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UNITED STATES DEPARTMENT OF LABOR



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INTERIM EVALUATION

ENGAGING WORKERS AND CIVIL SOCIETY TO STRENGTHEN LABOR LAW ENFORCEMENT IN MEXICO

March 2022

Grantee: Solidarity Center

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Evaluators: Rafael Munoz-Sevilla (lead) & Dianne Ortega

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This report describes the interim evaluation of the Engaging Workers and Civil Society to Strengthen Labor Law Enforcement project in Mexico, which was one component of a three-country award of the same name, covering Georgia, Peru and Mexico. Fieldwork for this evaluation was conducted during November 2021. Sistemas, Familia y Sociedad Ltd. (SFS) conducted this independent evaluation in collaboration with the project team and stakeholders and prepared the evaluation report according to the terms specified in its contract with the United States Department of Labor. The evaluation team would like to express sincere thanks to all parties involved for their support and valuable contributions.

Evaluators: Rafael Munoz-Sevilla (lead) & Dianne Ortega

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LIST OF ACRONYMS

CBA	Collective Bargaining Agreement
COCEM	Confederación de Obreros, Campesinos y Empleados de México
COR	Confederación Obrera Revolucionaria
CROC	Confederación Revolucionaria de Obreros y Campesinos
CROM	Confederación Regional Obrera Mexicana
CRT	Confederación Revolucionaria de Trabajadores
CSO	Civil Society Organization
CTC	Confederación de Trabajadores y Campesinos
CTM	Confederación de Trabajadores de México
ET	Evaluation Team
FESIAAN	Federation of Independent Unions of Auto, Auto parts, Aerospace, and Tire Industries
FGD	Focus Group Discussion
FOA	Funding Opportunity Announcement
HQ	Headquarters
ILAB	USDOL International Labor Affairs Bureau
ILAW	International Lawyers Assisting Workers Network
ILO	International Labor Organization
KII	Key Informant Interview
LC	Labor Center
LE	Lead Evaluator
LOP	Life of Project
LTO	Long Term Outcome
M&E	Monitoring and Evaluation
MEL	Monitoring, Evaluation and Learning
MTO	Medium-Term Outcome

CBA	Collective Bargaining Agreement
NGO	Non-governmental Organization
OECD DAC	Organization for Economic Cooperation and Development's Development Assistance Committee
OMPMP	Orden Mexicana de Profesionales Marítimos y Portuarios
OTLA	USDOL Office of Trade and Labor Affairs
PMP	Performance Monitoring Plan
PRI	Partido Revolucionario Institucional
ProDoc	Project Document
RDN	Research and Documentation Network
SC	Solidarity Center
SINTTIA	Sindicato Nacional de Trabajadores y Trabajadoras de la Industria Automotriz
SITGM	Sindicato Independiente de Trabajadores de Goodyear Mexico
STO	Short-Term Outcome
STPS	Secretariat of Labor
TAC	OTLA's Technical Assistance and Cooperation Division
ToC	Theory of Change
TOR	Terms of Reference
TPR	Technical Progress Report
UAM	Autonomous Metropolitan University of Mexico
UAQ	Autonomous University of Querétaro
UAW	United Auto Workers' Union
UCLA	University Of California-Los Angeles
USDOL	U.S. Department of Labor
USMCA	United States, Mexico and Canada Agreement
WC	Worker Center

EXECUTIVE SUMMARY

BACKGROUND AND PROJECT DESCRIPTION

In 2018, the United States Department of Labor (USDOL) International Labor Affairs Bureau (ILAB) awarded Solidarity Center (SC) a three-year, US\$2,850,000 cooperative agreement to implement the “Engaging Workers and Civil Society to Strengthen Labor Law Enforcement” project in Peru, Georgia, and one additional trade partner country to be selected by USDOL and the grantee after award. The award was amended in April 2020 to include Mexico as the third project country, to increase the total award funding to US\$8,050,000, and to extend the global project duration to four and a half years. Funding allocation for the Mexico country component was US\$4,768,398 and the Mexico implementation is scheduled to end in September 2022.

The overall award objective is the “effective engagement by workers and civil society organizations (CSO) with the government and employers to improve enforcement of labor laws.” In the case of the Mexico component, independent, democratic worker organizations were the primary beneficiaries of this project. The Solidarity Center defined worker organizations as any group of workers who join together to defend their rights, organize for better conditions, advocate for their interests in the workplace and in the public sphere, or conduct other forms of collective action, regardless of their legal definition. Specifically, the project’s prioritized direct beneficiaries were individuals and groups of unaffiliated workers seeking remedies to labor rights concerns; unions in the auto supply chain, affiliated with the Federation of Independent Unions of Auto, Auto parts, Aerospace, and Tire Industries (FESIIAAN); and unaffiliated workers in the service sector. The main focus of the project was the auto supply chain.

KEY EVALUATION RESULTS

RELEVANCE AND VALIDITY. Mexico was not identified for inclusion in the award when the Funding Opportunity Announcement (FOA) was issued; it was added as a third country later. In this regard, the Theory of Change (ToC) and the long-Term Outcomes (LTO), as defined in the FOA, were not well suited to contribute to the objective of effective engagement by workers and CSOs with the government and employers to improve enforcement of labor laws in Mexico, as they implicitly assumed that if there were violations, there was an operating legal framework in place, as well as channels and actors that have at least a minimum level of capacities (and will) to resolve such violations. Nevertheless, the project’s actual strategy – which included, in a nutshell, supporting workers and independent and democratic workers’ organizations; generating applied research; and taking advantage of the opportunities generated by the 2019 labor reform process – is in alignment with workers’ needs and considered to be very relevant.

COHERENCE. There are currently eight USDOL-funded projects being implemented in Mexico, with six different grantees (including two SC projects). However, the country lacks an overarching Strategic Plan that brings together the different USDOL interventions in Mexico.¹ USDOL has conducted efforts in order to facilitate coordination among projects; however, it cannot be considered that there is a systematic coordination strategy in place for the projects in

¹ ILAB-OTLA is in the process of drafting a USMCA-Mexico strategy, including technical assistance and cooperation.

Mexico. On the other hand, while both SC projects are similar and share counterparts as well as geographic coverage (the States of México, Querétaro and Guanajuato as well as Mexico City), it does not appear that a systemic analysis was conducted in order to promote helpful synergies and avoid duplication. Most of the consulted stakeholders concurred that it would be advisable to do so.

EFFECTIVENESS. Although the legitimation of a collective bargaining process at an automotive plant was a major win for the project, the level of achievement toward the project's LTOs has been limited so far. However, multiple aspects may still create significant opportunities for the project to progress in its last year of implementation, namely: reinforced capacity of the personnel on the SC-Mexico team; the (potential) progressive return to normalcy post-pandemic and/or the establishment of a plan for mitigating the continued pandemic effects/strategies in light of the "new normal;" agreements that have been signed with respective universities; the launch of the Research and Documentation Network (RDN); the momentum that has been gained in the project's coordination with workers/unions; and the favorable context triggered by the 2019 labor reform. If indeed these conditions all occur and the project capitalizes on them, this could provide important opportunities for the project's leverage. Nevertheless, it should be emphasized that the project has engaged in complex processes that will require prolonged periods of time to transform the current systems and to consolidate the respective processes and results.

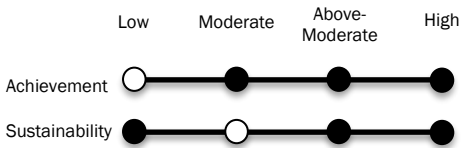
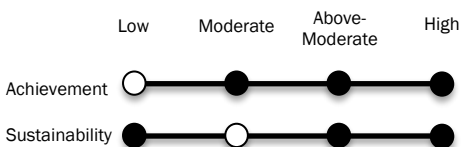
EFFICIENCY. Substantial progress (at the LTO level) during the remaining period of project implementation seems unlikely, as the LTOs have limited relevance for the Mexico component of this award. At present, after some initial challenges related to the Covid-19 pandemic as well as more context-specific challenges, project implementation is reaching cruise speed. However, considering the remaining implementation time (one year) and resources available, as well as the complex Mexican context, it is highly recommended that the project focus its efforts on maximizing its potential for impact and consolidating the processes/results that are already set in motion. This includes worker outreach; awareness raising and the strengthening of workers'/unions' capacities (including virtual means when the pandemic precludes in-person meetings); ensuring the full functioning of the Labor/Worker Centers; and capitalizing on the Research Network findings. Additionally, if opportunities arise, it would be advisable for the project to continue supporting the legitimation/collective bargaining processes.

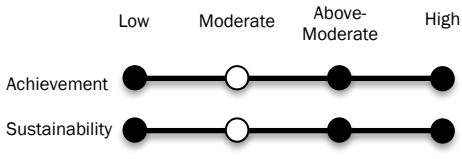
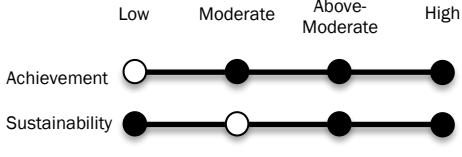
IMPACT. Realistic objectives and timelines should be established during a project's design stage, as well as adequate strategies and relevant indicators to measure the achievement of the planned results. In addition to a sound problem analysis and project formulation, the project implementation and monitoring processes should be guided by the principles of Complexity Aware Monitoring & Evaluation. It is necessary to move management away from models that focus only on inputs, activities and processes, towards the development and use of management models that focus on results: the outputs and outcomes that are a direct effect of the intervention. In addition, the use of monitoring data should not be limited only to writing the mandatory reports required by the ILAB, but instead the monitoring system should be designed and applied to create feedback loops that meet the information needs of the project and its stakeholders. A good monitoring system assists with the identification of problems as they occur, to facilitate quick corrective action when required, and monitors outcomes and changes for the (early) identification of what is working, for whom and why, so that the results can be capitalized on/reinforced.

SUSTAINABILITY. The evaluation has examined the opportunities and limitations of the main project interventions that have been implemented so far.

Regarding LTO 1: To a good extent, the project established a basis for the sustainability of the Labor Centers (LC). However, the continued operation of these Centers will largely depend on the development of a cost recovery mechanism to secure a replacement of the resources needed to sustain their operation without external funding. It is also important for SC to continue to build or maintain a strong relationship with FESIIAAN. Regarding the Worker Center (WC), FESIIAAN’s technical, human and financial capacities to ensure the Center’s future continuity are still unknown. **LTO 2:** While workers and activists are highly motivated and committed to achieving/sustaining the project’s outcomes, their organizations are still weak. This project component will need significant and intensive training and transformation processes, which require a considerable amount of time as well as extensive external support throughout such processes. **LTO 3:** The project has set up the Research and Documentation Network. While capacities have been developed, the extent to which the Network will continue to operate and produce significant materials that can be used in practice, without external technical or motivational support and a replacement cost recovery mechanism, is still uncertain. **LTO 4:** Some important preconditions that are necessary for workers to engage productively with the government and employers to address potential labor law violations are not yet in place in Mexico.

Table 1. Performance Summary

Performance Summary	Rating
<p>LTO1: CSOs/workers accurately identify potential labor law violations in workplaces</p> <p>Project targets are not yet achieved. The project produced some results regarding: awareness-raising among workers on labor laws and the labor law reform; worker education and outreach in Silao (Guanajuato); support for the collective bargaining legitimation process in Silao; production of educational materials; Worker Center in San Luis Potosí; and the Labor Centers in Querétaro and Mexico States. The project has yet to engage with workers in the States of Mexico and Querétaro.</p> <p>Replication of knowledge as well as the Labor Centers are likely to be sustainable. The sustainability of the Worker Center is unknown.</p>	 <p>A horizontal rating scale with four points: Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. For 'Achievement', the marker is at the Moderate position. For 'Sustainability', the marker is at the Low position.</p>
<p>LTO2: CSOs/workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies</p> <p>Project targets are not yet achieved. The project provided some support in order to strengthen capacities for identifying, documenting and filing complaints, and provided legal consultations/trainings for worker organization representatives.</p> <p>While workers and activists are highly motivated and committed to project outcomes, their organizations are still very weak. This includes low levels of technical capacities; scarce resources (human and financial); low levels of representation (affiliation); and very limited negotiation capacities (with employers, government, etc.). Addressing these issues will require intensive training and transformation processes over a considerable period of time, in addition to extensive external support throughout such processes.</p>	 <p>A horizontal rating scale with four points: Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. For 'Achievement', the marker is at the Moderate position. For 'Sustainability', the marker is at the Low position.</p>

Performance Summary	Rating
<p>LT03: CSOs/workers effectively track progress of claims</p> <p>Project targets were achieved to some extent. A Research and Documentation Network was established; academics were trained on the labor law reform and labor law monitoring; and the Network is currently developing an analysis of collective bargaining agreements (CBAs) and labor relations in the auto sector of San Luis Potosí, Querétaro, and Guanajuato (expected to be published by the end of 2021 or early 2022).</p> <p>While the Network’s capacities appear to be sufficient to conduct relevant academic research, the extent to which the Research Network will continue to operate and produce significant materials that can be used in practice (for example by SC or unions/workers to guide their actions), without external support (technical, motivational) and a suitable cost recovery mechanism, is still uncertain.</p>	 <p>A rating scale with four points: Low, Moderate, Above-Moderate, and High. Two horizontal lines represent Achievement and Sustainability. For Achievement, the scale is marked with a solid black dot at Low, an open white circle at Moderate, a solid black dot at Above-Moderate, and a solid black dot at High. For Sustainability, the scale is marked with a solid black dot at Low, an open white circle at Moderate, a solid black dot at Above-Moderate, and a solid black dot at High.</p>
<p>LT04: CSOs and/or workers engage with the government and employers to address potential labor law violations</p> <p>Project targets were not achieved. A Corporate Research for Sector Mapping is being developed by the project, and SC provided institutional strengthening support to unions/workers as well as support for strategic plan development and for improved advocacy skills.</p> <p>Regarding sustainability, in Mexico, an autonomous, representative and democratic trade union "fabric" is an indispensable precondition to engaging workers in the process of identifying and addressing workers’ rights violations, and for eventually allowing complaints about such violations to be filed through an independent and impartial system that has the mandate and capacity to receive, assess, and address them. Such preconditions are not yet in place in Mexico. On the other hand, according to interviews conducted with project stakeholders (SC, unions, workers, and activists), employers are unwilling to engage with workers to address potential labor law violations.</p>	 <p>A rating scale with four points: Low, Moderate, Above-Moderate, and High. Two horizontal lines represent Achievement and Sustainability. For Achievement, the scale is marked with an open white circle at Low, a solid black dot at Moderate, a solid black dot at Above-Moderate, and a solid black dot at High. For Sustainability, the scale is marked with a solid black dot at Low, an open white circle at Moderate, a solid black dot at Above-Moderate, and a solid black dot at High.</p>

PROMISING PRACTICES

PROMISING PRACTICE 1 – “QUIET” SUPPORT TO ACTIVISTS. The project strengthened the capacity of laid-off workers in Silao to conduct outreach and workers' organizing activities in preparation for the vote to legitimate collective bargaining at an automotive plant.² This made it possible to provide “quiet” technical and strategic assistance to the workers organized around the National Union of Workers of the Automotive Industry (SINTTIA)³ in the days before the legitimation vote. This support was decisive in preventing punitive measures from employers

² As reported by Reuters on Feb, 3, 2022, “the union known as SINTTIA won 78% of the votes cast by several thousand workers... beating three rivals including Mexico's biggest labor organization that had held the plant contract for 25 years.” <https://www.reuters.com/business/autos-transportation/gm-workers-mexico-elect-independent-union-historic-labor-vote-2022-02-03/>

³ Sindicato Nacional de Trabajadores y Trabajadoras de la Industria Automotriz

and/or protection unions, and further allowed these workers to legitimately win the vote. Similarly, the project provided technical assistance to a group of dismissed worker activists in San Luis Potosí, and strengthened their outreach and worker organizing capacities, which in turn contributed to a maintained and active union presence at their automotive plant (Please refer to Section 3.3. Effectiveness, for more detail).

PROMISING PRACTICE 2 – NETWORKING AND LEVERAGING CAPABILITIES. SC has been able to network and leverage the capabilities of experienced and recognized/prestigious institutions such as the University of California - Los Angeles (UCLA) and Huridocs to provide a wide range of specialized support services, and at the same time establish horizontal linkages with workers/unions/universities.

PROMISING PRACTICE 3 – CAPITALIZING ON EMERGING OPPORTUNITIES. The project opted to team up with organizations/workers with whom SC had a previous working relationship (FESIIAAN-National) and used opportunities that arose from conflict situations in the project’s context to establish relationships with emerging workers’ organizations. For instance, this included the Independent Union of Workers of Goodyear Mexico (SITGM) in San Luis Potosí, along with Generando Movimiento and SINTTIA in Silao (Guanajuato). On other occasions, the project was also able to capitalize on specific situations that arose, for example, when the Mexican Order of Maritime and Port Professionals (OMPMP) was fighting for representation in negotiating a CBA in several Mexican ports.

LESSONS LEARNED

LESSON LEARNED 1 – FORMULATING, REVIEWING AND UPDATING RISK ASSESSMENT AND MITIGATION PLANS is important in order to address challenges and adapt to changing contexts, especially in view of the lack of institutional capacities, the low level of ownership among government and employers, and the evolving (and protracted) Covid-19 pandemic. Addressing such situations requires a proactive approach to appropriately read the context, and the ability to identify and allow for relevant adjustments when required.

LESSON LEARNED 2 – AWARENESS-RAISING ON RELEVANT LABOR LAWS FOR WORKERS, CAPACITY BUILDING AND ORGANIZATIONAL SUPPORT are necessary and indispensable conditions for the creation of an autonomous, representative and democratic trade union "fabric." Laying the foundation for such “fabric” (through awareness-raising and capacity building) should be made a priority for the project in the remaining implementation period.

LESSON LEARNED 3 – AT PRESENT, IN THE MEXICAN CONTEXT, A “CAPACITY BUILDING” PROJECT APPROACH IS MORE RELEVANT THAN THE “COMPLAINTS-BASED” APPROACH THAT HAS BEEN USED SO FAR. Prior to engaging in a productive dialogue with the government and employers, workers' organizations first need to be sufficiently structured, in order to have a minimum degree of representativeness and legitimacy.

LESSON LEARNED 4 – A PHASED APPROACH WOULD BE APPROPRIATE IN THE MEXICAN CONTEXT. Developing a phased approach that progressively establishes the conditions that allow autonomous and democratic unions to increasingly engage with the government and employers, in order to eventually improve the enforcement of labor laws, would be appropriate in the Mexican context since USDOL will most likely remain involved in supporting the United States, Mexico and Canada Agreement (USMCA) labor law reform/implementation for a long period of time (beyond the life of one project).

LESSON LEARNED 5 – LEGITIMATION/CBA PROCESSES ARE NOT AN “END” IN THEMSELVES. The process of legitimation/collective bargaining agreements should not be seen as an end in

itself, but rather as a means to identify, engage, train, and strengthen workers on a continuing basis, and as a process that extends beyond (and continues independently of) the duration of the project. It is true, however, that the achievement of CBA ownership by an autonomous, democratic and representative trade union is a desirable outcome.

LESSON LEARNED 6 – STRENGTHENING WORKERS’ ORGANIZATIONS BY SUPPORTING UNDERSERVED COMMUNITIES. The project could help to strengthen workers’ organizations by adopting a specific focus on underserved communities⁴ (for instance, young people and women, or vulnerable groups such as people with disabilities, migrants from other Mexican states and/or other countries, or indigenous workers), as this would allow the organizations to become more representative and inclusive, better prepared for a generational renewal, and better able to advocate for/demand non-discrimination and equity with respect to employment.

LESSON LEARNED 7 – COMPLEX PROBLEMS REQUIRE LONG-TERM TRANSFORMATIVE PROCESSES. Very often, technical assistance/development cooperation projects are implemented in complicated and challenging contexts. Thus, the problems that they intend to resolve/address are often complex and multi-dimensional, especially when there are systemic power imbalances at play. Responding to these problems and addressing their causes and consequences usually require long-term, multi-stakeholder transformative processes that go beyond the life of one project.

CONCLUSIONS AND KEY RECOMMENDATIONS

CONCLUSIONS

Although the project was very relevant and in alignment with workers’ needs, most stakeholders consulted by the evaluators opined that an important precondition for the successful implementation of this type of worker’s rights project was the existence of autonomous, democratic and representative union/worker organizations, with minimum capacities for effective and independent workers’ representation as well as for productively engaging with the government and employers. While such organizations do exist (even if few and small) in a landscape largely dominated by “protection unions,” this precondition is not yet present in Mexico and neither was it considered by the FOA’s ToC and LTOs. The project strategy is, however, very clear about the need to strengthen the democratic unions in order for them to fully take advantage of the opportunities opened by the labor reform.

The main limitation of the prescribed ToC and LTOs is that these placed the focus of the project (and the measurement of its success or lack thereof) on identifying and addressing violations, while it might be more appropriate to prioritize creating/reinforcing some basic conditions such as an improved awareness among workers about their labor rights and

⁴ Underserved communities” refers to populations who have been historically underserved, marginalized, or denied equitable treatment on the basis of disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with Executive Order 13985 of January 20, 2021, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” the term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

strengthened democratic and representative workers’ organizations (these two aspects were part of the Framework, however, as Medium- or Short-Term Objectives).

The level of the project’s achievement of the LTOs has been limited so far. Substantial progress (at the LTO level) in the remaining period of project implementation seems unlikely. At present, after some initial challenges (such as the protracted Covid-19 pandemic, a lack of mitigation measures, and more context-specific challenges) the project implementation is reaching cruise speed. Considering the complex Mexican context and the remaining implementation time (one year) as well as the resources available, it would be highly recommended to focus the project’s efforts on consolidating some of the processes/results that are already set in motion and maximizing the project’s potential for impact.

Such priority processes/results include those related to worker outreach, awareness raising, and the strengthening of workers/unions' capacities. It would also be highly desirable for SC to ensure the full functioning of the Labor/Worker Centers, and to increase knowledge and awareness among workers and public or private institutions by disseminating the studies/findings of the Research Network. In addition, the findings could be used for evidence-based planning and action for SC and the project partners, using the data to develop actionable projects.

Additionally, if opportunities arise, it would be advisable for the project to continue supporting legitimation/collective bargaining processes. Moreover, it is important to systematize, learn from and disseminate the lessons learned from such experiences in order to create a solid knowledge base that can guide further planning and action for SC and the workers/workers' organizations, as well as well as for USDOL, the Government of Mexico, or other funders, which creates learning and feedback loops within the project and ensures that lessons are shared across the different states/institutions, sectors, implementers, etc.

