'data-driven dialogue' between workers and the Mexican government to improve Labor Law Reform (LLR) implementation. However, dialogue between workers and the private sector has taken place in the context of CBA negotiations.

The achievements of SC2 at a mid-point were varied, with some aspects showing significant progress while others faced challenges. The project succeeded in increasing workers' knowledge of labor rights, educating at least 327 workers and 158 worker organization leaders. However, only one out of three University-led Labor Centers was operational. It focused on conducting research as opposed to disseminating labor rights information to workers. The project began to establish networks between academics in the Labor Centers with the hope that, in the future, these centers will be better positioned to provide services to workers.

TABLE: SC2 PERFORMANCE RATINGS

	ACHIEVEMENT	SUSTAINABILITY	EQUITY
OUTCOME 1: Increase workers’ and relevant organization’s knowledge of labor rights, particularly under the LLR.	Above moderate	Above moderate	Moderate
OUTCOME 1 A: Increase independent, democratic worker organization capacity to organize, effectively represent, and advocate for workers.	Above moderate	Above moderate	High
LTO 2: Increase workers’ and their representatives’ effective use of labor rights provisions, particularly those under LLRs	High	Above moderate	Low
LTO 3: Generate a sustained data-driven dialogue among relevant stakeholders to improve LLR implementation.	Low	Low	Low

The performance rating scale includes four rating options: Low, Moderate, Above Moderate, and High.



COHERENCE- SC's Mexico Strategy (2022-2028) aligns with the project objectives. The project's objectives align with several of the strategies' key axes. There is evidence of project-level adaptation based on lessons learned.

SC2 incorporates women-only activities to promote gender equity within independent and democratic unions. These activities provide safe spaces for female workers to discuss gender-related challenges and build solidarity.



EQUITY AND INCLUSION- SC works with marginalized and underserved populations, particularly low-income workers and unionized female workers. SC approaches workers and gauges their interest in unionizing regardless of any individual or group characteristic (ethnic minority, migrant workers, etc.). The involvement of LGBTQ+ and workers with disabilities in project activities tends to be circumstantial, instead of purposeful or intentional. A specific strategy for marginalized workers from these groups may yield entry points for persisting unmet needs.



SUSTAINABILITY- SC's supportive and worker-led approach helps to embed key knowledge that is more likely to be retained by workers than other methods, such as supply-driven training.

The project supported the creation of institutions, such as a university-led Labor Center, worker-led Worker Centers and national-level worker organizations, that with time may provide important safety nets and sustainable support for the emerging independent and democratic unions. This will ensure that sustainability and scalability of capacity strengthening and organizing is more likely to be achieved after the end of the project.

The SC2 sustainability strategy relies on workers integrating their knowledge and joining worker organizations to continue applying the skills. It also seeks to leverage Labor Centers, research networks, and partnerships, and commits to writing a five-year plan to identify funds after the project ends.



IMPACT- The applied research conducted by the Labor Center led to evidence-based decisions related to which sectors could be organized. However, research was not shared with workers, and Labor Centers have not developed sufficient relationships with worker organizations. Legal assistance was strategic to support national independent unions and newly organized labor groups.

CONCLUSION

SC's overarching achievements in organizing workers, strengthening organizations, operationalizing the Labor Law Reform, and embodying democratic values to advance workers' rights are historic. The organizational success can be attributed to SC's bottom-up approach. While this approach is successful and based on decades of learning and adaptation, it is time- and labor-intensive. At this junction of the project implementation, SC and partners need to consolidate their gains while replicating and scaling campaign efforts and supporting institution-building for long-term movement building.

According to interviews with workers, the fears of wrongful dismissal and retribution towards organizing have not diminished and are likely to remain. However, the workers' motivation to organize has increased, as the project allowed them to witness and experience tangible 'wins' through campaigns and by negotiating better terms in collective bargaining agreements. Workers' enthusiasm and optimism towards improving their organizations were palpable, while they remain cautiously aware that there is much more to do.

KEY RECOMMENDATIONS

SC AND IMPLEMENTING PARTNERS

- 1. Strengthen Collaboration and Planning:** Organize a SC staff-all workshop and one with partners to ensure sufficient synergies between actions.
- 2. Refine Objectives and Definitions:** Revisit key definitions and expectations related to SC2 and SC3 Long Term Outcome 3, related to the improvement of social dialogue, with ILAB.
- 3. Refine Monitoring and Reporting Procedures:** Revisit the data collection requirements for indicator reporting that could harm the project participants, such as signature requirements at Worker Centers.
- 4. Scale-Up Capacity Strengthening:** Continue with a worker-led and accompaniment approach while conducting systematization of capacity strengthening topics, themes, processes, learnings, and good practices to support the sustainability of partner institutions.
- 5. Prioritize Sustainability:** Accelerate activities and consolidate achievements related to sustainability.
- 6. Strengthen Worker Network:** Accelerate the creation of coalitions or networks of democratic unions, researchers, and labor lawyers to ensure the sustainability of the project outcomes.¹
- 7. Deepen Equity and Gender Integration:** Create an equity and gender mainstream plan that is practical and achievable.
- 8. Enhance Communication Strategy:** Increase communication efforts regarding project results for greater visibility that can address the needs of various stakeholders, including workers and the U.S. government, with an aim to support narrative change.

USDOL-ILAB

- 9. Plan for the Future:** Conduct risk analysis and scenario planning to evaluate the potential outcomes for newly formed worker organizations and institutions if there are no substantial changes to Mexico's operating space and the close relationship between the Mexican government and corporatist employer unions.

MEXICAN GOVERNMENT (FEDERAL LEVEL)

- 10. Promote Existing Frameworks:** Continue to be open to collaborate, engage in dialogue, and promote the 2019 LLR and the USMCA Rapid Response Mechanism.



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¹ This recommendation applies for another project (Building an Independent and Democratic Labor Movement to Protect Workers Rights in Mexico – SC3) also implemented by SC.