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007-CP-8

United Electrical Workers (UE)  
1411 K Street N.W., Suite 802  
Washington, D.C. 20005  
June 1, 1988

Office of GSP Administrator  
United States Trade Representative  
600 17th St N.W.  
Washington, D.C.

Dear USTR:

Here are twenty copies of a petition on the question of labor rights in Haiti.

Please note that the petition indicates that I will be visiting Haiti in July to investigate labor conditions and labor rights there. Accordingly, I expect to present at the Fall hearings more detailed evidence than that which was available in preparing this petition. I hope you will see fit to accept the petition at this preliminary stage in order to afford the opportunity for such a presentation later.

Thank you for your consideration in this matter.

Yours truly,

*Lance Compa*  
Lance Compa  
UE Washington Rep.

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# United Electrical, Radio and Machine Workers of America



1411 K Street N.W., Suite 802

Washington, D.C. 20005

June 1, 1988

Petition to the United States Trade Representative

## LABOR RIGHTS IN HAITI

The United Electrical, Radio and Machine Workers of America (UE) here petitions the United States Trade Representative to review the status of benefits under the Generalized System of Preferences for Haiti under the worker rights provisions of the GSP program.

In recent years Haitian workers have had their hopes for improved labor rights alternately raised and dashed. The flight of dictator Jean-Claude Duvalier in February, 1986 inspired new organizing initiatives among Haitian workers and unionists. The Interim National Council of Government (CNG) issued statements affirming rights of association, organizing and bargaining, and welcoming union activity as necessary to the development of democracy in Haiti.

The reality failed to match the rhetoric. Three union federations became active and organized in various Haitian workplaces, including in the many sporting goods, footwear,

garment and electronics assembly plants that employed thousands of workers. But the CNG did nothing to defend labor rights. By the end of 1986 hundreds, perhaps thousands of workers had been fired for seeking to organize (see attached New York Times article of November 16, 1986).

FIA

Several specific cases of apparent labor rights violations arose throughout 1986. After workers at the Haitian-American Sugar Company (HASCO) voted to form a union and sought to bargain with the company, management instead shut the facility down, putting hundreds of employees out of work. In a company called Mariech Industries, 23 employees were fired after management discovered their union organizing activities. Similarly, Breton Fashion company fired 46 employees when they tried to form a union. 12 employees of Haiti-Metal, an electronics assembly plant, were transferred to a single department after they were elected to the leadership council of a newly-formed union. Management then eliminated the department, thus decapitating the fledgling union.

CASE 1

CASE 2

CASE 3

CASE 4

At Performance Footwear, a subsidiary of the Massachusetts-based Stride-Rite Corporation, management fired four union leaders who presented bargaining demands. When workers persisted in organizing, the company proceeded to discharge some 600 employees. At an affiliate of Performance Footwear called A & H Industries, the employer fired more than 300 employees for trying to organize a union, then shut the plant.

CASE 5

CASE 6

1987 saw no improvement in the labor rights situation in Haiti. When the Haitian people in March overwhelmingly approved a

new Constitution with broad labor rights guarantees, unionists hoped that now, finally, they could organize and bargain without fear. But when union leaders protested in June, 1987 that remnants of the Duvalier power structure in the CNG and the military were violating labor rights and blocking democratic reform, the CNG ordered the dissolution of an outspoken labor federation, the Autonomous Haitian Workers Central (CATH).

*That's just what we need.*

Armed police and troops seized union headquarters, ransacked union records and arrested union leaders and employees. When workers responded with strikes and protests, troops and paramilitary Tonton Macoutes in the pay of large landowners and industrialists launched a wave of repression and killings. An international outcry forced the CNG to restore CATH to legal status. By then, however, a renewed climate of fear and intimidation had taken hold among workers.

*kill*

The shocking events that ruined the November, 1987 presidential election in Haiti (the murder of citizens waiting in line to vote, for example) were widely reported and need no elaboration here. In a subsequent election universally regarded as rigged, a new president took office. Now Leslie Manigat, like the CNG before him, has insisted that his government will respect labor rights and protect workers who want to organize.

*Case 7*

But the rhetoric of labor rights still appears to conflict with the reality of labor conditions in Haiti. In early April, 1988 workers at the Ciment d'Haiti facility struck to protest company betrayals of promised wage and benefit improvements. The company threatened to fire the entire workforce in retaliation.

# Haiti Unionizing Prompts Dismissals

By JOSEPH B. TREASTER

Special to The New York Times

PORT-AU-PRINCE, Haiti, Nov. 14 — Hundreds of Haitian factory workers have been dismissed from their jobs in an attempt to crush fledgling labor unions that have been trying to organize since the collapse of the Duvalier dictatorship nine months ago.