KEY RECOMMENDATIONS

Table 2. General Recommendations - For USDOL ILAB

Recommendations to USDOL/ILAB	Evidence	Page Numbers
<p>No. 1. Funding Opportunity Announcements with pre-identified countries. USDOL ILAB should develop FOAs with pre-identified countries, to ensure the Theory of Change and Long-Term Outcomes are realistic given the context in each country.</p>	<p>The global project ToC and set LTOs, as prescribed in the FOA, did not hold true in Mexico (Mexico was not considered in the design phase because at the time, USDOL ILAB did not know it would be the third country).</p> <p>Realistic objectives and timelines need to be established in the design stage, as well as adequate strategies and relevant indicators.</p>	<p>Section 3.1 Relevance and Validity, EQ1, pp. 8-10; EQ2, pp. 10-13</p> <p>Section 3.5. Impact, EQ 18, pp. 30-31</p>

Recommendations to USDOL/ILAB	Evidence	Page Numbers
<p>No. 2. Processes related to the project design and approval should be shortened.⁵ ILAB should implement measures that allow for shortening the project design and approval process. In addition, grantees must reinforce their capacity for project planning and formulation and increase their efficiency in the implementation of all necessary stages related to the preparation and delivery of the Project Document Package products.</p>	<p>The development and approval of the Project Document Package was a lengthy process. The original project submission was on April 15, 2020 and this was followed by three revised submissions; the final one having been submitted on January 13, 2021 and approved by the USDOL on Feb 10, 2021.</p>	<p>Section 3.3. Effectiveness, EQ10, pp. 22-25</p>
<p>No. 3. ILAB should continue to roll out and implement the OTLA USMCA-Mexico Strategy. ILAB should finalize and disseminate the strategy in order to establish a robust approach to USDOL's effective administration of the USMCA labor provisions, as well as strategic and interconnected delivery of technical assistance and interventions that contribute to higher objectives.</p>	<p>ILAB's Office of Trade and Labor Affairs (OTLA) is the principal agency within USDOL responsible for the implementation of the USMCA. ILAB-OTLA is in the process of finalizing and rolling out a USMCA-Mexico strategy, including technical assistance and cooperation.</p> <p>ILAB has not yet broadly disseminated the Strategic Plan⁶ that brings together the different USDOL interventions in Mexico. Such a plan could establish a set of higher-level goals to which each of the different projects would contribute.</p>	<p>Section 3.2. Coherence, EQ7, p. 18</p>

Table 3. General Recommendations - For USDOL ILAB and the Implementer

Recommendations to USDOL/ILAB and to the Implementer	Evidence	Page Numbers
<p>No. 4. Monitoring and Evaluation (M&E) Frameworks. ILAB and SC should adopt and use more agile M&E Frameworks.</p>	<p>To date, the project's M&E framework cannot be considered to have been systematically applied by the grantee to detect deviations in project implementation, which has prevented the opportunity to propose and implement corrective measures.</p>	<p>Section 3.4. Efficiency, EQ17, p. 29</p>

⁵ This is being addressed in a new version of the OTLA Management Procedures and Guidelines (which is expected to be published in February 2022).

⁶ ILAB-OTLA is in the process of drafting a USMCA-Mexico strategy, including technical assistance and cooperation.

Table 4. Specific Recommendations - For the Implementer

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 5. Establish complementarities between SC's "Project 1" and "Project 2." SC should establish synergies between "Project 1" and "Project 2," integrating lessons learned from Project 1 into Project 2 to better ground it within the Mexican context, as well as further complementing/strengthening Project 1 (for example, provide ongoing support to the Labor/Worker Centers and the Research and Documentation Network). SC should prepare a proposal to guide further discussions and joint decisions with ILAB.</p>	<p>The SC is currently implementing two projects in Mexico, the "Engaging Workers and Civil Society to Strengthen Labor Law Enforcement" project, also known as SC Project 1, and the "Strengthening Workers' Ability to Exercise their Labor Rights in Mexico" project, also known as SC Project 2. While both projects are similar and share counterparts as well as geographic scope, a systemic analysis has been lacking and would be necessary to promote helpful synergies, identify complementarities, and avoid duplication.</p>	<p>Section 3.2. Coherence, EQ7, p. 18</p>
<p>No. 6. One-year no-cost extension/consolidation of Projects 1 and 2. SC should consider requesting a one-year no-cost extension to complete the projects' processes and results, to maximize efficiency and impacts, and to strengthen sustainability.</p>	<p>It does not seem likely that substantial progress will be made at the level of the LTOs for the remaining period of project implementation. However, despite the lack of progress to date, several factors may open significant opportunities for the progress of the project in its last year of implementation. Nevertheless, it must be noted that the project has engaged in processes that demand long periods of time to produce and consolidate results.</p>	<p>Section 3.3. Effectiveness, EQ9, pp. 19-22; EQ 10, pp. 22-25</p>

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 7. SC Mexico-HQ and USDOL must urgently reflect and agree upon the priorities for the remaining implementation period. Based on the project’s challenges, context, and results (achieved and planned), SC Mexico-HQ and USDOL must urgently reflect and agree on the priorities for the remaining implementation period, including: <u>what</u> to achieve; <u>how</u> to do it and <u>with whom</u>; who <u>must benefit/be reached most urgently</u>; what is <u>realistic to achieve</u>; and what should the project <u>forego (or reduce emphasis on)</u> in order to double-down on the agreed priorities that are believed to be important and achievable.</p>	<p>The level of the project’s achievement of the LTOs has been limited so far, and it does not seem likely that substantial progress toward the LTOs will be made in the remaining period of project implementation. After some initial challenges, the project implementation is currently reaching cruise speed. Considering the complex Mexican context and the remaining implementation time (one year) as well as the resources available, it would be more effective to focus the project’s efforts on consolidating some of the processes/results that are already set in motion.</p> <p>The following are suggested as priority aspects to focus on:</p> <p>a) <u>Further strengthening workers' organizations</u>, specifically those with which progress has already been made: FESIAAAN (National); Generando Movimiento (Silao); SINTTIA (Silao); SITGM (San Luis Potosi);</p> <p>b) <u>Intensifying outreach</u> to the LCs, CSOs, unions, and academia in all project sites. Also, redoubled efforts are needed in Querétaro and Mexico (State) regarding outreach, information, and training/capacity building;</p> <p>c) <u>Ensuring the full operation of the Labor/Worker Centers</u>, as well as an adequate balance of research-outreach-training activities by providing ongoing training and follow-up to the LC/WC workplan preparation. Moreover, the Labor/Worker Centers and Research Network’s research findings must be used for further action. They should also contribute to identifying underserved communities, problems, and needs as well as potential interventions to address them;</p> <p>d) <u>Continuing to support the legitimation/CBA processes</u> as well as the learning and systematization of experiences;</p> <p>e) When specific opportunities may arise (including instances of conflict, legitimation/collective bargaining processes, worker/union demands, etc.), <u>continuing to support the i) identification; ii) documentation; iii) filing; and iv) monitoring of violations and complaints.</u></p>	<p>Section 3.3. Effectiveness, EQ9, pp. 19-22; EQ 10, pp. 22-25</p>

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 8. Covid-19 virtual communication strategies. In anticipation of ongoing limitations due to the <u>Covid-19 pandemic</u>, SC should establish additional virtual communication, outreach and training mechanisms and strategies, and build worker organizations’ capacity to use these effectively. Good practices from the SC-USDOL project in Peru may be adapted to the Mexico Project.</p>	<p>During 2020 and 2021, the biggest challenge for the project was the evolving nature of the Covid-19 pandemic. The pandemic affected project implementation in multiple ways and largely prevented face-to-face interactions, which negatively affected the potential for implementing activities involving workers’ outreach and training. In this regard, some stakeholders consulted, especially among USDOL, opined that SC should have invested more efforts in setting up virtual communication strategies in order to strengthen workers’ outreach and training.</p>	<p>Section 3.3. Effectiveness, EQ14, pp. 27-28</p>
<p>No. 9. Develop a <u>sustainability plan</u>. To develop the sustainability plan, SC should take into account the results achieved thus far, as well as the expected challenges and the status of the enabling environment in Mexico. SC should also clearly identify underlying assumptions, risks and mitigation strategies. In addition, SC should describe what is expected to be sustained with a well-defined timeline, and identify the specific institutions expected to be responsible for sustaining such results (providing an explanation as to where the multiple resources that are required to ensure sustainability will be expected to be coming from).</p>	<p>While SC developed a Sustainability Matrix, it is not evident that the project effectively planned for ensuring the sustainability of the project’s results. There is yet ample room for improvement and further clarification about the specific strategic arrangements that will need to be made both by the project management and by the project partners regarding how to contribute towards the sustainability of project outcomes/results.</p>	<p>Section 3.6. Sustainability, EQ19, p. 31</p>

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 10. Identify workers' preferred mechanisms for resolving workplace disputes via a survey or learning event. SC Mexico should consider surveying or hosting a learning event with workers to understand their preferences and the rationale for them.</p>	<p>In the SC Peru evaluation, workers seemed to indicate that they preferred to resolve workplace disputes informally and directly with employers through negotiation (with support) rather than through formal channels. Projects should conduct participatory consultations and a thorough situation analysis, including a detailed analysis of the context, stakeholders/participants and beneficiaries, with a lens toward “equity/underserved communities.” Such a situational assessment should be the basis for conducting a problem analysis and developing the intervention strategies/objectives, which would then be tailored to the actual needs of people and institutions (including underserved communities if these are properly identified and included during previous steps). Conducting a learning event would be an important part of a needs assessment/stakeholder analysis, in order to understand the trust and power dynamics. This would also allow projects to avoid faulty assumptions and identify where or by what mechanisms workers are likely or prefer to receive information or assistance to resolve issues in the workplace, etc.</p>	<p>Section 3.1. Relevance, EQ4, pp. 14-16</p>

1. PROJECT CONTEXT AND DESCRIPTION

1.1. PROJECT CONTEXT

Mexico's labor relations system has long been characterized by a corporatist model, monopolized by undemocratic unions that have historically aligned themselves with the former ruling party or employers. This system has deprived most of Mexico's workers of voice and participation at the workplace, though the government has touted its strong partnerships with trade unions and has boasted of the "labor peace" that reigns over the country. These unions often sign labor agreements with employers with the blessing of authorities but without the knowledge or consent of workers. According to Solidarity Center's Project Document, these "employer protection contracts" represent between 75-90% of all legally recognized collective bargaining agreements in Mexico, giving the appearance of collective representation and collective contracts in name only but not in substance or practice. In essence, labor contracts in Mexico are largely bought and sold behind workers' backs by protection unions to ensure social control, rather than negotiated in good faith with authentic worker representatives.

The dominance of protection unions not only affects workers in formal, unionized workplaces. This system has provided protection unions with outsized influence in politics, wage setting, and tripartite labor spaces, including political office and seats in the structure of the labor conciliation and arbitration boards responsible for adjudicating worker claims and registering new unions and collective bargaining agreements. This has created a significant conflict of interest, as protection unions exercise formal roles in policymaking and in determining which worker organizations are recognized or rejected, which is particularly pronounced at the local-level boards. Protection unions are also active in the informal economy, where disputes over extorting "union dues" in exchange for vendor spaces and security have caused violence. The end result has been endemic corruption and systematic repression of wages and worker organizing in Mexico: an artificially low minimum wage that has kept Mexican wages below those in China and on par with lesser developed countries with much smaller economies; a stubborn poverty rate that has not significantly reduced in the last 30 years; and a virtual absence of worker participation in setting labor conditions and wages even in robust, formal economic sectors.

The constitutional reform of 2017 and subsequent labor reforms ushered in by the government of Andrés Manuel López Obrador on May 1, 2019 addressed the need for effective labor justice and focused on three central pillars: (1) eliminating the notoriously corrupt labor conciliation and arbitration boards; (2) separating the labor justice functions of the boards, moving these into the impartial judicial branch; and (3) supporting labor democracy by making it more difficult to sign a protection contract, mandating votes on all contracts, and streamlining the process through which workers can challenge an incumbent union.

In addition to the labor reforms, Mexico's Congress ratified the International Labor Organization (ILO) Convention 98 on Collective Bargaining last September; the government has increased minimum wages to recover citizens' purchasing power; and new social security protections have been extended to domestic workers along with a new campaign against social security fraud. Taken together, this presents an unprecedented landscape in which to advance fundamental labor rights in Mexico and push for breakthroughs in more democratic worker representation.

However, Mexico is starting to implement these changes from a severe deficit in government capacity; deeply entrenched interests on the part of protection unions, employers and many local authorities; and a small, weak independent labor movement that has been historically attacked and marginalized. The Mexican government has a backlog of over half a million worker claims at the federal level alone, which it must clear before the new system takes effect. Mexico's proposed labor inspector team of 1,500 falls severely short of the ILO's recommended standard. Furthermore, many labor leaders and analysts have questioned the budget projections for the reform implementation, noting that the Secretariat of Labor's (STPS) budget was reduced by 33% in 2020. Although STPS has begun publicity campaigns and a series of state-level forums on the reform, the reality is that workplace democracy and collective bargaining remain abstract concepts for most workers in Mexico, and very few of them have viable alternatives for their current labor situation. This is beginning to play out in the process of "legitimizing" existing labor contracts, which relies on incumbent unions to self-initiate, conduct and report votes on their current agreements. In a context where the overwhelming majority of contracts are signed by protection unions, and challenging the status quo is met with swift repression, protection unions thus far have been successful in ratifying their contracts due to workers' misinformation and lack of options – meaning protection contracts will simply be validated by new laws.

At the same time, the largest union organizations in Mexico (including, most notably, the Confederation of Mexican Workers - Confederación de Trabajadores de México or CTM) have filed 800 legal challenges to the reforms, alleging that they amount to interference in autonomous union affairs. The independent labor movement, having been purposefully marginalized and having faced attacks and violence for organizing, is limited in its reach. This means that in this time of "opening" the labor relations in Mexico, rival protection or undemocratic unions are best positioned to dispute collective bargaining agreements and increase member affiliation. Lastly, Mexico's security situation continues to decline, and its human rights record has not improved. Human rights and land rights activists remain particularly vulnerable, and attacks on labor activists are also of concern. Most recently, a mineworker activist fighting for an independent union in Guerrero State disappeared.

There is an important but limited window in Mexico to maximize the positive potential of the new labor reforms and overall labor policy. Despite the stated aim of increasing worker democracy, the systematic exclusion of most workers from labor relations means that ordinary working people across Mexico are limited in understanding their new rights and what is at stake with the reforms. It is thus unlikely that the new legal provisions will automatically translate into the greater awareness, empowerment and capacity necessary to participate in dismantling the entrenched system. For the labor law reforms to be fully and meaningfully applied, workers must be well-informed, properly supported and effectively organized to generate collective demand, such that they take ownership of the new mechanisms afforded to them and the new provisions can be tested and used. Absent this active worker participation in the transition, the more powerful, traditional stakeholders in the process will only reaffirm their grip on Mexico's undemocratic labor relations.

1.2. PROJECT DESCRIPTION

In 2018, the United States Department of Labor (USDOL) International Labor Affairs Bureau (ILAB) awarded Solidarity Center (SC) a three-year, US\$2,850,000 cooperative agreement for the "Engaging Workers and Civil Society to Strengthen Labor Law Enforcement" project in Peru,

Georgia, and one additional trade partner country to be selected jointly by USDOL and the grantee after award. The award was amended in April 2020 to include Mexico as the third project country, to increase the total award funding to US\$8,050,000, and to extend the global project duration to four and a half years. Funding for the Mexico country component of the project was US\$4,768,398, and the Mexico implementation is scheduled to end in September 2022. The current evaluation refers solely to the Mexico project.

The overall award objective is the “effective engagement by workers and civil society organizations (CSO) with the government and employers to improve enforcement of labor laws.” Independent, democratic worker organizations were the primary beneficiaries of the Mexico project. The Solidarity Center defined worker organizations as any group of workers who join together to defend their rights, organize for better conditions, advocate for their interests in the workplace and in the public sphere, or conduct other forms of collective action, regardless of their legal definition. Specifically, the project’s prioritized direct beneficiaries were individual and groups of unaffiliated workers seeking remedies to labor rights concerns; unions in the auto supply chain, affiliated with the Federation of Independent Unions of Auto, Auto parts, Aerospace, and Tire Industries (FESIIAAN); and unaffiliated workers in the service sector. The main focus of the project was the auto supply chain.⁷

The award’s proposed activities were designed to drive results towards the project’s goal of enabling workers and their civil society organizations to effectively engage the government and employers to improve enforcement of labor laws. Project interventions sought to develop the long-term sustainable capacity of worker and civil society organizations to support more effective labor law enforcement, recognizing the specificities of the labor reform process that is underway in Mexico. Activities were largely concentrated in the central industrial heartland, specifically the States of San Luis Potosí, Guanajuato, and Querétaro; Mexico City; and Mexico State. Specifically, the SC partnered with unions, worker organizations and unaffiliated workers in the auto supply chain.

Given that the Long-term Outcomes (LTOs) were established in the Funding Opportunity Announcement (FOA), the Mexico project established the following Medium-term Outcomes (MTOs):

- **LTO 1.** CSOs and/or workers accurately identify potential labor law violations in workplaces
 - **MTO 1.1.** Workers in manufacturing and services sectors are better informed about the scope and applicability of relevant labor laws and labor reform provisions to identify labor rights violations in the workplace
 - **MTO 1.2.** Workers in manufacturing sectors and community members sustain demand for Labor and Worker Center services
- **LTO 2.** CSOs and/or workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies

⁷ A subsequent SC Workers’ Rights project focused on the aerospace industry and service sectors in Mexico, which is outside of the scope of this evaluation.

- MTO 2.1. Worker organizations implement strategies to submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies
- LTO 3. CSOs and/or workers effectively track the progress of claims
 - MTO 3.1. Academic partners actively monitoring the labor law reform in a way that includes workers' voice and participation
- LTO 4. CSOs and/or workers engage with the government and employers to address potential labor law violations
 - MTO 4.1. Worker organizations and employers commence discussions through collective bargaining, bilateral negotiations and tripartite social dialogue to remedy labor law violations

1.3. PROJECT SCOPE

The project's interventions were classified into three interdependent areas:

- Worker organization strengthening: The majority of interventions were designed to strengthen the traditionally marginalized, independent, democratic labor sector's ability to engage productively in enforcement efforts and to effectively represent new populations of workers. This included workshops or seminars to train workers and union leaders in strategic planning, internal democracy, organizing, advocacy, negotiation and social dialogue. This also included activities that reinforce those skills and help workers apply them in concrete settings through continued field presence and legal, technical and strategic advice.
- Structural and institutional sustainability: These include: the creation of Labor Centers (LC) in the city of Querétaro and Mexico City (servicing Mexico State as well) and support for a Worker Center (WC) in San Luis Potosí, which will serve as dynamic hubs for supporting local workers throughout the life of the project; and an academic Research and Documentation Network (RDN) concentrated in the States of San Luis Potosí, Guanajuato, and Querétaro that will support research and monitoring of the labor law reform implementation through the documentation of labor rights violations experienced by workers in the manufacturing and service sectors, with a special focus on the auto supply chain.
- Research partnerships: Because of democratic unions' limited reach in Mexico, SC is leveraging their partnerships with academic institutions – including the University of California-Los Angeles and the Cornell University School of Industrial and Labor Relations – to guide the development of geographic hubs for worker support, research, youth/student engagement, and connections between the local community and labor movement. Because this model did not exist in Mexico, community-based research has been a key component of the start-up activities as a tool for workers and trade union partners that can be sustained over the long term.

2. EVALUATION PURPOSE

2.1. EVALUATION PURPOSE

The purpose of this interim performance evaluation was to:

1. Assess the relevance of the project in the cultural, economic, and political context in the country, as well as the validity of the project design and the extent to which it is suited to

the priorities and policies of the host government and other national stakeholders;

2. Determine whether the project is on track toward meeting its objectives and outcomes, identify the challenges and opportunities encountered in doing so, and analyze the driving factors for these challenges and opportunities;
3. Assess the effectiveness of the project's strategies and the project's strengths and weaknesses in project implementation and identify areas in need of improvement;
4. Provide conclusions, lessons learned, and recommendations; and
5. Assess the project's plans for sustainability at local and national levels and among implementing organizations, and identify steps to enhance its sustainability.

The primary audience of the evaluation included ILAB, SC and its implementing partners, and the tripartite stakeholders or constituents in Mexico, especially civil society.

The evaluation results, conclusions, and recommendations will serve to inform future project designs and inform stakeholders in the design and implementation of subsequent projects in the country and elsewhere as appropriate.

2.2. EVALUATION SCOPE

An independent two-person evaluation team (ET), with a Lead Evaluator (LE) and a National Monitoring and Evaluation (M&E) Expert, conducted this evaluation, including fieldwork from November 8 to 22, 2021.

The evaluation team investigated all aspects of project implementation and assessed the performance and achievements of the project by the end of September 2021. The ET gleaned information from a diverse range of project stakeholders and institutions that participated in and were intended to benefit from interventions in Mexico.

The evaluation team used multiple sources of evidence, combining primary qualitative data with secondary quantitative data. The use of mixed methods and data from mixed sources or "triangulation" helped the evaluation team overcome the bias that comes from using single information sources, single methods, or single observations. The ET obtained relevant information for this evaluation by conducting:

- A document review,
- Direct data collection from stakeholders, including remote and face-to-face key informant interviews (KIIs) and focus group discussions (FGDs), and
- Quantitative analysis of secondary data.

The evaluation team assessed the relevance of project services in relation to target groups' and institutions' needs, the coherence of project activities with regards to other institutions' interventions, the efficiency and effectiveness of the project in attaining its expected outcomes, the impact of implementation on project objectives, and the project outcome's potential for sustainability. The ET also captured promising practices, lessons learned, and emerging trends.

At the end of the fieldwork, the ET conducted a remote (virtual), interactive and participatory validation session with project partners for clarification and the validation of preliminary findings before report writing (agenda and participant list is shown in Annex C). In addition, the ET provided a post-fieldwork debriefing to USDOL ILAB to share initial findings.

2.2.1. SAMPLING

The ET interviewed stakeholders from all project locations, remotely in the case of the States of Mexico, Querétaro, and Guanajuato, and face-to-face in the case of San Luis Potosí. Stakeholders included: ILAB staff, SC and project staff, national and sectoral trade union leaders, worker-activists trained by the project, representatives from project service provider institutions, and partner institutions.

Gender representation was dependent on purposive interviews – the people involved in the project according to their position, organization, roles, and responsibilities. The evaluation’s sampling is provided in Table 5 below, and a list of KII and FGD participants is shown in Annex B.

Table 5. Interviewees per Type of Institution

KII AND FGD DATA COLLECTION STRATEGY			
KII Stakeholder Type	KII Sample Size	KII Sample Size	KII Sample Size
Sex	M	F	Total
Solidarity Center Headquarters	1	2	3
SC Project Staff Mexico	7	4	11
US Government (ILAB)	3	3	6
Partner Institutions	4	4	8
Union Representatives	3	--	3
Universities (UAM & UAQ)	6	1	7
Worker Center San Luis Potosí	1	1	2
TOTAL	25	15	40
FGDs	FGD Sample Size	FGD Sample Size	FGD Sample Size
5	16 (14M-2F)		
TOTAL NO. INDIVIDUALS			
	39		

KII AND FGD DATA COLLECTION STRATEGY		
FGD	Focus Group Discussion	Location
FGD-1	Workers/Activists in San Luis Potosí	San Luis Potosí
FGD-2	Workers/Activists in San Luis Potosí	San Luis Potosí
FGD-3	Fired Workers in San Luis Potosí	San Luis Potosí
FGD-4	Worker activists in Silao, Guanajuato	Silao, Guanajuato
FGD-5	Research and Documentation Network	Various States

KIIs and FGDs were conducted using semi-structured guided questions. Both KII and FGD evaluation tools included two questions with rating scales – an Achievement Rating and a Sustainability Rating, with a scale from 1-5 indicating Low, Moderate, Above-Moderate, High, and Other (No Answer) – to provide quantifiable evidence to support the qualitative data collection.

2.2.2. ETHICAL CONSIDERATIONS

The evaluation team observed utmost confidentiality related to sensitive information and feedback elicited during the KIs and FGDs.

The evaluation team respected the rights and safety of participants in the evaluation. No information, opinions or data provided by interviewees were explicitly linked to any participant in the evaluation. Companies' identities have been omitted when highlighting any labor violations cited in the report. The version of the report that will be published by USDOL will omit all key informants' personal information.

2.2.3. LIMITATIONS

The evaluation team based its conclusions on information collected from background documents, KIs, FGDs, and secondary quantitative data. The evaluation team assessed the integrity of this information to determine the accuracy of the evaluation results.

The application of ratings may in no way be considered as a non-formal impact assessment. Scorecard ratings expressed the opinion of the majority of stakeholders interviewed, using broadly defined scales. The criteria used by each interviewee to rate the project's levels of achievement and sustainability varied from one person to another. Scorecards do not replace an in-depth analysis of the issues presented in the report.

Primary data collected from beneficiaries may reflect the opinions of the most dominant groups without capturing the perceptions of less vocal groups. The evaluation team considered this possibility and made sure that all parties could freely express their views. Although people from the same regions were interviewed individually, this fact may limit the representativeness of the opinions collected.

The evaluation relied on secondary performance information contained in quarterly and biannual reports and in available monitoring databases. The quality of the data affects the accuracy of the statistical analysis. The evaluation team was not able to check the validity and reliability of performance data given the limited time and resources.

Additionally, although the project's LTO4 specifically involves the engagement of employers and government, there is an important limitation that neither private nor public sector perspectives were collected by the evaluation team (as they were not available for participating in the current evaluation) and this could have skewed/biased the results and limited the extent of triangulation possible.



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3. EVALUATION RESULTS

Following the Organization for Economic Cooperation and Development's Development Assistance Committee (OECD DAC) evaluation criteria, this section provides an assessment of the relevance, coherence, effectiveness, efficiency, and sustainability of the project across its major outcomes, following the evaluation questions included in the evaluation Terms of Reference (TOR).⁸

3.2. RELEVANCE AND VALIDITY

1. **To what extent did the global project Theory of Change (ToC) and set Long Term Outcomes (LTO) as prescribed in the Funding Opportunity Announcement (FOA) hold true in Mexico? What were the benefits and limitations of the prescribed ToC and LTOs?*** (Evaluation question #2 in the TOR)

The 2018 FOA solicited applications to implement a project with the objective of effective engagement by workers and CSOs with the government and employers to improve enforcement of labor laws. The FOA stated that government efforts to ensure that workplaces adhere to relevant labor laws and labor standards can be significantly strengthened by the active involvement of workers to identify violations of labor laws and initiate complaints.

Moreover, the FOA explained that while labor inspectorates often lack resources and knowledge to conduct thorough and effective inspections, workers and CSOs can help fill these gaps by proactively identifying potential labor violations and by filing justiciable complaints with the appropriate authorities, as workers often have the most information about violations and can play a vital role in effective enforcement in situations where governments lack capacity to fully monitor compliance with relevant laws and regulations.

The project's overarching strategy for achieving the award-level objective was to develop self-sustaining, long-term capacity among workers to strengthen such enforcement efforts through activities including improved monitoring of working conditions, improved filing of complaints with enforcement authorities, and effective engagement of workers with employers to identify and address potential violations.

As illustrated in the FOA's Theory of Change (ToC): increasing the understanding among workers and/or CSOs of the scope and applicability of relevant labor laws and standards (Short-term Outcome 1.1) and increasing the knowledge and skills of workers and/or CSOs to monitor workplaces for potential violations of relevant labor laws and standards (Short-term Outcome 1.2) should result in workers and/or CSOs accurately identifying potential labor law violations in workplaces (Long-term Outcome 1).

⁸ ILAB's institutional learning-related questions are highlighted in red characters and marked with an asterisk *.

Furthermore, increasing the knowledge and skills of workers and/or CSOs to understand the procedural and documentation requirements to initiate inspections, seek legal remedies, and follow up on cases (Short-term Outcome 2.1) should result in workers and/or CSOs submitting well-documented, well-articulated, justiciable claims to initiate inspections and seek legal remedies (Long-term Outcome 2). In addition, developing systems for tracking submitted claims (Short-term Outcome 3.1) should result in workers and/or CSOs effectively tracking the progress of such claims (Long-term Outcome 3).

Finally, improving the advocacy, organization, and awareness-raising knowledge and skills of workers and/or CSOs (Short-term Outcome 4.1) and developing strategies for workers and/or CSOs to engage with the government and employers to address potential labor law violations (Short-term Outcome 4.2) should result in workers and/or CSOs productively engaging with the government and employers to address potential labor law violations (Long-term Outcome 4).

As explained in the introductory section of this report, ILAB's 2018 FOA referred to Peru, Georgia, and one additional trade partner country to be jointly selected by USDOL and the grantee, after the awarding of the cooperative agreement. The award was amended in April 2020 to include Mexico as the third project country. While the ToC and LTOs could be, generally speaking, adequate for countries with relatively mature and operational industrial relations, social dialogue and collective bargaining, the evaluation has found that this is not the case in Mexico.

In Mexico, most unions are controlled by employers and government officials, and these unions are often paid by companies for "protection services" (thus, they are known as "protection unions"), preventing other potential union demands such as collective bargaining agreements.⁹ These protection unions are not democratically elected by workers, and they do not provide services to workers nor do they represent the workers' interests. Moreover, such unions sign collective agreements with companies, without the workers' participation or even without their knowledge, resulting in accords that largely favor the employers, while keeping workers' wages low and perpetuating precarious working conditions. Moreover, until 2019 (when the new Mexican Labor Law was approved) Mexico was the only country in Latin America that had not ratified ILO Convention 98 on Collective Bargaining.

Key actors who were consulted by the evaluators (Solidarity Center, USDOL, project partners, unions and workers) considered that both the ToC and the LTOs, which focus on identifying, presenting, monitoring and addressing complaints about labor violations, do not correspond to the current country context. While there was widespread agreement among informants that the ultimate goal (improved enforcement of labor laws) is fundamental, the ToC and the LTOs (as defined in the FOA) are not well suited to contribute to this goal in Mexico, as they implicitly assume that if there are violations, there is an operating legal framework in place, as well as **channels** and **actors** that have a minimum of **capacities** (and will) to operate to resolve such violations. However, this was found not to be the case in Mexico.

⁹ See for example: <https://www.workforcesoftware.com/blog/mexico-employee-friendly-labor-law-reform>

As revealed in a recent study conducted by the project,¹⁰ in Mexico's automotive sector there is a strong presence of corporate unionism, where central unions such as the Confederación de Trabajadores de México (CTM) and the Confederación Revolucionaria de Obreros y Campesinos (CROC) hold the ownership of collective work contracts. For the entire automotive complex, there is a participation of 45 federations and central unions, 31 of which are affiliated with the Partido Revolucionario Institucional (PRI) and the Labor Congress; 17 belong to the CTM; five to the Confederación Regional Obrera Mexicana (CROM); three to the CROC; two to the Confederación Revolucionaria de Trabajadores (CRT) and the Confederación de Trabajadores y Campesinos (CTC) respectively; and one to the Confederación Obrera Revolucionaria (COR) and the Confederación de Obreros, Campesinos y Empleados de México (COCEM). The remaining 14 federations do not belong to the corporate sector, although they are often linked to political interests.

In this regard, an important precondition that would need to be in place in order for this type of project to be implemented successfully was found to be nonexistent, and was not considered by the FOA's ToC and Long-term Outcomes: the existence of a sufficient number of autonomous, democratic and representative union/worker organizations, with minimum capacities for effective and independent workers' representation, as well as for productive engagement with the government and employers. In a landscape dominated by the aforementioned "protection unions," this precondition is not yet in place in Mexico, nor in most of the automotive plants. Nevertheless, the project's explicit strategy was to strengthen unions/workers' organizations to better use the opportunities opened by the labor reform.

The main limitation of the prescribed ToC and LTOs is that these place the focus of the project (and the measuring of its success or lack thereof) on identifying and addressing violations while, according to most of the consulted informants, it might be more appropriate to place more emphasis on creating/reinforcing basic conditions such as: an improved awareness among workers on their labor rights, and strengthened democratic and representative workers' organizations.

2. Are the strategy, objectives and assumptions of the Mexico country-level ToC generally appropriate for achieving the planned results and Long-Term Outcomes? Specifically, have the geographical placements of the Labor Rights Centers (LRCs), and their strong research focus (as opposed to a focus on worker outreach/assistance), been designed appropriately to reach the project's intended outcomes? (Evaluation question #1 in the TOR)

The Mexico country-level ToC and outcomes (as described in the Monitoring, Evaluation, and Learning Plan document) are based on the FOA and thus, as explained in the previous evaluation question, they are not appropriate for achieving the planned results and LTOs. Likewise, underlying assumptions did not adequately reflect several key considerations, which are also referred to under evaluation question #1.

¹⁰ Cristian Pozo Mayorga, Verónica González and Melissa Said. 2021. Mapping of socio-occupational conditions in automotive, aeronautical and call center sectors in the states of the project "connecting workers and civil society to strengthen the implementation of labor law: Mexico."

Nevertheless, the project's inception phase has allowed both USDOL and SC to make some adjustments in the project design. In this regard, the evaluation found that some of the Medium-Term Outcomes (MTO) and especially the Short-Term Outcomes (STO) and Activities are now better grounded in the reality and context of Mexico. However, these adjustments have harmed the internal logic of the project, as a causal relationship between activities-STOs-MTOs-LTOs cannot always be established.

In 2018, Mexico ratified ILO Convention 98 on the Right to Organize and Collective Bargaining. In the same year, the López Obrador Administration committed to the adoption of labor reforms, as an important prerequisite for the ratification of the United States, Mexico and Canada Agreement (USMCA). Mexico's subsequent labor law reform (2019) aimed at promoting effective, impartial labor justice; eliminating corrupt labor conciliation and arbitration boards; and supporting labor democracy.

The SC sought to capitalize on these opportunities. Project interventions aimed at strengthening worker organizations through training for union leaders and workers on strategic planning, organizing, advocacy, negotiation and social dialogue; as well as reinforcing such skills with legal, technical and strategic advice. At the same time, the SC interventions sought to build sustainable structures, including the creation of Labor/Worker Centers as well as a Research and Documentation Network that is expected to support the monitoring of the labor law reform implementation.

Regarding the geographical placements of the Labor Rights Centers, research undertaken as part of the project¹¹ showed the relevance of these centers. The automotive and aerospace industries have a leading role in the Mexican economy, and in the last ten years these sectors have positioned themselves, with particular importance in the Central-Bajío Region which includes, among others, the States of San Luis Potosí, Querétaro and Guanajuato.

San Luis Potosí is a highly strategic location for the automotive industry, as it is in the transportation hub for exports from Mexico to the United States. It is estimated that the Automotive Cluster of San Luis Potosí includes 233 auto parts supplier companies, in addition to the BMW and General Motors assembly plants, with a total balance of 82,000 formal jobs.

In Guanajuato, the start-up of the General Motors plant in Silao in 1995 originated the establishment of large multinational assembly companies and the proliferation of various auto parts companies in the state. From that point on, the installation of companies in the sector has contributed to positioning Guanajuato as one of the main producers of automobiles at the national level. Currently, in addition to the assembly plants, the automotive industry mobilizes around 300 supplier companies, which as a whole would provide around 145,000 jobs. The Guanajuato Automotive Cluster is the most important in Mexico and Latin America, with around 300 affiliated companies. It provides an estimated 188,000 jobs (direct and indirect).

¹¹ Cristian Pozo Mayorga, Verónica González and Melissa Said. 2021. Mapping of socio-occupational conditions in automotive, aeronautical and call center sectors in the states of the project "connecting workers and civil society to strengthen the implementation of labor law: Mexico."

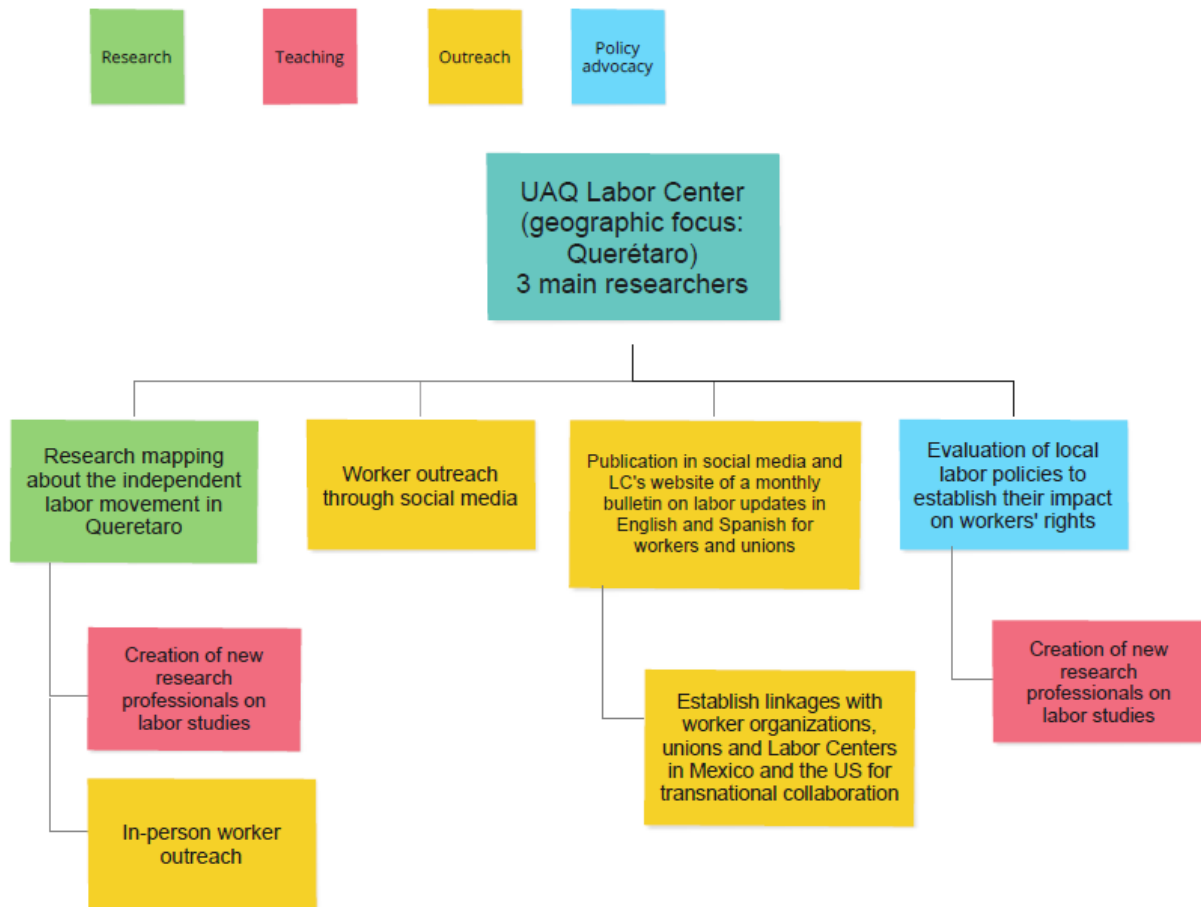
The automotive industry in the State of Querétaro includes an estimated 300 companies, with their main clients (the assembly plants) based in nearby states such as Guanajuato, San Luis Potosí and the State of Mexico, providing employment to more than 65,000 people.

The automotive industry in the State of Mexico is of historical importance, dating back to the beginning of the 1960s. Sixty percent (60%) of state automotive production and 15,000 jobs are concentrated in the Toluca-Lerma corridor. The Tlanepantla and Cuautitlán regions are home to around 280 supplier and distribution companies, which, in all, would amount to 83,000 jobs.

The abovementioned research also showed that one of the main characteristics of the automotive industry in these states is the preeminence of flexible production models with high levels of productivity, yet with low wages and precarious working conditions as well as a predominance of corporate unions within the factories.

In regard to the Labor Centers' focus on research vs. worker outreach/assistance, the project-supported Labor Centers have not yet started their operations. Nevertheless, according to testimonies gathered among SC, UCLA, UAM and UAQ representatives as well as the document review (please refer to exhibits number 1 and number 2 below), these Labor Centers are intended to provide, in a balanced manner, training and technical assistance to unions/workers, to engage in outreach activities and applied research, and to guide unions'/workers' action in addition to advocacy and policy.

Figure 1: Summary of Proposed Activities. UAQ Labor Center



Source: Solidarity Center

Figure 2: Summary of Proposed Activities. UAM Labor Center



Source: Solidarity Center

3. To what extent did the project’s expected outcomes and interventions respond to relevant stakeholders’ needs and the country context? Has the grantee addressed all relevant stakeholders, including workers, employers, and employer organizations in all of the project’s geographical areas, to ensure their support for the project?

As explained in previous sections, the overall relevance of the project outcomes (LTOs) was found to be limited in the case of Mexico. Nevertheless, the project’s actual strategy – in a nutshell, supporting workers and independent and democratic workers’ organizations, generating applied research, and taking advantage of the opportunities generated by the 2019

labor reform process – is considered to be very relevant according to most consulted informants, and in alignment with the workers’ needs.

Interviews and the document review showed a clear and defined need for workers’ access to information on labor laws and regulations, as well as for creating/supporting workers’ organizations through the provision of: training; technical assistance; support to legitimation/collective bargaining agreement (CBA) processes; access to research findings; monitoring of the implementation of the labor law reform; and support, when relevant and feasible, in the identification and documentation of labor rights violations, as well as the submission and tracking of complaints.

With regard to the question of whether the grantee has considered all relevant stakeholders, including workers, employers, employer organizations, and government representatives/institutions in all of the project’s geographical areas, in order to ensure their support for the project, the evaluators found that the project has, so far, focused on supporting workers mainly in Silao (Guanajuato) and San Luis Potosí. The project has yet to engage with workers in the states of Mexico and Querétaro.

The project so far has also not actively included employers and employer organizations in activities. As stated previously, in Mexico, protection unionism prevails. Companies, as manifested by several consulted stakeholders from SC and the labor movement, are considered complicit in a system of repression against autonomous, democratic and representative unions. According to the SC representatives consulted, this reality makes it difficult for the project to engage employers in a project that aims to strengthen the capacity of workers and their organizations.

Moreover, many opinions gathered by the evaluation team reflected that existing workers’ organizations and/or those supported by the project lack the capacity to effectively engage in constructive dialogue and to negotiate directly with employers and/or government. SC personnel and activists in the labor movement that were interviewed expressed that most employers in the automotive sector remain unwilling to do so. It should be noted that only SC personnel and activists in the labor movement were interviewed by the evaluators (as explained in the limitations section) so this statement was not adequately triangulated with employers.

On the other hand, ILAB stakeholders opined that as LTO 4 specifically targeted change in the behavior/practices of employers, the project should have made more efforts toward engaging with employers.

4. How were workers and underserved communities identified, how were their needs assessed and to what extent were they included in the design of the program? To what extent does the project design and targets meet or reflect the needs and priorities of workers and underserved communities¹²? **How could ILAB’s Office of Trade and Labor Affairs (OTLA) and**

¹² “Underserved communities” refers to populations who have been historically underserved, marginalized, or denied equitable treatment on the basis of disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with Executive Order 13985 of January 20, 2021, “Advancing Racial Equity and

project implementers improve engagement with underserved communities to ensure that programming is equitable and responsive to their needs and priorities?*

The project conducted a “Mapping of socio-occupational conditions in automotive, aeronautical and call center sectors in the target states of the project.” This is a thorough and useful study that provided a detailed analysis of the productive, social and labor characteristics of these sectors. The study also included a profiling of the workers in the respective industries, by state. However, this study did not explicitly aim to identify potential unions/counterparts for the project. This identification is expected to be undertaken mainly by the Labor Centers and the Research Network.

Regarding the identification of workers and counterparts, SC emphasized through the evaluation interviews that the project would look for workers/organizations with presence in the targeted sectors, and which possess some key transformative elements including democracy, independence and a strategic vision.

The project found that in the current Mexican context, these qualities are still scarce among workers’ organizations.

Thus, workers, workers’ organizations and project counterparts were identified once the project was already running, and therefore they did not have an opportunity to participate in the project’s design. In order to assess the needs of these new partners and counterparts, SC has applied the Trade Union Capacity Self-Assessment Tool, adjusted to the Mexican context, in order to measure their capacities for strategic planning, worker representation and advocacy skills. However, so far, the application of this tool has been limited to the workers in San Luis Potosí.

As mentioned, the evaluation team found that the project interventions adequately meet the identified workers’ needs.

Regarding the question of how OTLA and project implementers could potentially improve engagement with underserved communities to ensure that programming is equitable and responsive to their needs and priorities, it is worth noting that the project is based on a Fiscal Year (FY) 2018 FOA, which did not include any reference to such “underserved communities.” This term was introduced later by Executive Order 13985 of January 20, 2021, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” which refers to populations that share a particular characteristic, as well as “geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.”

Overall, the FOA and the project’s subsequent design (Theory of Change, outcomes, strategy) follow a logic that was pre-defined by the donor, without systematic and thorough consultation with or participation from relevant national/local stakeholders in the design process. This is an important limiting factor for projects as it hinders engagement in meaningful community

Support for Underserved Communities Through the Federal Government,” the term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

participation, which would potentially lead to the identification and representation of underserved communities in the project, as well as an understanding of their particular challenges and needs, while at the same time providing an opportunity to integrate community/local/national development strategies into the projects that might focus on strengthening the capacities of such groups/individuals, with a particular focus on addressing relevant, identified needs.

In the near future, it would be advisable that during the inception phase, both OTLA and project implementers conduct participatory consultations and a thorough situation analysis, which should include a detailed analysis of the context, stakeholders/participants and beneficiaries, with an “equity/underserved communities lens.”¹³ Such a situational assessment should be the basis for conducting an analysis of the problems/objectives and developing intervention strategies, which would then be tailored to the actual needs of people and institutions (including underserved communities if these are properly identified and included during previous steps).

In the case of the current project, the “Mapping of socio-occupational conditions in automotive, aeronautical and call center sectors in the states of the project” included a specific analysis of youth and women, who may fit the description of “underserved groups/communities.” However, the project did not include any specific actions for targeting these groups or addressing their needs as relevant to the project, as this was not explicitly required by the FOA. Nevertheless, it is noted that the Performance Monitoring Plan (PMP) contained disaggregated indicators (including, for example, data disaggregated by sex or age group). However, the evaluator observed that the April-September Data Tracking Table did not provide data disaggregated according to age and/or gender.

For the remainder of the project’s implementation time, which is limited, it would be advisable for SC and its counterparts to consider implementing a more proactive approach towards reaching out to youth and women workers, as well as potential racial and ethnic minorities including Afro/indigenous, migrant groups, LGBTQI+ or disabled workers, and ensuring that strategies are designed to promote the enhanced participation of these groups in the project’s actions. The results of such interventions should also be reflected in disaggregated indicators’ data.

5. How relevant are the proposed Labor Centers and operationalized Worker Centers, and their planned operations, for addressing the identified needs? Has the context of the pandemic changed their relevance?

As detailed in previous questions, the proposed Labor Centers and Worker Center and their planned operations are considered relevant for addressing the identified workers' needs. Such Labor/Worker Centers have the potential to adequately respond to the needs of workers/unions by conducting outreach activities; systems analysis, system mapping, and mapping of stakeholders and workers’ organizations; and applied research – as well as by providing information, training and legal advice to workers when needed/as per their request.

¹³ USDOL representatives informed the evaluators that this has been incorporated in the new version of the Management Procedures and Guidelines (expected to be published in February 2022).

While the pandemic has delayed and/or hindered the opening of these centers, it is not expected to indefinitely affect their operations. According to the information collected by the evaluators, the necessary safety conditions and health protocols are in place at the centers to ensure the safe implementation of the proposed activities. However, the project should consider the potential for eventual pandemic outbreaks or resurgence, and/or additional countermeasures from public health authorities/government (including movement limitations, lockdowns, and other measures). Proactive measures could include, for example, the development of a virtual communication/outreach/training strategy or other mitigation measures.

6. What drives workers' perceptions and behaviors vis-à-vis trade unions and other civil society organizations that aim to serve and advance their interests?*

The Mexican automotive sector is characterized by a “labor peace” that is artificially instituted by corporate unionism. Such perceived labor peace may attract investments from big international automotive companies, as it allows for maintaining high levels of productivity and keeping salaries low.¹⁴

Overall, based on the interviews that were conducted with key stakeholders, most workers do not have much knowledge about the role and operation of trade unions or of the importance of adherence to labor laws. As explained by several interviewees, most workers have no other option than to accept the current status-quo, mostly for fear of reprisals by protection unions/employers and/or the fear of losing their jobs.

With regard to the workers/unionists that participated in the project, their perceptions and behavior vis-à-vis the prevailing trade unions in the automotive industry were characterized by a profound mistrust and disapproval. Such perceptions were well summarized by one of the interviewed unionists:

“The system is corrupted to the core. Unions at the plants are owned by politicians and employers, who make money by providing protection services and keeping the workers quiet.”

- Unionist

On the other hand, the aspirations of workers who participated in the project were quite straightforward. In the words of one of the interviewed worker activists:

“We just want decent working conditions and fair salaries that allow us to provide for our families.”

- Worker Activist

¹⁴ Cristian Pozo Mayorga, Verónica González and Melissa Said. 2021. Mapping of socio-occupational conditions in automotive, aeronautical and call center sectors in the states of the project “connecting workers and civil society to strengthen the implementation of labor law: Mexico.”

3.3. COHERENCE

7. To what extent has the project coordinated efforts with existing interventions in the country and with USDOL priorities, in order to avoid duplication of activities/investments? Were these efforts towards coherence effective in avoiding duplication?

There are currently eight USDOL-funded projects being implemented in Mexico, with six different grantees (including SC's projects "Engaging Workers and Civil Society to Strengthen Labor Law Enforcement," also known as SC Project 1, and "Strengthening Workers' Ability to Exercise their Labor Rights in Mexico," also known as SC Project 2). USDOL-funded projects aim at promoting, monitoring, and enforcing the labor-related provisions in the USMCA trade agreement, as well as respect for labor rights and adherence to Mexican labor laws.

Some of these projects have partnered with the federal government and state authorities/bodies; others are collaborating with employers; and in the case of SC, the focus is on workers' organizations. Regarding the geographic coverage of the USDOL-funded projects, some have a nationwide (federal) focus, while others target specific states, especially Mexico, San Luis Potosí, Querétaro and Guanajuato.

However, what is currently lacking is a Strategic Plan¹⁵ that brings together the different USDOL interventions in Mexico. Such a plan could establish a set of higher-level goals to which each of the different projects would contribute. At present the different roles, complementarities and synergies of the respective projects are not evident and the country lacks coordination procedures among the projects and grantees to avoid overlap and to promote the maximization of such efforts. It is thus left to individual projects or their coordinators to find ways to cooperate and/or complement efforts between projects.

In the absence of such a strategic plan, there is currently no explicit coordination mandate, mechanism or guidance in place for the grantees. On the other hand, the significant labor reform-related contributions from other donors (including Germany, Canada, Inter-American Development Bank, foundations, etc.) must also be taken into account, and not just ILAB funding.

USDOL has hosted All-ILAB Mexico project meetings in order to facilitate coordination. In addition, the US Embassy in Mexico (through the Labor Attaches) has made efforts to promote exchanges with/among projects and grantees in order to follow-up on different projects, to promote information and knowledge sharing and, to the extent possible, to avoid the duplication of efforts. However, no systematic coordination channels and mechanisms have been identified nor have procedures been established that could potentially facilitate such coordination.

Therefore, it cannot be considered that USDOL has a systemic coordination strategy for the projects in Mexico. Coordination is mostly based on interpersonal relationships among project managers, rather than through formal inter-institutional procedures.

¹⁵ ILAB-OTLA is in the process of drafting a USMCA-Mexico strategy, including for technical assistance and cooperation.

8. How effectively have the project efforts been analyzed against the planning for the new SC project, in order to promote helpful synergies and avoid duplication?

The “Strengthening Workers’ Ability to Exercise their Labor Rights in Mexico” project (SC Project 2) aims to build the capacity of workers, to support worker engagement, and to organize and strengthen democratic worker organizations in the sectors of aerospace, mining, and call centers. This is intended to help these industries to become protagonists in Mexico’s historic labor reform. The SC project will offer workers and their organizations the following support: technical assistance, continued skills development, and pro bono advice and legal services. Additionally, the project will create space for workers from these sectors for analysis, information exchange, reflection, and the development of recommendations to improve labor law reform implementation.¹⁶

While both SC projects are similar and share counterparts as well as geographic scope (the States of México, Querétaro and Guanajuato as well as Mexico City), it does not appear that a systems analysis has been undertaken in order to promote helpful synergies and avoid duplication. Most of the consulted stakeholders concurred that it would be advisable to do so.

The SC projects are currently managed by OTLA’s Technical Assistance and Cooperation (TAC) team (two different project managers) and the project interfaces with USDOL officials from multiple teams (e.g., the USMCA Monitoring & Enforcement team and the TAC team). Both the USDOL staff and the SC personnel who were consulted were found to be unclear about how to promote synergies, and about whether this would even be feasible. On the other hand, some USDOL representatives have suggested that there might be room to further adapt Project 2 to the actual context and needs (based on experiences from Project 1), and to identify complementarities between Project 2 and Project 1. Moreover, some of the consulted stakeholders at SC (Mexico and Headquarters [HQ]) and USDOL believe that it would be highly desirable to combine/consolidate relevant aspects of both projects in order to promote helpful synergies and avoid duplication.

3.4. EFFECTIVENESS

9. Which project outcomes show the greatest and lowest levels of achievement during the project’s period of performance? (Evaluation Question # 10 in the TOR)

Despite important wins (for example with the Silao plan; please see below for further details), the overall level of achievement of the project’s LTOs has so far been modest.

Regarding LTO1, the project has produced some results regarding grassroots worker outreach, training and legal assistance. After the suspension of the CBA legitimation vote in April 2021, due to evidence of ballot tampering in an auto-parts plant in Silao, SC provided legal assistance (through its International Lawyers Assisting Workers [ILAW] Program) as well as training for Generando Movimiento (Generating Movement) on topics such as labor law, outreach, and organizing. This group of workers, who had been fired, received support from the project in order to prepare for the re-vote in August 2021. This re-vote resulted in the majority vote of workers

¹⁶ Source: <https://www.dol.gov/agencies/ilab/strengthening-workers-ability-exercise-their-labor-rights-mexico>

against the ratification of the existing CBA, which had been previously agreed on by the protection union. In addition to overturning this protection contract, workers formed a new independent union called the Sindicato Nacional de Trabajadores y Trabajadoras de la Industria Automotriz (SINTTIA).¹⁷

Additionally, in San Luis Potosí, the SC supported Sindicato Independiente de Trabajadores de Goodyear Mexico (SITGM)¹⁸ with the development of labor rights campaigns and worker outreach, as well as with complaint identification and documentation processes within the auto-parts plant. The project was instrumental in these well-publicized events, which would not have unfolded in the same way – or at all – without the project’s involvement.

The project also showed some progress in the establishment of Labor and Worker Centers. On July 23, 2021, SC and FESIIAAN launched a Worker Center in San Luis Potosí, called the Casa Obrera Potosina, which is housed within FESIIAAN’s office. In addition, SC and the Labor Center of the University Of California-Los Angeles (UCLA) provided training to staff of the Autonomous University of Querétaro (UAQ) and the Autonomous Metropolitan University of Mexico (UAM) for the planning, establishment and operation of the Labor Centers. Both universities have elaborated their respective strategic activity plans, and SC expects to sign sub-award agreements with UAQ and UAM in late 2021 for the operation of the Labor Centers.

In addition, the project produced three educational videos on the 2019 labor law reform, rights related to social security benefits for workers, and gender-based violence in the workplace. SC expected to distribute these videos among workers and the Worker and Labor Centers during the last quarter of 2021.

Regarding LTO 2, the project provided capacity building to identify, document and file workers’ complaints. As a result, six well-supported, well-articulated, actionable (individual) complaints were reported to the local and federal authorities by SITGM (three worker rights violations in a tire plant in San Luis Potosí related to profit sharing, freedom of association, and collective bargaining) and Generando Movimiento (one complaint regarding the violation of freedom of association related to the legitimation in the auto-parts plant in Silao, Guanajuato). Additionally, SC provided legal consultations to workers who experienced sexual harassment in Guanajuato and filed two claims.

The project also delivered legal and technical assistance for those seeking legal remedies for labor law violations. In this regard, one legal strategic plan was developed by Generando Movimiento; 23 legal consultations/trainings were provided to worker organization representatives in order for them to better understand the criteria under which their labor rights problems could be addressed through legal or official channels (ILAW and SC); 14 worker representatives from SITGM and Generando Movimiento were trained to conduct follow-up

¹⁷ As reported by Reuters on Feb, 3, 2022, “the union known as SINTTIA won 78% of the votes cast by several thousand workers... beating three rivals including Mexico’s biggest labor organization that had held the plant contract for 25 years.”

<https://www.reuters.com/business/autos-transportation/gm-workers-mexico-elect-independent-union-historic-labor-vote-2022-02-03>

¹⁸ SITGM is not registered or officially recognized as a union at the tire plant in San Luis Potosí.

trainings on documenting and reporting labor law violation claims among workers; and two strategic plans (related to the legitimization votes) were developed by SITGM and Generando Movimiento.

In regard to LTO 3, a Research and Documentation Network was established to support the monitoring of the labor law reform in the manufacturing and service sectors, with a special focus on the auto supply chain. Twelve academics that formed the RDN were trained on specific aspects of the labor law reform, to access information on CBAs, as well as on how to document labor rights violations during legitimization votes. The project is currently developing the “Corporate Research for Sector Mapping,” an analysis of CBAs and labor relations in the auto sector of San Luis Potosí, Querétaro, and Guanajuato (expected to be published by the end of 2021 or early 2022).

In addition, SC has collaborated with Huridocs, a Swiss non-governmental organization (NGO) focused on using technological tools for the defense of human rights. This collaboration led to the development of a prototype database (Uwazi) for collecting data related to the CBA and labor relations assessment in Mexico. Training sessions on Uwazi for members of the RDN academics are expected to be undertaken by SC during the last quarter of 2021.

Under LTO 4,¹⁹ limited progress was made regarding the response by labor authorities to the labor complaints that were filed; three responses to such complaints were reported by the Federal Prosecutor Office in San Luis Potosí. This office instructed the workers to request a meeting with the Federal Institute of Public Defense (Instituto Federal de la Defensoría Pública [IFDP]), which is the federal entity in San Luis Potosí that is responsible for following up on such cases. In response, the San Luis Potosí Office of the Federal Prosecutor for the Defense of Workers reached out to the worker activists for a meeting about the complaint. During the meeting, the office representative suggested alternatives for following up on the complaint, such as a meeting with the Federal Institute for Public Defense.²⁰

The SC project developed capacity building activities for unions/workers in Silao and San Luis Potosí regarding increased worker representation, institutional strengthening, support for strategic plan development and improved advocacy skills.

Additionally, SC has collaborated with the Research Department of the United Auto Workers’ Union (UAW) and Mexican academics of the Institute of Labor Studies (Instituto de Estudios del Trabajo) to start a mapping of the auto- and auto parts sector, in order to develop a database of employment-related data. Based on initial results from the mapping, SC has focused on the industrial areas of San Luis Potosí and the project has developed a strategy for assessing working conditions in the auto sector in that area.

¹⁹ The indicator associated with LTO 4 (Ind. 19: “Number of complaints responded to by labor authorities”) established a target of four complaints responded by the labor authorities. The evaluators would like to note that they consider this target to be rather unambitious.

²⁰ The evaluation team attempted to interview the FPO or IFDP for this evaluation, but they did not make themselves available for the interview, so the evaluators were unable to corroborate this.

Finally, SC supported the Mexican Order of Maritime Professionals and Port Workers (Orden Mexicana de Profesionales Marítimos y Portuarios [OMPMP]) with the development of a legal and press strategy. With the support of SC, the OMPMP organized a press conference where the irregularities of the legitimation process were denounced, which forced the labor authority to repeat such a process. This led to securing a long-delayed “recuento” (an election recount to determine which union would legitimately hold the bargaining rights at a workplace). The recount resulted in the displacement of the protection union that had engaged in the CBA for 23 years, and following the recount, it was replaced with an independent union. This in turn led to the successful engagement of the independent union with the employer to begin negotiations for a new, legitimate CBA.

10. To what extent are the expected outcomes likely to be achieved or not achieved within the life of the project? What adjustments or course corrections, if any, should be made to the project’s PMP, strategies, or activities to increase the likelihood of achieving project outcomes? (Evaluation Question 9 in the TOR)

“Engaging Workers and Civil Society to Strengthen Law Enforcement in Mexico” is a complex project that takes place within an exceptionally adverse context, which is marked by the monopoly of protection unions, corruption, and anti-union violence. Additionally, the development and approval of the Project Document Package was a lengthy process. The original project submission was on April 15, 2020, and this was followed by three revised submissions, the final one having been submitted on January 13, 2021 (and approved by USDOL on February 10, 2021). Moreover, the project experienced some challenges early on in the process that resulted in delays in the implementation.

During 2020 and 2021, the evolving nature of the Covid-19 pandemic created emergent and recurring health, economic and social crises in Mexico, which have affected the target regions differently. Moreover, due to the pandemic, nonessential businesses – which include auto parts – closed, and movement restrictions were in place until May 2021. The pandemic has obstructed the project implementation in multiple ways, including forcing project staff to work from home virtually for prolonged periods. This situation hampered, for instance, the capacity of project staff to engage in-person with workers/unions. In the Mexican context, personal interaction is considered a key aspect in establishing trust-based relations and in ensuring the project’s buy-in from workers/unions, and thus, this aspect has negatively affected the potential for the implementation of activities involving workers’ outreach and training. According to some informants consulted, due to this reasoning, SC decided not to pursue virtual means for outreach and worked on other aspects of the project, particularly research, while the pandemic progressed.

The pandemic also significantly altered the way that universities operate, as they had to transition to virtual teaching, which added extra layers of work for the project’s counterparts at the respective universities (for instance, the creation of online teaching materials, setting up internet connections/infrastructure, etc.). This, in addition to their heavy bureaucracies, has also resulted in further delays in the establishment of the respective Labor Centers.

Moreover, the position of Mexico Country Coordinator at the SC was refilled during the process, which resulted in a leadership transition. As a result, the final staffing for the project was not completed until the second quarter of 2021, which also negatively affected project implementation.

These challenges, combined with the aforementioned difficulties during the design of the project and a relatively unpredictable and hostile environment, have caused multiple, cumulative delays in project implementation and can explain the relatively low levels of results achieved so far. Considering these delays and the low progress toward achieving project indicators, it seems unlikely to expect that substantial progress will be made at the level of the LTOs, and possibly the MTOs, for the limited remaining period of project implementation.

The following table summarizes the results achieved during the life of the project (LOP), as reported by the project to date (April 2020 to September 2021).

Table 6. Results during LOP, as per the PMP

Indicators as per the PMP	Target (end of project)	Actual (Sept. 2021)	Target/Actual (in %) ²¹
Project Objective: Effective engagement by workers and CSOs with the government and employers to improve enforcement of labor laws			
Ind. 1: Number of worker organizations who have engaged effectively with government or employers following technical assistance provided	4	1	25%
Long-Term Outcome 1: CSOs and/or workers accurately identify potential labor law violations in workplaces			
Ind. 2: Number of complaints identified	50	6	32%
Medium-Term Outcome 1.1: Workers in manufacturing and services sectors are better informed about the scope and applicability of relevant labor laws and labor reform provisions to identify labor rights violations in the workplace.			
Ind. 3: Number of workers trained on identifying labor law violations in workplaces	400	11	2.75%
Ind. 4: Number of trained workers who are better informed of their rights and the resources available to them to address potential labor rights violations	400	24	6%
Medium-Term Outcome 1.2 Workers in manufacturing sectors and community members sustain demand for Labor and Worker Center services			
Ind. 5: Number of workers accessing the Labor and Worker Centers	1300	45	3.5%
Ind 6: Percent change of workers accessing the Labor and Worker Centers	100%	43*	-
Ind. 7: Labor and Worker Centers are operational and prepared to professionally attend workers	3	1	33%
Ind. 8: Number of workers reached through Labor and Worker Center outreach activities	3000	45	1.5%
Long-Term Outcome 2: CSOs and/or workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies			
Ind. 9: Number of well-supported, well-articulated, justiciable claims reported	10	23	-**
Medium-Term Outcome 2.1: Worker organizations implement strategies to submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies.			

²¹ Green cells indicate that the actual is between 50-100%. Red cells indicate that the actual is under 50%. Orange cells are above 50% of achievement, but in the evaluators' opinion the indicators or the way they are measured do not adequately reflect the project's actual results (such results are considered to be overestimated by the actuals achieved).

Indicators as per the PMP	Target (end of project)	Actual (Sept. 2021)	Target/Actual (in %) ²¹
Ind. 10: Number of legal strategy plans implemented by worker organizations	4	1	25%
Short Term Outcome 2.1.1 Worker organizations have increased access to necessary tools to submit claims and petitions to initiate inspections and seek legal remedies.			
Ind. 11: Number of legal consultations/trainings for worker organization representatives to better understand the criteria under which their labor rights problems can be addressed in legal or official channels	20	23	115%
Ind. 12: Number of trained worker representatives conducting follow-on trainings on documenting and reporting labor law violation claims for peers	50	14	28%
Short Term Outcome 2.1.2 Worker organizations design strategies (linked to Output 5b) to submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies.			
Ind. 13: Number of legal strategy plans developed by worker organizations	4	2	50%
Long-Term Outcome 3: CSOs and/or workers effectively track the progress of claims			
Ind. 14: Number of strategic claims effectively tracked by academic partners with workers' experiences	4	0	0%
Medium-Term Outcome 3.1: Academic partners actively monitoring the labor law reform in a way that includes workers' voice and participation			
Ind. 15: Number of implemented research and documentation network plans that includes workers' voice and participation to track specific claims	1	1	100%
Short-Term Outcome 3.1.1: Academics have increased skills to track Mexican labor law reforms in key states			
Ind. 16: Number of academic partners with increased skills to track the labor law reform including workers' voice and participation	20	12	60%
Ind. 17: Number of academic partners trained to monitor the labor law reform	20	22	110%
Short-Term Outcome 3.1.2: Worker organizations have increased access to documentation of trends in the implementation of the labor reform and related workers' experiences			
Ind. 18: Number of annual labor reform and worker experience reports disseminated to partner organizations	2	0	0%
Long - Term Outcome 4: CSOs and/or workers engage with the government and employers to address potential labor law violations			
Ind. 19: Number of complaints responded to by labor authorities	4	3	75%
Medium-Term Outcome 4.1: Worker organizations and employers commence discussions through collective bargaining, bilateral negotiations and tripartite social dialogue, to remedy labor law violations			
Ind. 20: Number of dialogue spaces generated between CSOs/workers with members of government or employers	8	1	12.5%
Short-Term Outcome 4.1.1: Worker organizations increase their capacity for strategic planning to remedy labor law violations (Also contributes to MTO 2.1)			
Ind. 21: Number of worker organizations with increased capacity for strategic planning	4	2	50%
Ind. 22: Number of research briefs developed for worker organizations	2	1	50%
Short-Term Outcome 4.1.2: Worker organizations improve capacity to represent workers effectively and democratically. (Also contributes to MTO 2.1)			
Ind. 23: Number of worker organizations with increased capacity for worker representation	4	3	75%

Indicators as per the PMP	Target (end of project)	Actual (Sept. 2021)	Target/Actual (in %) ²¹
Ind. 24: Number of strategic action plans developed by worker organizations	4	2	50%
Short-Term Outcome 4.1.3: Worker organizations improve advocacy skills to engage with government and employers to address labor law violations and implementation of labor reform. (Also contributes to MTO 2.1)			
Ind. 25: Number of worker organizations with improved advocacy skills	4	0	0%
Ind. 26: Number of organizational strengthening plans developed by worker organizations with members in the manufacturing and services sectors	4	1	25%

Source: project Data Tracking Table Apr - Sept 2021

*The actual refers to 43 people accessing the Casa Obrera

**The actual refers to individual claims

Despite the reported lack of progress in many of the areas so far (see table above), some of the key stakeholders consulted during the evaluation opined that there are multiple aspects that may still create significant opportunities for the project to progress in its last year of implementation, namely: the reinforced capacity of the personnel on the SC-Mexico team; the (potential) progressive return to post-pandemic normalcy; agreements that have been signed with respective universities; the launch of the RDN; the momentum that has been gained in the project’s relationships with workers/unions; and the favorable context triggered by the 2019 labor reform. The evaluators tend to agree with that assessment; if indeed these conditions all occur and the project will indeed be able to capitalize on them, this could provide important opportunities of leverage for the project. Nevertheless, it should be emphasized that the project has engaged in complex processes that will require prolonged periods of time to transform the systems in place and for the respective processes and results to be consolidated. Additionally, the Covid-19 pandemic is not yet abating.

Regarding required adjustments or course corrections to the PMP, strategies, or activities in order to increase the likelihood of achieving project outcomes, based on document review and interviews with key stakeholders, the evaluators believe that the project should shift its focus from identifying/documenting/filing/monitoring violations and claims, toward strengthening the capacities of workers/workers’ organizations to convert into truly independent, democratic and representative agents of change (including basic knowledge of identifying and addressing violations). This would entail focusing on/identifying the main priorities amongst the PMP’s MTOs/STOs, activities and indicators, considering their level of relevance and the quality of the results achieved thus far, as well as their related potential impacts and sustainability prospects, or lack thereof (please refer to the Recommendations section for further details).

11. What interventions were the most and least effective at strengthening civil society organizations and empowering workers? Under what circumstances and for whom were they effective or not effective?*

Based on the relatively low level of progress and limited achievements so far, it is premature to speak of "the most and least effective" interventions. However, several positive factors were highlighted during the interviews with the project stakeholders, including SC’s experience and expertise; SC's valued support to workers, which focused on capacity building for strategy development; the effective SC support to legitimation/CBA processes (Goodyear, ports); and the project’s diplomatic or “quiet” support to activists in order to prevent their persecution and potential subjection to reprisals from employers and/or protection unions.

In addition, SC has managed to team up with and mobilize the expertise of several renowned organizations such as UCLA, ILAW and Huridocs to deliver relevant, tailored, and specialized assistance to the different project partners.

As an example of a less effective approach, stakeholders have highlighted the difficulty of creating constructive relationships with government bodies. Although the project has made efforts to create spaces for dialogue with the authorities (e.g., by establishing contacts and exchanges with the San Luis Potosí Office of the Federal Prosecutor for the Defense of Workers and the Federal Institute of Public Defense), such spaces have not yet generated responses from authorities to address the needs of workers.

12. What lessons learned can be drawn from the project's experience with start-up challenges and delays that may be useful for other projects in the future?

Generally speaking, many technical assistance/development cooperation projects are implemented in complicated and challenging contexts. Thus, the problems that they intend to resolve/address are often complex and multi-dimensional, especially when there are systemic power imbalances at play. Responding to such problems and addressing their causes and consequences usually require long-term transformative processes that involve many actors. Therefore, the contribution of a single project (which has a limited duration and limited resources) to resolve such systemic problems must be expected to be limited.

Additional specific lessons that can be drawn from this project's start-up challenges and delays are detailed below.

A project of limited duration must be based on a solid ToC, with clear and explicit assumptions, identified risks and corresponding mitigation measures, and the design must clearly establish and prioritize what can reasonably be achieved in such a limited period of time. This includes the creation of a solid foundation for handover/devolution of the processes generated and the results achieved after the project has ended.

It is equally important to recognize and identify the internal and external complexities of a project. Complexities in the context (challenges/risks) must be identified to the extent possible. Internal complexities that may affect the project design and implementation also must be considered, such as in the design of the project or intricacies related to the change the project wishes to generate (for instance, in this case, the lack of an independent union "fabric" or the low responsiveness of the government or employers, which are now identified as additional challenges that affect the underlying assumptions of the enabling environment). If the circumstances of the award change, the projects' Theories of Change should be adjusted accordingly, as well as the underlying assumptions and risks.

An important additional difficulty in this case lies in the hostile environment in which protection unions have been operating for so long. It may not be realistic to assume that such a large-scale phenomenon will disappear at the enterprise level through one fair turn of an election process. Therefore, for this project to be successful, it must be designed with a degree of flexibility in order to allow for required adjustments to respond to emerging challenges and changes.

Additionally, in the case of this project, the convergence of multiple internal and external factors, including the evolving pandemic with its multiple consequences (social, economic, public health and other dimensions) would call for a re-prioritization of goals and focus, in view of the limited

remaining implementation time. (Please refer to evaluation question #18 in the Impact section as well as to the Lessons Learned section for complementary information on this subject.)

13. How does the organizational capacity of project implementers, target institutions, and implementing partners limit or facilitate the effectiveness and sustainability of project interventions? Does the project design adequately account for differences in institutional capacity?*

The project document briefly referred to some of the project partners (The UCLA Labor Center and FESIIAAN). While most of the additional partners were identified during inception and implementation, the project did not conduct a solid stakeholder analysis nor a proper assessment of the respective institutional capacities of project partners and other stakeholders. To conduct a solid needs assessment, it is important to analyze existing institutional capacities (or weaknesses).

The main project partners are workers/worker organizations, universities (UAM and UAQ), and researchers from various universities/states (Research and Documentation Network).

Based on the document review and interviews that were undertaken during the evaluation, the capacities of both the universities and the researchers are estimated as adequate for the implementation of the activities foreseen under the project. Moreover, as detailed in previous sections, the project has provided additional capacity building to the researchers at the UAM and UAQ in order for them to suitably fulfil their roles in the system.

On the other hand, this project is implemented in a context that was dominated by protection unions for several decades. Therefore, independent worker organizations in Mexico are both scarce and weak, and their capacities are very limited. As mentioned, this was not sufficiently considered during the project design stage.

As discussed in the Relevance section, the existence of autonomous, democratic and representative union/worker organizations, with minimum capacities for effective and independent worker representation as well as for productively engaging with government and employers, is an important precondition that would need to be in place in order for this type of project to be implemented successfully. In this regard, the project has been conducting significant efforts to assess the needs of the workers/unions and adjust the training content to local needs, if necessary, in order to provide relevant training that aims to increase their respective capacities. The project has thus demonstrated a significant degree of flexibility.

14. How have external factors such as the Covid-19 pandemic, political crises, etc. affected project implementation to date? How effectively did the project assess, adapt and mitigate the institutional and environmental risk factors that could hamper project implementation? How could the project more effectively address these external factors to achieve project targets?

As discussed previously, external factors, such as the Covid-19 pandemic and an operating environment that provides limited support and is to some extent hostile, have significantly delayed project implementation. Moreover, because of initial challenges, the project's worker outreach activities so far have been limited to the States of Guanajuato and San Luis Potosí. Additionally, and as already mentioned, Mexico's challenging context demands that the SC physically interacts with workers/unions in order to gain trust, which is harder to achieve

through virtual meetings. To date, pandemic restrictions have limited such face-to-face meetings. However, some of the stakeholders consulted, especially among USDOL, opined that SC should have invested more efforts in setting up virtual communication strategies in order to strengthen workers' outreach and training.

However, as discussed in the Relevance Section, the main issue that has affected the project implementation is the mismatch between its long-term objectives and the current Mexican labor context.

In this regard, so far, the project has attempted to assess, adapt and mitigate environmental risk factors by focusing its efforts on what could realistically be achieved, and it has successfully managed to capitalize on several ongoing/emerging processes (conflicts in Silao, San Luis Potosí, ports) to establish relationships with workers, activists, laid off workers, and unions, while at the same time making efforts to strengthen their fragile institutional capacities (legal, organization, strategic planning, negotiation, etc.). Moreover, the project was able to connect with stakeholders, mostly through remote communications, and managed to set up the Research and Documentation Network and the Labor/Worker Centers.

15. What factors motivated partners and other organizations to work with the Solidarity Center? Are there any mid-course adjustments or considerations the Solidary Center should make to help increase motivation with partners and other organizations?

Interviews with key stakeholders (unionists, workers, labor activists, project partners, etc.) indicated that both project partners and workers have a very positive opinion of SC. The project partners' main motivation for working with SC is its good reputation, experience and expertise in labor relations, specifically in Mexico. Interviews that were conducted by the evaluators showed that project partners are highly motivated by the project. In this regard, the evaluators did not see any immediate need for any mid-course adjustments or considerations for the Solidarity Center.

3.5. EFFICIENCY

16. What can be learned from the project's progress (or lack thereof) about the level of change (outcomes) that can realistically be achieved within a given project timeframe and budget, and with the time and resources remaining available for this project (with acknowledgement that some aspects of this learning are context-specific or resultant from the Covid-19 pandemic, and some aspects may be more generalizable)?

Achievement at the LTO level (please refer to the Effectiveness section) has been limited so far. Despite the adverse contextual environment in place in Mexico for the achievement of the LTOs, certain progress towards the STOs and MTOs has been made. Nevertheless, it does not seem likely that substantial progress (at the LTO level) can be made in the remaining period of project implementation (please refer to the Effectiveness and Relevance sections for further details).

At present time, after the identified initial challenges - some related to the Covid-19 pandemic and others more context-specific (please refer to the Effectiveness section for further details) - project implementation is reaching cruise speed. With the remaining implementation time (one year) and resources available, and taking into account the Mexican context (please refer to previous sections in the report), it would be highly recommended to focus the project's efforts on

consolidating several of the processes/results that have already been set in motion, in order to maximize the project's potential for impact.

An important factor to consider when selecting these priorities should be the potential for replication and engagement of workers. In this regard, such priority processes/results would most likely be those related to worker outreach, awareness raising and strengthening of workers'/unions' capacities. Additionally, it would be highly desirable for SC to further ensure the full functioning of the Labor/Worker Centers and to capitalize on the RDN findings. This could be done effectively by disseminating studies/findings and using these to further generate knowledge and awareness among workers and public and private institutions. In addition, such findings should be used for evidence-based planning and action for both the SC and the project partners, as well as for USDOL's strategic planning and coordination, while ensuring their translation into actionable projects.

Additionally, it would be advisable, if opportunities arise, for the project to continue supporting the legitimation/collective bargaining processes. Moreover, it is important to systematize, learn from, and disseminate the lessons learned from such experiences, in order to create a solid knowledge base that can guide further action for both the SC and the workers/workers' organizations, while creating learning and feedback loops in the project and ensuring that these lessons are shared across the different states/institutions.

17. Does the project have a solid planning, monitoring and evaluation (M&E) framework or system in place? To what extent has this framework/system been effectively used to plan and monitor the project? How often have activities deviated from the project's plans the timelines, and how timely has the project foreseen these deviations?

Formally, the project has an M&E framework in place. However, the extent to which this framework has been effectively used to plan and monitor the project has been limited so far, which can be explained by the following.

Firstly, the process of developing and approving the Project Document (ProDoc) lasted more than a year (the revised submission date was January 13, 2021) and SC submitted the revised Monitoring, Evaluation and Learning (MEL) Plan to UDSOL in November 2020. Furthermore, the M&E Officer was not recruited until early 2021, and thus did not participate in the design of the M&E framework.

These combined factors contributed to the fact that the M&E framework (ProDoc, MEL Plan and the recruitment of specialized and dedicated M&E staff) could not be fully established until the project implementation process was already well underway.

Secondly, in addition to the challenges resulting from the Covid-19 pandemic, during both inception and implementation the project's management and staff have had to adjust the strategies and interventions as defined in the FOA in order to align them with the specific situations of the Mexican context. For this reason, it can be said that the management of the project has been more reactive and less proactive. Thus, so far, the project has been more focused on implementing actions in a challenging context, which has left less room for implementing an operational M&E system.

As a result, at the time of this evaluation, it appears that the monitoring products (Technical Progress Reports [TPRs], PMP) have been used more as an administrative function, providing

accountability for the donor, and less as management tools for the project. In consequence, the project's M&E framework has not yet been useful as a tool to systematically identify any deviations in the project implementation, or to propose and apply measures of course correction when necessary. This is an important missed opportunity.

3.6. IMPACT

18. How can ILAB and its grantees better (and more timely) capture, analyze and act on information about implementation challenges in order to mitigate and address obstacles limiting the project's outcomes for workers and workers' organizations?*

As already mentioned in the Effectiveness section, technical assistance/development cooperation projects are often implemented in complicated and challenging contexts, and they usually intend to address complex and multi-dimensional problems. In addition, it is important to recognize that the majority of projects are faced with challenges during their implementation. Some of these are foreseeable, while others are not.

Recurring (and foreseeable) challenges may include, for instance: delays in approval processes (a need for more responsive processes and an adaptation of the implementation timeline or project extension); delays in contracting project staff (the grantee should have a higher level of decision making and autonomy); lack of institutional capacities (a need for sound stakeholder analysis and institutional capacity strengthening); and low levels of ownership (a need for the stronger participation of local actors in the various stages including identification, design and implementation).

Other challenges are unforeseeable (for instance the Covid-19 pandemic) and require a proactive approach to appropriately read the context as well as the capacity to identify corrective or stopgap measures. Additionally, in very complicated situations it may be necessary to reformulate the project (objectives, indicators, timeframe, etc.) to adapt to the current context. This also requires flexibility from both ILAB and its grantees to allow for relevant adjustments when required.

In this case, some challenges stemmed from an erroneous problem analysis and project formulation. In the identification stage, it is therefore necessary to take steps to ensure an adequate reading of the context, a solid problem identification process (causes and consequences), and a detailed stakeholder and beneficiary analysis (such an analysis must not only assess their needs but also their capacities, motivations, resources, etc.). This also requires the participation of all relevant actors.

Realistic objectives and timelines also need to be established in the design stage, as well as adequate strategies and relevant indicators to measure the achievement of the planned results. Therefore, the participation of all relevant actors is necessary in this stage, too.

In addition to a sound problem identification and project design, project implementation and monitoring processes should be guided by the principles of Complexity Aware Monitoring & Evaluation. It is necessary to move management models away from a focus on inputs, activities and processes, towards the development and use of management models that focus on results: the outputs and outcomes that are a direct effect for the intervention.

Additionally, it is necessary that information about such results is used to improve decision-making. Monitoring must follow the progress of the project and bring to the attention of

management (both grantee and ILAB) whether real results are effectively being achieved. This requires the project management (grantee and ILAB) to reflect continuously on the extent to which the implementation of the activities and their outputs led to the intended results, making adjustments and finding compromises if necessary; in other words, to adopt an adaptive management approach.

Thus, monitoring should not be limited only to writing the mandatory reports required by the ILAB, but instead monitoring must be designed and applied to create feedback loops that meet the information needs of the project and its stakeholders. A good monitoring system assists with the identification of problems, as they occur, to allow for taking quick corrective actions when required. Ongoing monitoring for outcomes and meaningful changes also allows projects to identify early what is working and amplify it (e.g. outcome harvesting).

Finally, midterm evaluation exercises are processes where agents who are external to, and independent from, the project and donor verify the progress of the project (accountability), and, in the case of any deviations, act as a mediator to propose measures that may help to re-direct the project (with the agreement of the grantee and the ILAB). This requires flexibility and agility on behalf of both ILAB and the grantee to adopt and implement the recommended measures when relevant and possible.

3.7. SUSTAINABILITY

19. Is there a clear exit strategy in place, aimed to ensure the sustainability of the project? To what extent does it take into account the institutional capacity and motivation of stakeholders involved?

SC included a Sustainability Matrix in the last Technical Progress Report (April 1, 2021 – September 30, 2021) which was submitted to ILAB. The Sustainability Matrix lists the project's LTOs and includes the following for each of them: summarized sustainability strategies; the responsible organizations for implementing such strategies; the timeframe; the resources required; indicators; and a summary of progress to date. However, it is not evident that the project has effectively planned for ensuring the sustainability of the project's results.

A key question here is whether a sustainability and an exit plan or strategy could have been designed at the project's inception or whether halfway through the project implementation might have been preferred. Since the SC team and partners only knew halfway through the implementation what could realistically be achieved, it might not have been possible to design a detailed sustainability and exit plan earlier on in the lifecycle of the project. However, now that the SC team has tested the logic of the project, has learnt about the conduciveness (or lack thereof) of the context, has established partnerships, and has started to produce some results, it seems to be the right moment to initiate the development of such a strategy, which should be updated periodically to reflect and adapt to the changing context, risks, opportunities, capabilities, etc. It should be viewed as a living document.

Moreover, there is still ample room for improvement and further clarification about the specific strategic choices that will need to be made, both by the project management and its partners, regarding how to contribute towards the overall sustainability of outcomes and results, and how to hand over the ownership and maintenance of the results/outcomes gradually and effectively to national partners (devolution). There is also some urgency in view of the limited time left for

SC to reflect not only on what the project can realistically achieve during the remaining implementation time but also how the results can be sustained.

20. What are the key opportunities for sustainability? Are there any significant limitations to sustainability?

The evaluation has examined the opportunities and limitations of the main project interventions implemented so far.

LTO 1. To a good extent, the project has established the basis for the sustainability of the Labor Centers. Through the UCLA Labor Center, the project has provided quality technical assistance and training to the teams of academics from UAQ and UAM to establish and plan operations and the budget, as well as to manage the Labor Centers in both the Querétaro and Mexico States. Moreover, the Labor Centers are embedded in the universities, which contributes significantly to their institutional sustainability since both the UAM and the UAQ provide the infrastructure, equipment, and operating expenses for the Labor Centers, in addition to researchers and staff.

The project also intends to assist the Labor Centers in the development of 3- to 5-year strategic plans, which will include strategies for a gradual transition from project-supported activities to the independent operation of the Labor Centers. Additionally, the UCLA Labor Center is in the process of developing financial sustainability strategies for the Labor Centers. These will include strategies to identify cost recovery or resource replacement mechanisms to ensure future resources that replace those currently provided by the project, as well as strategies to build the management and technical capacities of the Labor Centers in order to continue to implement activities beyond the duration of the project.

The operation of the Labor Centers will largely depend on their fundraising capacity, to secure cost recovery or resource replacement for future projects. Moreover, since the Labor Centers are autonomous, they can freely choose the type of projects that they want to develop in the future. In this regard, it cannot be assured that the focus of the current project (worker outreach, capacity building, applied research and advocacy) will be maintained in the future, since priorities may shift or vary across Labor Centers.

The Worker Center (Casa Obrera Potosina) is housed at the FESIIAAN Office in San Luis Potosí. FESIIAAN is responsible for its staffing, while SC provides training and operational support to the center's staff, including paying for rent, development/maintenance of the website and social media, the organization of press conferences, and making logistical and travel arrangements for the management team.

The project is currently developing a work plan for the Worker Center, establishing linkages between the current project partners, other local NGOs, and unions, in order to ensure their support to the Casa Obrera. The project also intends to develop a financial sustainability strategy for the Worker Center. According to SC, this sustainability plan will include strategies to identify cost recovery or resource replacement opportunities that ensure the availability of continued resources to compensate for the support provided by the project, along with strategies to build the management and technical capacity of FESIIAAN for continued implementation of activities. It is also important for SC to continue to build or maintain a strong relationship with FESIIAAN.

However, the extent to which FESIIAAN will, in the near future, have sufficient technical, human, and financial capacities to ensure the Worker Center's continuity is unknown to the evaluators.

LTO 2. The project has provided some support to a relatively small number of workers, activists, and unions, aimed at strengthening their capacities (information, strategic planning, violations and complaints, etc.). While workers and activists are highly motivated and committed to the project outcomes, their organizations are still very weak. This includes low levels of technical capacities, scarce resources (human and financial), low levels of representativeness (affiliation), and very limited negotiation capacities (with employers, government, etc.).

There is widespread agreement among consulted stakeholders that the consolidation of the workers'/unions' capacities requires intensive training and transformation processes, and that these will require a considerable period of time in addition to extensive external support throughout such processes. A one-time support effort is not sufficient to achieve this.

LTO 3. The project has promoted the creation of the Research and Documentation Network and has strengthened the capacities of academics regarding the ongoing labor law reform and monitoring of the reform process. While the Network's capacities appear to be sufficient to conduct relevant academic research, the extent to which the Research Network will continue to operate and produce significant materials that can be used in practice without external support (technical, motivational) and funding is still uncertain.

LTO 4. In Mexico, an autonomous, representative, and democratic trade union "fabric" is an indispensable precondition to engage workers systematically and sustainably in the process of identifying and addressing violations of workers' rights, and to allow eventually for the filing of complaints about such violations through an independent and impartial system that has the mandate and capacity to receive, assess, and address these complaints. These preconditions are not yet in place in Mexico. However, the project can capitalize on emerging opportunities and build on existing structures (e.g., start small) where conditions are ripe rather than waiting until an "ideal state" is reached.

4. LESSONS LEARNED AND PROMISING PRACTICES

4.2. LESSONS LEARNED

LESSON LEARNED 1 – FORMULATING, REVIEWING AND UPDATING RISK ASSESSMENT AND MITIGATION PLANS is important in order to address challenges and adapt to changing contexts, especially in view of the lack of institutional capacities, the low level of ownership among government and employers, and the evolving (and protracted) Covid-19 pandemic. Addressing such situations requires a proactive approach to appropriately read the context and the ability to identify and allow for relevant adjustments when required.

LESSON LEARNED 2 – AWARENESS-RAISING ON RELEVANT LABOR LAWS FOR WORKERS, CAPACITY BUILDING AND ORGANIZATIONAL SUPPORT are necessary and indispensable conditions for the creation of an autonomous, representative and democratic trade union "fabric." Laying the foundation for such "fabric" (through awareness-raising and capacity building) should be made a priority for the project in the remaining implementation period.

LESSON LEARNED 3 – AT PRESENT IN THE MEXICAN CONTEXT, A “CAPACITY-BUILDING” PROJECT APPROACH IS MORE RELEVANT THAN THE “COMPLAINTS-BASED” APPROACH THAT HAS BEEN USED SO FAR. Prior to engaging in a productive dialogue with the government and employers, workers' organizations first need to be sufficiently structured in order to have a minimum degree of representativeness and legitimacy. The lesson learned is, thus, that in the current Mexican context, a “capacity building” project approach for unions would be more relevant for a larger number of workers than a “complaints-oriented” approach that attempts to address only a small number of specific violations. While important and relevant, such a “complaints-based” approach can quickly become very time consuming and resource intensive. In this regard, in view of the limited time that is left for the project, the priority for the remainder of the implementation period should be shifted towards the STOs and activities that pertain to capacity building. In addition, the success of SC's contribution to the project (or lack thereof) should be measured based on indicators associated with the specific MTOs/STOs that are related to worker outreach and capacity building, and less on the number of violations identified and complaints documented, filed, etc.

LESSON LEARNED 4 – A PHASED APPROACH WOULD BE APPROPRIATE IN THE MEXICAN CONTEXT. Developing a phased approach that progressively establishes the conditions that allow autonomous and democratic unions to increasingly engage with the government and employers, in order to eventually improve the enforcement of labor laws, would be appropriate in the Mexican context since USDOL will most likely remain involved in supporting USMCA labor law reform/implementation for a long period of time (beyond the life of one project).

LESSON LEARNED 5 – LEGITIMATION/CBA PROCESSES ARE NOT AN “END” IN THEMSELVES. The process of legitimation/collective bargaining agreements should not be seen as an end in itself, but rather as a means to identify, engage, train, and strengthen workers on a continuing basis, and as a process that extends beyond the duration of the project. It is true, however, that the achievement of CBA ownership by an autonomous, democratic and representative trade union is a desirable outcome.

LESSON LEARNED 6 – STRENGTHENING WORKERS’ ORGANIZATIONS BY SUPPORTING UNDERSERVED COMMUNITIES. The project could help to strengthen workers’ organizations by adopting a specific focus on underserved communities (for instance, young people and women, or vulnerable groups such as people with disabilities, migrants from other Mexican states and/or other countries, or indigenous workers) as this would allow organizations to become more representative and inclusive, better prepared for a generational renewal, and better able to advocate for/demand non-discrimination and equity with respect to employment.

LESSON LEARNED 7 – COMPLEX PROBLEMS REQUIRE LONG-TERM TRANSFORMATIVE PROCESSES. Very often, technical assistance/development cooperation projects are implemented in complicated and challenging contexts. Thus, the problems that they intend to resolve/address are often complex and multi-dimensional, especially when there are systemic power imbalances at play. Responding to these problems and addressing their causes and consequences usually require long-term, multi-stakeholder transformative processes that go beyond the life of one project.

4.3. PROMISING PRACTICES

PROMISING PRACTICE 1 – “QUIET” SUPPORT TO ACTIVISTS. SC strengthened the capacity of laid-off workers in Silao to conduct outreach and workers' organizing activities in preparation for the vote to legitimate collective bargaining at an automotive plant. This made it possible to provide

“quiet” technical and strategic assistance to the workers organized around SINTTIA in the days before the legitimation vote. This support was decisive in preventing punitive measures from employers and/or protection unions, and further allowed these workers to legitimately win the vote. Similarly, SC provided technical assistance to a group of dismissed worker activists in San Luis Potosí, and strengthened their outreach and worker organizing capacities, which in turn contributed to a maintained and active union presence of SITGM.

PROMISING PRACTICE 2 – NETWORKING AND LEVERAGING CAPACITIES. SC has been able to network and leverage the capabilities of experienced and recognized/prestigious institutions such as UCLA, ILAW and Huridocs to provide a wide range of specialized support services, and at the same time establish horizontal linkages with workers/unions/universities.

PROMISING PRACTICE 3 – CAPITALIZING ON EMERGING OPPORTUNITIES. The project opted to team up with organizations/workers with whom SC had a previous working relationship (FESIIAAN-National) and used opportunities that arose from conflict situations in the project’s context to establish relationships with emerging workers’ organizations. For instance, this included SITGM in San Luis Potosí, along with Generando Movimiento and SINTTIA in Silao (Guanajuato). On other occasions, the project was also able to capitalize on specific situations that arose, for example, when the OMPMP was fighting for representation in negotiating the CBA in several Mexican ports. However, this being considered a good practice, it should be noted that flexibility/re-emerging opportunities should still be discussed with ILAB before implementation, and approvals should be sought as required (because, for example, the sector may be outside the scope of the project, and to consider the flexibility the project grants).

5. CONCLUSIONS

ILAB’s 2018 FOA solicited applications to implement a project with the objective of “effective engagement by workers and CSOs with the government and employers to improve enforcement of labor laws.” The FOA referred to Peru, Georgia, and one additional trade partner country to be selected by USDOL after award of the Cooperative Agreement. The award was amended in April 2020 to include Mexico as the third project country.

The ToC and LTOs, as defined in the FOA, were not well suited to contribute to the above-mentioned objective in Mexico, as they implicitly assumed that if there are violations, there is an operating legal framework in place, as well as channels and actors that have a minimum capacity (and will) to resolve such violations. However, this was found not to be the case in Mexico.

In addition, most project stakeholders consulted by the evaluators opined that an important precondition that would need to be in place in order for this type of project to be implemented successfully was the existence of autonomous, democratic and representative union/worker organizations, with minimum capacities for effective and independent worker representation and for productively engaging with the government and employers. In a landscape dominated by “protection unions,” this precondition is not yet present in Mexico and neither was it considered by the FOA’s TOC and LTOs.

The main limitation of the prescribed ToC and LTOs is that these placed the focus of the project (and the measurement of its success or lack thereof) on identifying and addressing violations, while it might be more appropriate to prioritize creating/reinforcing some basic conditions such

as: an improved awareness among workers of their labor rights, and strengthened democratic and representative workers' organizations.

Nevertheless, the project's actual strategy – in a nutshell, supporting workers and independent and democratic workers' organizations, generating applied research, and taking advantage of the opportunities generated by the 2019 labor reform process – is in alignment with workers' needs and considered very relevant.

The level of the project's achievement of the LTOs has been limited so far. Despite the adverse conducive environment in place in Mexico for achieving the LTOs, substantial progress towards achieving the STOs and MTOs has been made. Nevertheless, substantial progress (at the LTO level) in the remaining period of project implementation seems unlikely. At present, after some initial challenges (such as the Covid-19 pandemic as well as more context-specific challenges), project implementation is reaching cruise speed. Considering the complex Mexican context and the remaining implementation time (one year) as well as the resources available, it would be highly recommended to focus the project's efforts on consolidating some of the processes/results that are already set in motion and maximizing the project's potential for impact.

Such priority processes/results include those related to worker outreach, awareness raising, and the strengthening of workers/unions' capacities. It would also be highly desirable for SC to ensure the full functioning of the Labor/Worker Centers and to increase knowledge and awareness among workers and public or private institutions by disseminating the studies/findings of the Research Network. In addition, the findings could be used for evidence-based planning and action for SC and the project partners, using the data to develop actionable projects.

Additionally, if opportunities arise, it would be advisable for the project to continue supporting legitimation/collective bargaining processes. Moreover, it is important to systematize, learn from and disseminate the lessons learned from such experiences in order to create a solid knowledge base that can guide further action for SC and the workers/workers' organizations, as well as for USDOL, the Government of Mexico, or other funders, which creates learning and feedback loops within the project and ensures that lessons are shared across the different states/institutions, sectors, implementers, etc.

With regard to the project's sustainability, to a good extent, SC and its partners have established the basis for the sustainability of the Labor Centers. However, the operation of the Labor Centers will largely depend on their capacity for fundraising, to secure funds for future projects. Moreover, since the Labor Centers are autonomous, they can freely choose the type of projects that they want to develop in the future. In this regard, it cannot be assured that the focus of the current project (worker outreach, capacity building, applied research and advocacy) will be maintained in the future, since priorities may shift or vary across Labor Centers. Regarding the Worker Center, which is housed at FESIIAAN, FESIIAAN's future capacities (technical, human, financial) to ensure the center's continuity are still unknown.

The project has provided some support to a relatively small number of workers, activists and unions, aimed at strengthening their capacities (information, strategic planning, violations and complaints, etc.). While workers and activists are highly motivated and committed to the project, their organizations are still weak, including low levels of technical capacities, scarce resources

(human and financial), low levels of representativeness (affiliation), and very limited negotiation capacities (with employers, government, etc.). This will require significant and intensive training and transformation processes, which involves a considerable amount of time as well as extensive external support throughout such processes.

Additionally, the project has promoted the creation of the Research and Documentation Network and has strengthened the capacities of academics regarding labor law reform and its monitoring. While the Network’s capacities appear to be sufficient to conduct relevant academic research, the extent to which the Research Network will continue to operate and produce significant materials that can be used in practice without external support (both technical and motivational) and funding is yet uncertain.

Finally, in Mexico, an autonomous, representative and democratic trade union "fabric" is an indispensable precondition to engage workers in the process of identifying and addressing violations of workers’ rights, and to eventually allow for the filing of complaints about such violations through an independent and impartial system that has the mandate and capacity to receive, assess, and address them. These preconditions are not yet in place in Mexico.

6. RECOMMENDATIONS

6.1. GENERAL RECOMMENDATIONS – FOR USDOL ILAB

Table 7. General Recommendations - For USDOL ILAB

Recommendations to USDOL/ILAB	Evidence	Page Numbers
<p>No. 1. Funding Opportunity Announcements with pre-identified countries. USDOL ILAB should develop FOAs with pre-identified countries, to ensure the Theory of Change and Long-Term Outcomes are realistic given the context in each country.</p>	<p>The global project ToC and set LTOs, as prescribed in the FOA, did not hold true in Mexico (Mexico was not considered in the design phase because at the time, USDOL ILAB did not know it would be the third country).</p> <p>Realistic objectives and timelines need to be established in the design stage, as well as adequate strategies and relevant indicators.</p>	<p>Section 3.1 Relevance and Validity, EQ1, pp. 8-10; EQ2, pp. 10-13</p> <p>Section 3.5. Impact, EQ18, pp. 30-31</p>

Recommendations to USDOL/ILAB	Evidence	Page Numbers
<p>No. 2. Processes related to the project design and approval should be shortened.²² ILAB should implement measures that allow for shortening the project design and approval process. In addition, grantees must reinforce their capacity for project planning and formulation and increase their efficiency in the implementation of all necessary stages related to the preparation and delivery of the Project Document Package products.</p>	<p>The development and approval of the Project Document Package was a lengthy process. The original project submission was on April 15, 2020 and this was followed by three revised submissions; the final one having been submitted on January 13, 2021 and approved by USDOL on Feb 10, 2021.</p>	<p>Section 3.3. Effectiveness, EQ10, pp. 22-25</p>
<p>No. 3. ILAB should continue to roll out and implement the OTLA USMCA-Mexico Strategy. ILAB should finalize and disseminate the strategy in order to establish a robust approach to USDOL's effective administration of the USMCA labor provisions, as well as strategic and interconnected delivery of technical assistance and interventions that contribute to higher objectives.</p>	<p>ILAB's OTLA is the principal agency within USDOL responsible for the implementation of the USMCA. ILAB-OTLA is in the process of finalizing and rolling out a USMCA-Mexico strategy, including technical assistance and cooperation.</p> <p>ILAB has not yet broadly disseminated the Strategic Plan²³ that brings together the different USDOL interventions in Mexico. Such a plan could establish a set of higher-level goals to which each of the different projects would contribute.</p>	<p>Section 3.2. Coherence, EQ7, p. 18</p>

6.2. GENERAL RECOMMENDATIONS - FOR USDOL/ILAB AND THE IMPLEMENTING PARTNER

Table 8. General Recommendations - For USDOL ILAB and the Implementer

Recommendations to USDOL/ILAB and to the Implementer	Evidence	Page Numbers
<p>No. 4. M&E Frameworks. ILAB and SC should adopt and use more agile M&E Frameworks.</p>	<p>To date, the project's M&E framework cannot be considered to have been systematically applied by the grantee to detect deviations in project implementation, which has prevented the opportunity to propose and implement corrective measures.</p>	<p>Section 3.4. Efficiency, EQ17, p. 29</p>

²² This is being addressed in new version of OTLA Management Procedures and Guidelines (which is expected to be published in February 2022).

²³ ILAB-OTLA is in the process of drafting a USMCA-Mexico strategy, including technical assistance and cooperation.

6.3. SPECIFIC RECOMMENDATIONS – FOR IMPLEMENTING PARTNER

Table 9. Specific Recommendations - For the Implementer

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 5. Establish complementarities between SC’s “Project 1” and “Project 2.” SC should establish synergies between “Project 1” and “Project 2,” integrating lessons learned from Project 1 into Project 2 to better ground it within the Mexican context, as well as further complementing/strengthening Project 1 (for example, provide ongoing support to the Labor/Worker Centers and the Research and Documentation Network). SC should prepare a proposal to guide further discussions and joint decisions with ILAB.</p>	<p>SC is currently implementing two projects in Mexico, the “Engaging Workers and Civil Society to Strengthen Labor Law Enforcement” project, also known as SC Project 1, and the “Strengthening Workers’ Ability to Exercise their Labor Rights in Mexico” project, also known as SC Project 2. While both projects are similar and share counterparts as well as geographic scope, a systemic analysis has been lacking and would be necessary to promote helpful synergies, identify complementarities, and avoid duplication.</p>	<p>Section 3.2. Coherence, EQ7, p. 18</p>
<p>No.6. One-year no-cost extension/ consolidation of Projects 1 and 2. SC should consider requesting a one-year no-cost extension to complete the project’s processes and results, to maximize efficiency and impacts, and to strengthen sustainability.</p>	<p>It does not seem likely that substantial progress will be made at the level of the LTOs for the remaining period of project implementation. However, despite the lack of progress to date, several factors may open significant opportunities for the progress of the project in its last year of implementation. Nevertheless, it must be noted that the project has engaged in processes that demand long periods of time to produce and consolidate results.</p>	<p>Section 3.3. Effectiveness, EQ9, pp. 19-22; EQ10, pp. 22-25</p>

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 7. SC Mexico-HQ and USDOL must urgently reflect and agree upon the priorities for the remaining implementation period. Based on the project’s challenges, context, and results (achieved and planned), SC Mexico-HQ and USDOL must urgently reflect and agree on the priorities for the remaining implementation period: <u>what</u> to achieve, <u>how</u> to do it, and <u>with whom</u>; who <u>must benefit/be reached most urgently</u>; what is <u>realistic to achieve</u>; and what should the project <u>forego (or reduce emphasis on)</u> in order to double-down on the agreed priorities that are believed to be important and achievable.</p>	<p>The level of the project’s achievement of the LTOs has been limited so far, and it does not seem likely that substantial progress toward the LTOs will be made in the remaining period of project implementation. After some initial challenges, the project implementation is reaching cruise speed. Considering the complex Mexican context and the remaining implementation time (one year) as well as the resources available, it would be more effective to focus the project’s efforts on consolidating some of the processes/results that are already set in motion.</p> <p>The following are suggested as priority aspects to focus on:</p> <p>a) <u>Further strengthening workers’ organizations</u>, specifically those with which progress has already been made: FESIIAAAN (National); Generando Movimiento (Silao); SINTTIA (Silao); SITGM (San Luis Potosí);</p> <p>b) <u>Intensifying outreach</u> to the LCs, CSOs, unions, and academia in all project sites. Also, redoubled efforts are needed in Querétaro and Mexico (State) regarding outreach, information, and training/capacity building;</p> <p>c) <u>Ensuring the full operation of the Labor/Worker Centers</u>, as well as an adequate balance of research-outreach-training activities by providing ongoing training and follow-up to the LC/WC workplan preparation. Moreover, the Labor/Worker Centers and Research Network’s research findings must be used for further action. They should also contribute to identifying underserved communities, problems, and needs as well as potential interventions to address them;</p> <p>d) <u>Continuing to support the legitimation/CBA processes</u> as well as the learning and systematization of experiences;</p> <p>e) When specific opportunities may arise (including instances of conflict, legitimation/collective bargaining processes, worker/union demands, etc.), <u>continuing to support the i) identification; ii) documentation; iii) filing; and iv) monitoring of violations and complaints.</u></p>	<p>Section 3.3. Effectiveness, EQ9, pp. 19-22; EQ10, pp. 22-25</p>

Recommendations to the Implementer	Evidence	Page Numbers
<p>No. 8. Covid-19 virtual communication strategies. In anticipation of ongoing limitations due to the <u>Covid-19 pandemic</u>, SC should establish additional virtual communication, outreach and training mechanisms and strategies, and build worker organizations' capacity to use these effectively. Good practices from the SC-USDOL project in Peru may be adapted to the Mexico Project.</p>	<p>During 2020 and 2021, the biggest challenge for the project was the evolving nature of the Covid-19 pandemic. The pandemic affected project implementation in multiple ways and largely prevented face-to-face interactions, which negatively affected the potential for implementing activities involving workers' outreach and training. In this regard, some stakeholders consulted, especially among USDOL, opined that SC should have invested more efforts in setting up virtual communication strategies in order to strengthen workers' outreach and training.</p>	<p>Section 3.3. Effectiveness, EQ14, pp. 27-28</p>
<p>No. 9. Develop a sustainability plan. To develop the sustainability plan, SC should take into account the results achieved thus far, as well as the expected challenges and the status of the enabling environment in Mexico. SC should also clearly identify underlying assumptions, risks and mitigation strategies. In addition, SC should describe what is expected to be sustained with a well-defined timeline, and identify the specific institutions expected to be responsible for sustaining such results (providing an explanation as to where the multiple resources that are required to ensure sustainability will be expected to be coming from).</p>	<p>While SC developed a Sustainability Matrix, it is not evident that the project effectively planned for ensuring the sustainability of the project's results. There is yet ample room for improvement and further clarification about the specific strategic arrangements that will need to be made both by the project management and by the project partners regarding how to contribute towards the sustainability of project outcomes/results.</p>	<p>Section 3.6. Sustainability, EQ19, p. 31</p>

Recommendations to the Implementer	Evidence	Page Numbers
<p>No.10. Identify workers' preferred mechanisms for resolving workplace disputes via a survey or learning event. SC Mexico should consider surveying or hosting a learning event with workers to understand their preferences and the rationale for them.</p>	<p>In the SC Peru evaluation, workers seemed to indicate that they preferred to resolve workplace disputes informally and directly with employers through negotiation (with support) rather than through formal channels. Projects should conduct participatory consultations and a thorough situation analysis, including a detailed analysis of the context, stakeholders/participants and beneficiaries, with a lens toward “equity/underserved communities.” Such a situational assessment should be the basis for conducting a problem analysis and developing the intervention strategies/objectives, which would then be tailored to the actual needs of people and institutions (including underserved communities if these are properly identified and included during previous steps). Conducting a learning event would be an important part of a needs assessment/stakeholder analysis, in order to understand the trust and power dynamics. This would also allow projects to avoid faulty assumptions and identify where or by what mechanisms workers are likely or prefer to receive information or assistance to resolve issues in the workplace.</p>	<p>Section 3.1. Relevance, EQ4, pp. 14-16</p>

ANNEX A. LIST OF DOCUMENTS /AUDIOVISUAL PRODUCTS REVIEWED

1. Basic Project Documents

- Mexico Project Document (01.28.21)
- Mexico Annex 1 – Results Framework (09.08.20)
- Mexico Annex 2 – Work Plan (02.2021)
- Mexico Annex 3 – MEL Plan (11.23.20)
- Mexico Annex 4 – PMP (02.08.21)

2. Technical Progress Reports (TPR) and their annexes

- Attachment 3_Full TPR Mexico Apr 1-Sept 30
- Attachment 3_Full TPR Mexico - Oct 2020 - Mar 2021
- Attachment 3_Full TPR Mexico 1_Apr - Sep 2021

3. Sustainability Strategy

- Section VII.Sustainability, TPR Mexico 1_Apr - Sep 2021

4. Revised Version of Project Documents

- Revised Project Document IL-32531-18-75-K (Mexico)
- Revised PMP IL-32531-18-75-K- (Mexico)

5. Other

- 2018 Funding Opportunity Announcement
- OTLA Project Summary - Mexico
- Labor Centers UAM-UAQ Activities - Summary LC UAM
- Labor Centers UAM-UAQ Activities - Summary LC UAQ
- Cristian Pozo Mayorga, Verónica González and Melissa Said. 2021. Mapping of socio-occupational conditions in automotive, aeronautical and call center sectors in the states of the project “connecting workers and civil society to strengthen the implementation of labor law: Mexico.

ANNEX B. STAKEHOLDERS' LIST (KII & FGD)

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ANNEX C. STAKEHOLDER WORKSHOP AGENDA

USDOL interim Evaluation

ENGAGING WORKERS AND CIVIL SOCIETY TO STRENGTHEN LABOR LAW ENFORCEMENT IN MEXICO

VIRTUAL (REMOTE) PRESENTATION & VALIDATION SESSION ON PRELIMINARY RESULTS

Objective: To clarify and validate the final evaluation preliminary findings

AGENDA

- Welcome and introduction of participants
- Evaluation team presentation of preliminary findings and conclusions
- Questions for clarification and discussion
- Check and validation of current Project results
- Next steps
- End of meeting

ANNEX D. TERMS OF REFERENCE

INTERIM EVALUATION

ENGAGING WORKERS AND CIVIL SOCIETY TO STRENGTHEN LABOR LAW ENFORCEMENT IN MEXICO

SUBMITTED TO

United States Department of Labor
Bureau of International Labor Affairs
200 Constitution Ave. NW
Washington, DC 20210
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PREPARED BY

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1. BACKGROUND AND JUSTIFICATION

The United States Department of Labor (USDOL), through its Bureau for International Labor Affairs (ILAB), has contracted with Sistemas, Familia y Sociedad (SFS) under order number 1605C1-21-F-00030 to conduct performance evaluations of technical assistance projects in Georgia, Peru, and Mexico. These projects are all implemented by Solidarity Center (SC) and have been designed in conjunction with one another. Thus, these three evaluations will be conducted with consideration of the results from the other project evaluations under this evaluation order.

The present terms of reference (TOR) pertain to the final performance evaluation of the *Engaging Workers and Civil Society to Strengthen Labor Law Enforcement in Mexico* project. This document serves as the framework and guidelines for the evaluation. It is organized into the following sections:

1. Background
2. Purpose, Scope, and Audience
3. Evaluation Questions
4. Evaluation Design and Methodology
5. Evaluation Team, Management, and Support
6. Roles and Responsibilities
7. Evaluation Milestones and Timeline
8. Deliverables and Deliverable Schedule
9. Evaluation Report

- **PROJECT CONTEXT²⁴**

Mexico's labor relations system has long been characterized by undemocratic unions that have historically aligned themselves with the former ruling party or employers. This system has affected both the formal and informal economy, and deprived most of Mexico's workers of voice and participation at the workplace. In essence, labor contracts in Mexico are largely bought and sold behind workers' backs by protection unions to ensure social control, rather than negotiated in good faith with authentic worker representatives. The end result has been endemic corruption and systematic repression of wages and worker organizing in Mexico: an artificially low minimum wage that has kept Mexican wages below those in China and on par with lesser developed countries with much smaller economies;²⁵ a stubborn poverty rate that has not significantly

²⁴ Adapted from the *Engaging Workers and Civil Society to Strengthen Labor Law Enforcement in Mexico Project Document Package*, Revised Submission, January 13, 2021.

²⁵ <https://www.jornada.com.mx/ultimas/politica/2019/09/23/amlo-por-abajo-de-china-y-ca-nuestro-salario-minimo-4611.html>

reduced in the last 30 years;²⁶ and a virtual absence of worker participation in setting labor conditions and wages even in robust, formal economic sectors.

The constitutional reform of 2017 and subsequent labor reforms from 2019 address the need for effective labor justice and focus on three central pillars: (1) elimination of the notoriously corrupt labor conciliation and arbitration boards; (2) separation of the labor justice functions of the boards, moving these into the impartial judicial branch; and (3) support for labor democracy by making it more difficult to sign a protection contract, mandating votes on all contracts, and streamlining the process through which workers can challenge an incumbent union.²⁷ In addition to the labor reforms, Mexico's congress ratified ILO Convention 98 on collective bargaining; the government has increased minimum wages to recover citizens' purchasing power; new social security protections have been extended to domestic workers along with a new campaign against social security fraud; and as part of the government's campaign promise to fight corruption, has begun federal investigations into the most notorious union president in Mexico, Carlos Romero Deschamps of the PEMEX union.²⁸ Taken together, this presents an unprecedented landscape in which to advance fundamental labor rights in Mexico and push for breakthroughs in more democratic worker representation.

However, Mexico is starting to implement these changes from a severe deficit in government capacity; deeply entrenched interests on the part of protection unions, employers and many local authorities; and a small, weak independent labor movement that has been historically attacked and marginalized. There is an important but limited window in Mexico to maximize the positive potential of the new labor reforms and overall labor policy. Despite the stated aim of increasing worker democracy, the systematic exclusion of most workers from labor relations means that ordinary working people across Mexico are limited in understanding their new rights and what is at stake with the reforms. For the labor law reforms to be fully and meaningfully applied, workers must be well-informed, properly supported and effectively organized to generate collective demand, such that they take ownership of new mechanisms afforded to them and the new provisions can be tested.

- **PROJECT SPECIFIC INFORMATION**

In 2018, ILAB awarded Solidarity Center (SC) a three-year, US\$2,850,000 cooperative agreement for the *Engaging Workers and Civil Society to Strengthen Labor Law Enforcement* project in Peru, Georgia, and one additional trade partner country to be selected by USDOL after award. The award was amended in April 2020 to include Mexico as the third project country, to increase the total award funding to US\$8,050,000, and to extend the global project duration to

²⁶<https://www.excelsior.com.mx/nacional/2014/05/18/959942>;
<https://www.coneval.org.mx/Medicion/Paginas/PobrezalInicio.aspx>

²⁷ "El Nuevo Modelo Laboral se basa en tres ejes fundamentales: impartición de justicia, democracia sindical y la creación de un organismo de conciliación y registro," from <https://www.gob.mx/stps/prensa/sindicatos-fuertes-y-legitimados-herramienta-para-incrementar-salarios-en-mexico?idiom=es>

²⁸ <https://www.forbes.com.mx/romero-deschamps-en-la-mira-de-la-4t-no-tiene-las-cuentas-congeladas-pero-si-es-investigado/>

four-and-a-half years. Funding for the Mexico country component of the project is \$4,768,398, and the Mexico implementation is scheduled to end in September 2022.

The overall project objective is the “effective engagement by workers and CSOs with the government and employers to improve enforcement of labor laws.” Independent, democratic worker organizations were the primary beneficiaries of this project. The Solidarity Center defined worker organizations as any group of workers who join together to defend their rights, organize for better conditions, advocate for their interests in the workplace and in the public sphere, and other forms of collective action, regardless of their legal definition. Specifically, the project’s prioritized direct beneficiaries were individual and groups of unaffiliated workers seeking remedies to labor rights concerns; unions in the auto supply chain, affiliated to the Federation of Independent Unions of Auto, Auto parts, Aerospace, and Tire Industries (FESIIAAAN); and unaffiliated workers in the service sector. The main focus of the project was the auto supply chain.²⁹

The project’s proposed activities were designed to drive results towards the project’s goal of enabling workers and their civil society organizations to effectively engage the government and employers to improve enforcement of labor laws. Project interventions sought to develop the long-term sustainable capacity of worker and civil society organizations to support more effective labor law enforcement, recognizing the specificities of the labor reform process underway in Mexico. Activities were largely concentrated in the central industrial heartland, specifically the states of San Luis Potosí, Guanajuato, and Querétaro; Mexico City; and Mexico State. Specifically, the Solidarity Center partnered with unions, worker organizations and unaffiliated workers in the auto supply chain.

The project’s interventions were classified into three interdependent areas:

- **Worker organization strengthening:** The majority of interventions were designed to strengthen the traditionally marginalized, independent, democratic labor sector’s ability to engage productively in enforcement efforts and to effectively represent new populations of workers. This includes workshops or seminars to train workers and union leaders in strategic planning, internal democracy, organizing, advocacy, negotiation and social dialogue. This also includes activities that reinforce those skills and help workers apply them in concrete settings through continued field presence and legal, technical and strategic advice.
- **Structural and institutional sustainability:** These include: the creation of labor centers in the city of Querétaro and Mexico City (servicing Mexico State as well), and support for a worker center in San Luis Potosí that will serve as dynamic hubs for local worker support throughout the life of the project; and an academic research and monitoring network concentrated in the states of San Luis Potosí, Guanajuato, and Querétaro that will support research and monitoring of the labor law reform implementation through

²⁹ A subsequent SC Workers’ Rights project focused on the aerospace industry and service sectors in Mexico, which is outside of the scope of this evaluation.

documentation of labor rights violations experienced by workers in the manufacturing and service sectors, with a special focus on the auto supply chain.

- **Research partnerships:** Because of democratic unions' limited reach in Mexico, SC is leveraging their partnerships with academic institutions – including the University of California-Los Angeles and the Cornell University School of Industrial and Labor Relations – to guide the development of geographic hubs for worker support, research, youth/student engagement, and connections between the local community and labor movement. Because this model does not currently exist in Mexico, community-based research has been a key component of the start-up activities as a tool for workers and trade union partners that can be sustained over the long term.

The Mexico project established the following Long-term Objectives (LTOs), Medium-term Objectives (MTOs) and Short-term Objectives (STOs):

- **LTO 1:** CSOs and/or workers accurately identify potential labor law violations in workplaces
 - **MTO 1.1:** Workers in manufacturing and services sectors are better informed about the scope and applicability of relevant labor laws and labor reform provisions to identify labor rights violations in the workplace.
 - **MTO 1.2** Workers in manufacturing sectors and community members sustain demand for Labor and Worker Center services
 - **STO 1.1:** Workers have increased access to information on basic labor rights, new labor law provisions, and identification of potential violations in the workplace.
- **LTO 2:** CSOs and/or workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies
 - **MTO 2.1:** Worker organizations implement strategies to submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies.
 - **STO 2.1.1** Worker organizations have increased access to necessary tools to submit claims and petitions to initiate inspections and seek legal remedies.
 - **STO 2.1.2** Worker organizations design strategies (linked to Output 5b) to submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies.
- **LTO 3:** CSOs and/or workers effectively track the progress of claims
 - **MTO 3.1:** Academic partners actively monitoring the labor law reform in a way that includes workers' voice and participation
 - **STO 3.1.1:** Academics have increased skills to track Mexican labor law reforms in key states
 - **STO 3.1.2:** Worker organizations have increased access to documentation of trends in the implementation of the labor reform and related workers' experiences
- **LTO 4:** CSOs and/or workers engage with the government and employers to address potential labor law violations
 - **MTO 4.1:** Worker organizations and employers commence discussions through collective bargaining, bilateral negotiations and tripartite social dialogue, to remedy labor law violations

- **STO 4.1.1:** Worker organizations increase their capacity for strategic planning to remedy labor law violations (Also contributes to MTO 2.1)
- **STO 4.1.2:** Worker organizations improve capacity to represent workers effectively and democratically. (Also contributes to MTO 2.1)
- **STO 4.1.3:** Worker organizations improve advocacy skills to engage with government and employers to address labor law violations and implementation of labor reform. (Also contributes to MTO 2.1)

2. PURPOSE AND SCOPE OF EVALUATION

- **EVALUATION PURPOSE**

This interim performance evaluation will assess the performance and achievements of the project to date. The evaluation team will glean information from a diverse range of project stakeholders and institutions who participated in and were intended to benefit from interventions in Mexico. Because the SC projects in Georgia, Peru and Mexico were designed together and share the same project objective and long-term outcomes, the results and conclusions of this evaluation will also consider information and analysis from the other two evaluations, as available at the time of fieldwork.

The purpose of interim performance evaluations covered under this contract includes, but may not be limited to, the following:

- Assessing the relevance of the project in the cultural, economic, and political context in the country, as well as the validity of the project design and the extent to which it is suited to the priorities and policies of the host government and other national stakeholders;
- Determining whether the project is on track toward meeting its objectives and outcomes, identifying the challenges and opportunities encountered in doing so, and analyzing the driving factors for these challenges and opportunities;
- Assessing the effectiveness of the project's strategies and the project's strengths and weaknesses in project implementation and identifying areas in need of improvement;
- Providing conclusions, lessons learned, and recommendations; and
- Assessing the project's plans for sustainability at local and national levels and among implementing organizations, and identifying steps to enhance its sustainability.

- **INTENDED USERS**

The primary audience of the evaluation includes ILAB, SC and its implementing partners, and the tripartite stakeholders or constituents in Mexico, especially civil society. The evaluation results, conclusions, and recommendations will serve to inform future project design and inform stakeholders in the design and implementation of subsequent projects in the country and elsewhere as appropriate.

3. EVALUATION QUESTIONS

Following discussions with ILAB and SC, the evaluation team developed key questions for this evaluation in accordance with the Organization for Economic Co-operation and Development Assistance Committee criteria: Relevance/Validity, Coherence, Effectiveness, Efficiency, Impact, and Sustainability.³⁰

- **RELEVANCE/VALIDITY OF PROJECT DESIGN**

1. Are the strategy, objectives and assumptions of the Mexico country-level theory of change (ToC) generally appropriate for achieving the planned results and long-term outcomes? Specifically, have the geographical placements of the Labor Rights Centers (LRCs), and their strong research focus (as opposed to a focus on worker outreach/assistance), been designed appropriately to reach the project's intended outcomes?
2. To what extent did the global project theory of change (ToC) and set Long Term Outcomes (LTO) as prescribed in the Funding Opportunity Announcement (FOA) hold true in Mexico? What were the benefits and limitations of the prescribed ToC and LTOs?
3. To what extent did the project's expected outcomes and interventions respond to relevant stakeholders' needs and the country context? Has the grantee addressed all relevant stakeholders, including workers, employers, and employer organizations in all of the project's geographical areas, to ensure their support for the project?
4. How were workers and underserved communities identified, how were their needs assessed and to what extent were they included in the design of the program? To what extent does the project design and targets meet or reflect the needs and priorities of workers and underserved communities³¹? How could OTLA and project implementers improve engagement with underserved communities to ensure programming is equitable and responsive to their needs and priorities?
5. How relevant are the proposed Labor Centers and operationalized Worker Center, and their planned operations, for addressing the identified needs? Has the context of the pandemic changed their relevance?

³⁰ Note that the OECD/DAC criteria have been revised as of January 2020: <https://www.oecd.org/dac/evaluation/revised-evaluation-criteria-dec-2019.pdf>.

³¹ "Underserved communities" refers to populations who have been historically underserved, marginalized, or denied equitable treatment on the basis of disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with Executive Order 13985 of January 20, 2021, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, the term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

6. What drives workers' perceptions and behavior vis-à-vis trade unions and other civil society organizations that aim to serve and advance their interests?

- **COHERENCE**

7. To what extent has the project coordinated efforts with existing interventions in the country and with USDOL priorities, in order to avoid duplication of activities/ investments? Were these efforts towards coherence effective in avoiding duplication?
8. How effectively have the project efforts been analyzed against the planning for the new SC project, in order to promote helpful synergies and avoid duplication?

- **EFFECTIVENESS**

9. To what extent are the expected outcomes likely to be achieved or not achieved within the life of the project? What adjustments or course corrections, if any, should be made to the project's PMP, strategies, or activities to increase the likelihood of achieving project outcomes?
10. Which project outcomes show the greatest and lowest levels of achievement during the project's period of performance?³²
11. What interventions were the most and least effective at strengthening civil society organizations and empowering workers? Under what circumstances and for whom were they effective or not effective?
12. What lessons learned can be drawn from the project's experience with start-up challenges and delays that may be useful for other projects in the future?
13. How does the organizational capacity of project implementers, target institutions, and implementing partners limit or facilitate the effectiveness and sustainability of project interventions? Does the project design adequately account for differences in institutional capacity?
14. How have external factors such as the Covid-19 pandemic, political crises, etc. affected project implementation to date? How effectively did the project assess, adapt and mitigate the institutional and environmental risk factors that could hamper project implementation? How could the project more effectively address these external factors to achieve project targets?
15. What factors motivated partners and other organizations to work with the Solidarity Center? Are there any mid-course adjustments or considerations the Solidary Center should make to help increase motivation with partners and other organizations?

³² Data for this question should triangulate the project's progress toward their specific PMP indicators, rapid scorecard ratings and the opinions of stakeholders, as well as the independent judgements of the evaluation team.

- **EFFICIENCY**

16. What can be learned from the project's progress (or lack thereof) about the level of change (outcomes) that can realistically be achieved within a given project timeframe and budget, and with the time and resources remaining available for this project (with acknowledgement that some aspects of this learning are context-specific or resultant from the Covid-19 pandemic, and some aspects may be more generalizable)?
17. Does the project have a solid planning, monitoring and evaluation (M&E) framework or system in place? To what extent has this framework/system been effectively used to plan and monitor the project? How often have activities deviated from the project's plans the timelines, and how timely has the project foreseen these deviations?

- **IMPACT**

18. How can ILAB and its grantees better (and more timely) capture, analyze and act on information about implementation challenges in order to mitigate and address obstacles limiting the project's outcomes for workers and workers' organizations?

- **SUSTAINABILITY**

19. Is there a clear exit strategy in place, aimed to ensure the sustainability of the project? To what extent does it take into account the institutional capacity and motivation of stakeholders involved?
20. What are the key opportunities for sustainability? Are there any significant limitations to sustainability?

These evaluation questions will provide the structure for the evaluation and be tailored to the specific objectives, expected results, activities, and stakeholders of the project. The evaluation team identifies the data sources it intends to use to answer these questions in Appendix A.

4. EVALUATION DESIGN AND METHODOLOGY

An evaluation team composed by a Lead Evaluator (LE) and a National Consultant/Monitoring and Evaluation Expert will be responsible for this evaluation. The evaluation team will address the evaluation questions using multiple sources of evidence, combining primary qualitative data with secondary quantitative data. It will obtain data for this evaluation by conducting:

- A document review,
- Fieldwork including key informant interviews (KIIs) and focus group discussions (FGDs), which will be conducted either remotely or in-person as relevant during the Covid-19 pandemic, and
- Quantitative analysis of secondary data

The evaluation team will use the sources described below to evaluate the project.

- **A. DOCUMENT REVIEW**

The evaluation team will review the following documents, if available, before conducting field visits. The team will use the documents to assess the six evaluation criteria.

- Project documents, including Results Framework and Performance Monitoring Plan
- Technical Progress Reports (TPRs), including performance Data Tracking Tables
- Reports on needs assessments, stakeholder analysis, and specific project activities
- Sustainability Plans and Risk Management Plans
- Work plans and activity logical sequencing
- Federal Financial Reports (FFR), Budgets and Records of Expenditures
- Interim evaluation report for the project
- Any other relevant documents or deliverables

- **B. FIELDWORK**

Prior to beginning fieldwork, the evaluation team will host a logistics call with the project's staff to plan the field visit and data collection. SC will assist the evaluation team in scheduling KIIs and FGDs. The evaluation team reserves the right to add to or modify this list in the process of fieldwork or desk review, as appropriate.

The fieldwork itinerary will be determined based on scheduling and the availability of KII and FGD participants. Meetings will be scheduled in advance of the field visit and coordinated by SC project staff, in accordance with the evaluation team's requests. The evaluation team will conduct KIIs and FGDs with stakeholders without the participation of any project staff. The lead evaluator will conduct KIIs remotely, and the local consultant will conduct face-to-face or remotely KIIs and FGDs. Whenever possible and with the permission of the informants, audio recordings will be made for the purpose of the study only; the recordings will be destroyed once the analysis is completed. These recordings will be for the evaluation team only and will not be shared with ILAB, SC, or anyone else.

- **1. KEY INFORMANT INTERVIEWS**

The evaluation team will conduct approximately 12 FGDs over 10 days with project stakeholders in Mexico either in-person or remotely by internet conference calls or phone calls, as appropriate. If the security and/or Covid-19 situation allows for the national consultant to conduct in-person site visits, she will travel to San Luis Potosí. The decision to conduct an interview in-person or remotely will be made on a case-by-case basis, depending on the locations and preferences of the stakeholders and the evaluation team.

The evaluation team will attempt to interview an equal distribution of male and female respondents. As appropriate, the evaluation team will maximize efficiency by conducting KIIs with 5 respondents simultaneously. The evaluation team will also conduct a KII with the ILAB Project Managers (former and current) and with representatives of the implementing

organizations; however, the number of KIIs and participants for each organization will depend on availability.

Exhibit 1: KII Data Collection Strategy

Stakeholder Type	Method	Sample Size	Potential Respondents
US Government	KII, FGD	9	USMCA Monitoring & Enforcement Division Mexico Labor Attaches TAC PM Lead for Mexico TAC PM for the SC project TAC PM for FMCS Cooperative Activities in Mexico OTLA/TAC M&E Focal Points
Grantee and Implementing Partners	KII, FGD	25	Solidarity Center Solidarity Center Mexico University of California Los Angeles Labor Center (UCLALC) Universidad Autónoma de Querétaro Universidad Autónoma de México Worker center San Luis potosí
Trade Union Representatives	KII, FGD	15-20	Workers activists in Silao, Guanajuato Worker activists in San Luis Potosí Federation of Independent Unions of Auto, Auto parts, Aerospace, and Tire Industries (FESIIAAN) Orden Mexicana de Profesionales Marítimos y Portuarios
Host-Country Government	KII	1	MOL’s Federal Direction of Labor Inspection
Employer Organizations	KII	1	American Chamber of Commerce in Mexico
Civil Society Stakeholders	FGD	18	Human Rights Information and Documentation Systems (Huridocs) Solidarity Network with Workers at Risk Research and Documentation Network International Lawyers Assisting Workers Network (ILAW)

- **2. FOCUS GROUP DISCUSSIONS**

Pending discussions with ILAB and SC, the evaluation team will facilitate a number of FGDs with identified stakeholder group(s). Each will be composed of 5-10 participants in Mexico. In identifying FGD participants, the evaluation team will work with SC to select a random sample of participants across a meaningful range of characteristics pertinent to the project.

- **3. ETHICAL CONSIDERATIONS**

The evaluation team will observe utmost confidentiality related to sensitive information and feedback elicited during the KIIs and FGDs. To mitigate bias during the data collection process and give informants maximum freedom of expression, only the lead evaluator and the local consultant will be present during KIIs. However, when necessary, SC staff may accompany the evaluation team

to make introductions, facilitate the evaluation process, make respondents feel comfortable, and allow the evaluator to observe the interaction between SC staff and the interviewees.

The evaluation team will respect the rights and safety of participants in this evaluation. During this study, the evaluation team will take several precautions to ensure the protection of respondents' rights:

- No interview will begin without receipt of informed consent from each respondent.
 - The evaluation team will conduct KIIs and FGDs in a confidential setting, so no one else can hear the respondent's answers.
 - Covid-19 precautions and social distancing will be implemented during face-to-face interviews and FGDs.
 - The evaluation team will be in control of its written notes at all times.
 - The evaluation team will transmit data electronically using secure measures.
 - The evaluation team will talk with respondents to assess their ability to make autonomous decisions and their understanding of informed consent. Participants will understand that they have the right to skip any question with which they are not comfortable or to stop at any time.
- **4. INTERACTIVE VALIDATION SESSION AND POST-TRIP DEBRIEFING**

After the end of fieldwork, the lead evaluator will conduct a virtual, interactive and participatory validation session with stakeholders, including SC staff, to review initial results, collect any clarifying information to improve evaluation accuracy, and obtain input on recommendations of the evaluation. The date and format of the meeting will be determined in consultation with ILAB and SC.

When fieldwork is complete, the evaluation team will provide a post-trip debriefing by video call to relevant ILAB staff to share initial results and PowerPoint slides from the stakeholder validation session, and to seek any clarifying guidance needed to prepare the report.

5. OUTCOME ACHIEVEMENT AND SUSTAINABILITY RATINGS

The evaluation team should objectively rate the level of achievement and potential for sustainability of each of the project's outcomes on a four-point scale (low, moderate, above-moderate, and high).

ACHIEVEMENT

"Achievement" measures the extent to which a development intervention or project attains its objectives/outcomes, as described in its performance monitoring plan (PMP).

For assessing the achievement of program or project outcomes, the evaluation team should consider the extent to which the objectives/outcomes were achieved and identify the major factors influencing the achievement or non-achievement of the objectives/outcomes. *For interim evaluations*, the evaluation team should also consider the likelihood of the objectives/outcomes

being achieved by the end of the project if the critical assumptions hold, as well as the extent the project requires course corrections to bring it back on track.

Project achievement ratings should be determined through triangulation of qualitative and quantitative data. The evaluation team should collect qualitative data from key informant interviews and focus group discussions through a structured data collection process, such as a survey or rapid scorecard. Interviews and focus groups can also provide context for the results reflected in the Data Reporting Form submitted with the Technical Progress Report (TPR). The evaluation team should also analyze quantitative data collected by the project on key performance indicators defined in the Performance Monitoring Plan (PMP) and reported on in the TPR Data Reporting Form. The evaluation team should consider the reliability and validity of the performance indicators and the completeness and accuracy of the data collected. The assessment of quantitative data should consider the extent to which the project achieved its targets and whether these targets were sufficiently ambitious and achievable within the period evaluated. The evaluation team should assess each of the project's objective(s) and outcome(s) according to the following scale:

- **High:** met or exceeded most targets for the period evaluated, with mostly positive feedback from key stakeholders and participants.
- **Above-moderate:** met or exceeded most targets for the period evaluated, **but** with mostly neutral or negative feedback from key stakeholders and participants.
- **Moderate:** missed most targets for the period evaluated, **but** with mostly positive feedback from key stakeholders and participants.
- **Low:** missed most targets for the period evaluated, with mostly neutral or negative feedback from key stakeholders and participants.

SUSTAINABILITY

“**Sustainability**” is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn. When evaluating the sustainability of a project, it is useful to consider the likelihood that the benefits or effects of a particular output or outcome will continue after donor funding ends. It also important to consider the extent to which the project takes into account the actors, factors, and institutions that are likely to have the strongest influence over, capacity, and willingness to sustain the desired outcomes and impacts. Indicators of sustainability could include agreements/linkages with local partners, stakeholder engagement in project sustainability planning, and successful handover of project activities or key outputs to local partners before project end, among others.

The project's Sustainability Plan (including the associated indicators) and TPRs (including the attachments) are key (but not the only) sources for determining its rating. The evaluation team should assess each of the project's objective(s) and outcome(s) according to the following scale:

- **High:** strong likelihood that the benefits of project activities will continue after donor funding is withdrawn and the necessary resources³³ are in place to ensure sustainability;
- **Above-moderate:** above average likelihood that the benefits of project activities will continue after donor funding is withdrawn and the necessary resources are identified but not yet committed;
- **Moderate:** some likelihood that the benefits of project activities will continue after donor funding is withdrawn and some of the necessary resources are identified;
- **Low:** weak likelihood that that the benefits of project activities will continue after donor funding is withdrawn and the necessary resources are not identified.

In determining the rating above, the evaluation team should also consider the extent to which sustainability risks were adequately identified and mitigated through the project's risk management and stakeholder engagement activities. *For final evaluations*, the evaluation team should assess the risk environment and its expected effects on the project outcomes after the project exits and the capacity/motivation/resources/linkages of the local actors/stakeholders to sustain the outcomes produced by the project.

- **C. QUANTITATIVE ANALYSIS OF SECONDARY DATA**

Secondary data will consist of available monitoring data. The evaluation team will work with ILAB to secure prompt access to secondary data from SC, relevant government bodies, and external sources. After gaining access to the data, the evaluation team will immediately assess their quality and relevance in answering the research questions and develop a list of relevant indicators. The evaluation team's analysis of these data will inform the correlation and validation of results from the qualitative data collection.

The evaluation team will analyze project monitoring data to assess the performance of activities relative to expected results. The evaluation team's analysis, which will rely on descriptive statistics such as counts, tabulated proportions, and means, will identify common trends, patterns, and any changes in stakeholders' motivation, behavior, capacity, practices, policies, programs, relationships, or resource allocation as a result of project activities.

The evaluation team will also use project monitoring data and quantitative data collected during evaluation fieldwork (please see Appendix D for rapid scorecard template), triangulated with relevant qualitative data collected during interviews and FGDs, to develop summary achievement and sustainability ratings for the project on a four-point scale: low, moderate, above-moderate, and high.

Achievement ratings on outcomes will be based on the most recent information on project's effectiveness, comparing actual information to the project's expected performance according to the PMP and workplan. Ratings on likelihood of sustainability of project's components and practices will be based on the triangulation of qualitative information obtained from interviews

³³ Resources can include financial resources (i.e. non-donor replacement resources), as well as organization capacity, institutional linkages, motivation and ownership, and political will, among others.

and focus groups.

- **D. LIMITATIONS**

The evaluation team will base its conclusions on information collected from background documents, KIIs, FGDs, and secondary quantitative data. The evaluation team will assess the integrity of this information to determine the accuracy of the evaluation results. The application of ratings may in no way be considered as a non-formal impact assessment. Primary data collected from beneficiaries may reflect the opinions of the most dominant groups without capturing the perceptions of less vocal groups. The evaluation team will consider this possibility and make sure that all parties can freely express their views. The evaluation team will mitigate this potential limitation by conducting FGDs and KIIs in a place where informants can speak freely and where no one but the evaluation team can hear the respondents' answers.

Some stakeholders may lack access to, or capability of, the technology necessary for conducting virtual interviews. Additionally, some respondents may lack the ability to connect remotely from a location that allows for privacy and confidentiality. Wherever possible, the evaluation team will work with the project to provide a computer connection and private room for stakeholders who do not have a reliable and/or confidential place to be interviewed.

This evaluation will rely on secondary performance information in quarterly and annual reports and in available monitoring databases. The quality of the data will affect the accuracy of the statistical analysis. The evaluation team will not be able to check the validity and reliability of performance data given the limited time and resources.

5. EVALUATION TEAM, MANAGEMENT AND SUPPORT

Rafael Muñoz Sevilla will serve as the Lead Evaluator, with the support of Dianne Ortega as the National M&E Expert. The evaluation team will promote transparency and dialogue with a clear dissemination strategy. This process includes:

- Developing and sharing with ILAB and SC an explicit plan that details how the data collected will be used.
- Providing a draft report in a timely fashion that gives ILAB and SC enough time for a thorough review.
- Producing a professional, complete report, along with a utilization-focused executive summary that support dissemination and publication.

SFS' monitoring and evaluation experts and management personnel will provide logistical, administrative, and technical support to the evaluation team, including in-country travel arrangements, as relevant, and all materials needed to provide the deliverables specified in the TOR. SFS staff will also be responsible for providing technical oversight necessary to ensure consistency of methods and technical standards. During fieldwork, the lead evaluator will be supported by the local consultant, who will provide support with scheduling, information on the country context, and, as appropriate, data analysis.

In light of the Covid-19 pandemic, to protect the health and safety of the evaluators and the respondents, SFS will also ensure that social distancing measures are implemented and masks are worn during all interviews and interpersonal interactions. Masks will also be provided for participants who may not already have them. To the greatest extent possible, in-person interviews will be conducted outdoors or arranged in locations where there is good ventilation.

6. ROLES AND RESPONSIBILITIES

The Contractor and Evaluation Team are responsible for accomplishing the following items:

- Receiving and responding to or incorporating input from SC and ILAB on the TOR draft
- Finalizing and submitting the TOR and sharing concurrently with SC and ILAB
- Reviewing project background documents
- Reviewing the evaluation questions and refining them as necessary
- Developing and implementing an evaluation methodology, including document review, remote and face-to-face KIIs and FGDs, and secondary data analysis, to answer the evaluation questions
- Conducting planning meetings or calls, as necessary, with ILAB and SC
- Deciding the composition of field visit KII and FGD participants to ensure the objectivity of the evaluation
- Capturing photographs of and anecdotes or quotes from stakeholders interviewed during fieldwork to incorporate in the stakeholder validation session presentation, final report and infographics
- Ensuring that appropriate health and safety, informed consent, ethics and do no harm protocols are understood and followed throughout the evaluation process
- Presenting preliminary results verbally to project field staff and other stakeholders as determined in consultation with ILAB and SC
- Preparing an initial draft of the evaluation report for 48-hour and a second draft for two-week review and sharing it with ILAB and SC
- Preparing and submitting the final report, infographics as well as three communication products identifying relevant messages and audiences, according to a dissemination plan to be agreed by SFS with USDOL.
- Organizing a virtual learning presentation (for ILAB, SC and other stakeholders as requested) using communication products, which summarizes and synthesizes the results from the three SC evaluations in Georgia, Peru and Mexico, once all three evaluations have been completed.

ILAB is responsible for the following items:

- Reviewing the TOR, providing input to SFS as necessary, and agreeing on final draft
- Providing project background documents to SFS, in collaboration with SC
- Briefing SC on the upcoming field visit and working with them to coordinate and prepare for the visit and to ensure health and safety of evaluation team members and participants
- Reviewing and providing comments on the draft evaluation report and infographics
- Approving the final draft of the evaluation report and infographics
- Participating in the pre- and post-trip debriefing and interviews
- Including the ILAB evaluation contracting officer’s representative (COR) on all communication with SFS.

The grantee is responsible for the following items:

- Reviewing the TOR, providing input to SFS as necessary, and agreeing on the final draft
- Providing project background materials to SFS, in collaboration with ILAB
- Preparing a list of recommended interviewees with feedback on the draft TOR
- Scheduling meetings during the field visit and coordinating all logistical arrangements
- Reviewing and providing comments on the draft evaluation reports
- Organizing, financing, and participating in the interactive stakeholder validation meeting
- Providing in-country ground transportation to meetings and interviews
- Taking appropriate health and safety measures for themselves, the local consultant, and participants, in the Covid-19 environment (please see precautions described in Evaluation Management section above)
- Including the ILAB program office on all written communication with SFS.

7. EVALUATION MILESTONES AND TIMELINE

The tentative timetable is as follows. Actual dates may be adjusted as needs arise.

Activity	Date (2021-2022)
Evaluation launch call	Tues, Oct 5
SFS to send suggested evaluation questions	Thurs, Oct 7
Draft full stakeholder list developed by evaluation team	Fri, Oct 8
ILAB and SC send suggestions/edits to stakeholder list	Wed, Oct 13
ILAB and SC to send comments/edits to evaluation question list	Fri, Oct 15

Activity	Date (2021-2022)
SFS to submit full Draft TOR to ILAB and SC	Wed, Oct 20
Logistics call with ILAB and SC	Fri, Oct 22
ILAB and SC provide feedback on draft TOR due to SFS	Mon, Oct 25
Final TOR, Field itinerary and list of stakeholders submitted to ILAB and SC	Wed, Oct 27
Submission of evaluation question matrix and data collection instruments to ILAB	Wed, Oct 27
Fieldwork in Mexico	November 8-19
Interactive stakeholder validation session (remote, if needed)	Mon, Nov 22
Post-evaluation debriefing with ILAB	Tues, Nov 30
Initial draft report for 48-hour review submitted to ILAB and SC	Wed, Dec 15
48-hour review comments due to SFS	Fri, Dec 17
Disseminate draft report and executive summary to ILAB, SC, and other key stakeholders for 2-week review	Wed, Dec 22
2-week review comments due to SFS	Mon, Jan 17
Revised report and draft 1-page infographic summary submitted to ILAB and SC	Mon, Jan 24
ILAB approval to finalize and format report	Mon, Jan 31
Final 508-compliant report and 1-page infographic summary submitted to ILAB and SC	Fri, Feb 18
SFS submits draft communication products, synthesizing the results of the evaluations in Georgia, Peru and Mexico	TBD
Communication products finalized	TBD
Virtual learning event	TBD

8. DELIVERABLES AND DELIVERABLE SCHEDULE

1. Draft TOR: October 20, 2021
2. Final TOR, field itinerary, and draft list of stakeholders: October 27
3. Logistics call, including TOR feedback: October 22
4. Draft data collection instruments: October 27
5. Remote interactive stakeholder validation session: November 22
6. Initial draft report for 48-hour review: December 15
7. Draft report for 2-week review: December 22
8. Revised report and draft 1-page infographic summary: January 24, 2022
9. Final 508-compliant report and final 1-page infographic summary: February 18, 2022
10. Virtual learning event: To be determined

9. EVALUATION REPORT

Within 3 weeks after the stakeholder meeting, the lead evaluator will complete a draft report of the evaluation following the outline below and SFS will share it with the ILAB COR, ILAB Project

Managers, and SC for an initial 48-hour review. Once the lead evaluator receives comments, they will make the necessary changes and submit a revised report. ILAB, SC, and other stakeholders will then have 2 weeks (10 business days) to provide comments on the revised draft report. The lead evaluator will respond to comments from stakeholders, where appropriate, and provide a final version within 2 weeks of ILAB acceptance of the revised draft evaluation report. The evaluation team will also produce a one-page summary using data visualization techniques and infographics to facilitate dissemination of major results.

A quality report is an “action-oriented evaluation report” meaning that its content is focused, concise, and geared toward a particular audience, calling their attention to important results. It highlights desired changes in practice, behavior or attitudes (both at the individual and organizational level) and outlines possible next steps through the use of a variety of media, including data visualization. The final version of the report will follow the format below, be no more than 30 pages in length, excluding the annexes, and will be Section 508 compliant:

1. Table of Contents
2. List of Acronyms
3. Executive Summary (providing an overview of the evaluation, summary of main results/lessons learned/good practices and key recommendations, not to exceed five pages)
4. Evaluation Objectives and Methodology
5. Project Context and Description
6. Evaluation Results (answers to evaluation questions with supporting evidence)
7. Lessons Learned and Promising Practices
8. Conclusions (interpretation of facts including criteria for judgements)
9. Recommendations (specific actions the evaluation team proposes be taken by ILAB and/or SC that are based on results and conclusions and critical for successfully meeting project objectives; as well as judgements on what changes need to be made for future programs)
10. Annexes, including: TOR; List of documents reviewed; Stakeholder validation session agenda and participants; List of Meetings and Interviews; Any other relevant documents.

The electronic submission will include 2 versions: one version, complete with all appendices, including personally identifiable information (PII) and a second version that does not include PII such as names and/or titles of individuals interviewed.

ANNEX E: INFORMED CONSENT AGREEMENT – KII/FGD

Purpose: Thank you for taking the time to meet with us today. My name is [NAME]. I am an evaluator from an organization called SFS, a company that provides monitoring and evaluation services. I am in Mexico to conduct an evaluation about the work of Solidarity Center (SC). This program seeks to improve effective engagement by workers and civil society organizations (CSOs) with the government and employers to improve enforcement of labor laws. You have been asked to participate today so that we can learn more about the support you (or your organization) may have received from [SC]. We would like your honest impressions, opinions and thoughts about various issues related to (the implementation of activities of) this program. I am independent consultant and have no affiliation with those who provided you with assistance. In addition, I do not represent the government, employers, employers' organizations, or workers' organizations.

Procedures: If you agree to participate, we ask you to discuss your experience and opinion of the activities and services implemented under this program. The interview will take about (xx minutes, hour) of your time. Although we will publish our results in a public report, all of your answers will be kept confidential. Nothing you tell us will be attributed to any individual person. Rather the report will include only a composite of all of the answers received by all of the individuals we interview. Although we may use quotes, none of the individuals interviewed will be named in the report.

Risks/Benefits: There is no risk or personal gain involved in your participation in this interview. You will not receive any direct benefit or compensation for participating in this evaluation. Although this study will not benefit you personally, we hope that our results will help improve support provided to enterprises and workers in Mexico.

Voluntary Participation: Participation in this interview/FGD is completely voluntary. You do not have to agree to be in this study. You are free to end the interview/leave the FGD at any time or to decline to answer any question which you do not wish to answer. If you decline to participate in the interview, no one will be informed about this.

Do you have any questions at this time? [Interviewer should answer any questions]

Do I have your permission to proceed?

ANNEX F: RIGHT TO USE

United States Department of Labor

Right to Use

I, _____, grant to the United States Department of Labor (including any of its officers, employees, and contractors), the right to use and publish photographic likenesses or pictures of me (or my child), as well as any attached document and any information contained within the document. I (or my child) may be included in the photographic likenesses or pictures in whole or in part, in conjunction with my own name (or my child's name), or reproductions thereof, made through any medium, including Internet, for the purpose of use, dissemination of, and related to USDOL publications.

I waive any right that I may have to inspect or approve the finished product or the advertising or other copy, or the above-referenced use of the portraits or photographic likenesses of pictures of me (or my child) and attached document and any information contained within the document.

Dated _____, 20__

Signature or









Parent/guardian if under 18




Name Printed

Address and phone number

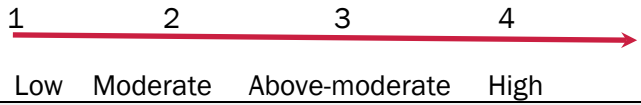
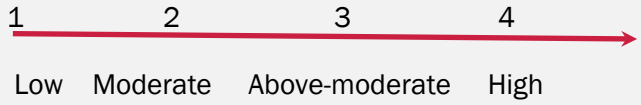
Identifier (color of shirt, etc.): _____

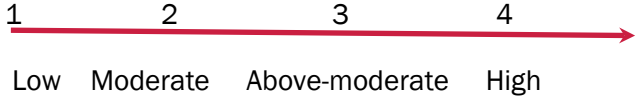
ANNEX G: PERFORMANCE SUMMARY AND RAPID SCORECARD TEMPLATES

Performance Summary	Rating
<p>LTO 1 (insert LTO wording)</p> <p>Summary of overall assessment given</p>	<p style="text-align: center;">Low Moderate Above-Moderate High</p> <p>Achievement </p> <p>Sustainability </p>
<p>LTO 2 (insert LTO wording)</p> <p>Summary of overall assessment given</p>	<p style="text-align: center;">Low Moderate Above-Moderate High</p> <p>Achievement </p> <p>Sustainability </p>
<p>LTO 3 (insert LTO wording)</p> <p>Summary of overall assessment given</p>	<p style="text-align: center;">Low Moderate Above-Moderate High</p> <p>Achievement </p> <p>Sustainability </p>
<p>LTO 4 (insert LTO wording)</p> <p>Summary of overall assessment given</p>	<p style="text-align: center;">Low Moderate Above-Moderate High</p> <p>Achievement </p> <p>Sustainability </p>

From your perspective ³⁴ , rate how effectively (e.g., moving project toward its intended results) the project has been regarding each of its specific outcomes:	
Project Outcome (Circle one rating 1-5 for each element)	Comments
Outcome 1: 1 2 3 4  Low Moderate Above-moderate High	
Outcome 2: 1 2 3 4  Low Moderate Above-moderate High	
Outcome 3: 1 2 3 4  Low Moderate Above-moderate High	

³⁴ Based on the triangulation of information from the project database and other sources and the data collected through interviews and FGD during the evaluation process.

What outcomes, components or/and practices implemented by the project do you consider as being those more critical for the project to become sustainable in the long term? Currently, what is the likelihood that those outcomes/ components/ practices remain sustainable?	
Outcome/ Component/ Practice	Likelihood that it becomes sustainable
1.	<p>1. </p>
2.	<p>2. </p>

<p>What outcomes, components or/and practices implemented by the project do you consider as being those more critical for the project to become sustainable in the long term? Currently, what is the likelihood that those outcomes/ components/ practices remain sustainable?</p>	
<p>3.</p>	<p>3.</p>  <p>1 2 3 4</p> <p>Low Moderate Above-moderate High</p>

ANNEX H. EVALUATION DESIGN MATRIX

#	Evaluation Questions	Data Sources
	Relevance / Validity of the Project Design	
1	Are the strategy, objectives and assumptions of the Mexico country-level theory of change (ToC) generally appropriate for achieving the planned results and long-term outcomes? Specifically, have the geographical placements of the Labor Rights Centers (LRCs), and their strong research focus (as opposed to a focus on worker outreach/assistance), been designed appropriately to reach the project's intended outcomes?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Funding Opportunity Announcement - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; Employer Organizations; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>
2	To what extent did the global project theory of change (ToC) and set Long Term Outcomes (LTO) as prescribed in the Funding Opportunity Announcement (FOA) hold true in Mexico? What were the benefits and limitations of the prescribed ToC and LTOs?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Funding Opportunity Announcement - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; Employer Organizations; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>

#	Evaluation Questions	Data Sources
3	<p>To what extent did the project’s expected outcomes and interventions respond to relevant stakeholders’ needs and the country context? Has the grantee addressed all relevant stakeholders, including workers, employers, and employer organizations in all of the project’s geographical areas, to ensure their support for the project?</p>	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; Employer Organizations; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>
4	<p>How were workers and underserved communities identified, how were their needs assessed and to what extent were they included in the design of the program? To what extent does the project design and targets meet or reflect the needs and priorities of workers and underserved communities? How could OTLA and project implementers improve engagement with underserved communities to ensure programming is equitable and responsive to their needs and priorities?</p>	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; Employer Organizations; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>

#	Evaluation Questions	Data Sources
5	How relevant are the proposed Labor Centers and operationalized Worker Center, and their planned operations, for addressing the identified needs? Has the context of the pandemic changed their relevance?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; CSOs</p>
6	What drives workers' perceptions and behavior vis-à-vis trade unions and other civil society organizations that aim to serve and advance their interests?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>
Coherence		
7	To what extent has the project coordinated efforts with existing interventions in the country and with USDOL priorities, in order to avoid duplication of activities/ investments? Were these efforts towards coherence effective in avoiding duplication?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; CSOs</p>

#	Evaluation Questions	Data Sources
8	How effectively have the project efforts been analyzed against the planning for the new SC project, in order to promote helpful synergies and avoid duplication?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Sectoral studies - Project Revision - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico)</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners;</p>
Effectiveness		
9	To what extent are the expected outcomes likely to be achieved or not achieved within the life of the project? What adjustments or course corrections, if any, should be made to the project's PMP, strategies, or activities to increase the likelihood of achieving project outcomes?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Funding Opportunity Announcement - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>

#	Evaluation Questions	Data Sources
10	Which project outcomes show the greatest and lowest levels of achievement during the project's period of performance?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>
11	What interventions were the most and least effective at strengthening civil society organizations and empowering workers? Under what circumstances and for whom were they effective or not effective?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; CSOs</p>

#	Evaluation Questions	Data Sources
12	What lessons learned can be drawn from the project's experience with start-up challenges and delays that may be useful for other projects in the future?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Funding Opportunity Announcement - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>
13	How does the organizational capacity of project implementers, target institutions, and implementing partners limit or facilitate the effectiveness and sustainability of project interventions? Does the project design adequately account for differences in institutional capacity?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Funding Opportunity Announcement - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>

#	Evaluation Questions	Data Sources
14	<p>How have external factors such as the Covid-19 pandemic, political crises, etc. affected project implementation to date? How effectively did the project assess, adapt and mitigate the institutional and environmental risk factors that could hamper project implementation? How could the project more effectively address these external factors to achieve project targets?</p>	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Result framework - Performance Monitoring Plan (PMP) - Work plans - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; MOL; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; employers; CSOs</p>
15	<p>What factors motivated partners and other organizations to work with the Solidarity Center? Are there any mid-course adjustments or considerations the Solidary Center should make to help increase motivation with partners and other organizations?</p>	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Reports on needs assessments, stakeholder analysis, and specific project activities - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - Performance Monitoring Plan (PMP) - Sectoral studies - Any other relevant documents <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; CSOs</p>
Efficiency		

#	Evaluation Questions	Data Sources
16	<p>What can be learned from the project’s progress (or lack thereof) about the level of change (outcomes) that can realistically be achieved within a given project timeframe and budget, and with the time and resources remaining available for this project (with acknowledgement that some aspects of this learning are context-specific or resultant from the Covid-19 pandemic, and some aspects may be more generalizable)?</p>	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Project document - Technical Progress Reports (TPRs) - Reports on specific project activities - PMP - Work plans - Federal Financial Reports (FFR), Budgets and Records of Expenditures - Project revision <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico); Trade Unions; CSOs.</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners; workers; CSOs</p>
17	<p>Does the project have a solid planning, monitoring and evaluation (M&E) framework or system in place? To what extent has this framework/system been effectively used to plan and monitor the project? How often have activities deviated from the project’s plans the timelines, and how timely has the project foreseen these deviations?</p>	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Technical Progress Reports (TPRs) - Reports on specific project activities - PMP - Work plans - Federal Financial Reports (FFR), Budgets and Records of Expenditures - Sustainability Plans and Risk Management Plans - Project revision <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico).</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners.</p>
Impact		

#	Evaluation Questions	Data Sources
18	How can ILAB and its grantees better (and more timely) capture, analyze and act on information about implementation challenges in order to mitigate and address obstacles limiting the project's outcomes for workers and workers' organizations?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Technical Progress Reports (TPRs) - Reports on specific project activities - PMP - Work plans - Sustainability Plans and Risk Management Plans - Project revision <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico).</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners.</p>
Sustainability		
19	Is there a clear exit strategy in place, aimed to ensure the sustainability of the project? To what extent does it take into account the institutional capacity and motivation of stakeholders involved?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Project Document - Technical Progress Reports (TPRs) - Reports on specific project activities - PMP - Work plans - Sustainability Plans and Risk Management Plans - Project revision <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico).</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners.</p>

#	Evaluation Questions	Data Sources
20	What are the key opportunities for sustainability? Are there any significant limitations to sustainability?	<p><u>Document review:</u></p> <ul style="list-style-type: none"> - Project Document - Technical Progress Reports (TPRs) - Reports on specific project activities - PMP - Work plans - Sustainability Plans and Risk Management Plans - Project revision <p><u>KII:</u> ILAB Staff; Solidarity Center (HQ/Mexico).</p> <p><u>FGD:</u> ILAB Staff; Solidarity Center HQ; Solidarity Center Mexico; Implementing Partners.</p>