Scores of other workers in Haiti, the poorest country in the hemisphere have been threatened with dismissal or have been suspended or reassigned as punishment for union activity, according to Government officials, labor leaders and foreign diplomats.

Some of the dozens of small factories here, most of which operate under contract to American companies to produce such things as electronic equipment, sporting goods and clothing, have threatened to close rather

than deal with unions. Government officials say that at least five shut down shortly after unions were organized.

"A lot of plant managers are afraid," said an executive of a women's clothing factory. "The major concern is that the people are not educated enough to have unions. One of the first worries is more money and second, that they won't be able to control their workers. The workers give the impression that they want to take over."

## Factories Get Trade Benefits

The factories producing for the American market enjoy a variety of United States tariff exemptions and other trade benefits; one of the conditions for these exemptions is that workers be afforded internationally recognized labor rights. The right to organize free labor unions is also a condition for the \$108 million in United States aid that Haiti is to receive this year.

Lieut. Gen. Henri Namphy, the head of Haiti's provisional Government, has said he considers the establishment of unions to be an important step on the road to democracy. But his Government has failed to assert itself in labor conflicts, and its inaction is being interpreted by union leaders, workers and some diplomats as a lapse that favors the employers.

Government officials say they are revising the labor codes to provide more protection for workers and are trying to revive talks between labor, industry and the Government that broke off last April.

## Extreme Positions

In the new-found freedom of Haiti, workers and employers have both taken extreme positions. Immediately after the collapse of the dictatorship, wildcat strikes disrupted many plants. Some workers were demanding four and five times their present pay of about \$3 a day. Many employers refused to even discuss the question of a union with their workers.

In the past, American manufacturers have been drawn to Haiti by low wages and a vast pool of seemingly docile workers. More than 60 percent of the work force is chronically unemployed. Under the Duvaliers, unions were prohibited in all but name and employers were given a free hand in setting working conditions.

Employers praise Haitian workers

for productivity and ability to learn quickly to operate sewing machines and other light manufacturing equipment, but the workers know that if they fall short of expectations they will be replaced effortlessly.

"You just have to put a little sign out on the gate," said a plant manager accused by labor leaders of dismissing several union organizers. "We have an average of 50 people looking for jobs every day. If after two days they are unable to do good work you either extend the trial or get rid of them."

## 'I Know It's Going On'

Labor leaders say more than 2,500 people have lost their jobs because of union activities. Government officials put the figure at at least 2,000. Jean Edouard Baker, the president of the Haitian Manufacturers' Association, estimates it at 1,000 to 1,500.

In an interview, Mr. Baker stressed that his association does not condone union-breaking tactics, but he added, "I know it's going on."

Since Mr. Duvalier fled into exile in early February, Haiti has been racked by periodic eruptions of street protests, strikes, lynchings and random crime. In June General Namphy announced that 12,000 of the country's 50,000 light-industry workers had been laid off.

Mr. Baker estimated that more than half of the 12,000 lost jobs had been regained. But he said one consequence of the labor strife has been that some manufacturers who had announced expansion plans are waiting "to see how the Haitian people will handle the labor situation."

## A Fragile Economy

Leaders of Haiti's three labor federations say they recognize the country's economy is fragile. Rather than big pay raises, they say, their main objectives are to have unions accepted and to improve working conditions.

"We have a country to rebuild," said Georges M. Fortune, a recently returned exile who heads one of the labor federations.

Gerard C. Noel, the Minister of Social Affairs, whose portfolio includes labor relations, said in an interview that he was not aware anyone had been dismissed for union activity. According to Haiti's labor code, Mr. Noel said, it is illegal to dismiss anyone for union activity.

## CORRECTIONS

Because of an editing error, an article about guidance counseling in Education Life last Sunday misstated the date of the English Composition Achievement Test and some of its requirements. The test is given in December; it includes the multiple-choice format common to all Achievement Tests and a 20-minute essay.

Because of a film distributor's change of plans, a picture caption on page 17 of the Arts and Leisure section today mentions an incorrect theater for "Tangos: The Exile of Gardel." The film opens Friday at the Cinema Studio, Broadway at 66th Street.

Because of an editing error, an article about Guatemala in The Times Magazine last Sunday misstated the surname of a former President. He was Jacobo Arbenz Guzmán. On the basis of information supplied by the Pepsi-Cola company, the article also misidentified a bottler. He is Alvaro Castillo Monge.

A concert review on Nov. 2 about the American Chamber Opera misidentified an accompanist. The pianist for "The Seven Deadly Sins" was Ronald Fracker.

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# Lack of Progress in Haiti Spurs Call for New Curbs

N.Y. TIMES 5/15/88

By JOSEPH B. TREASTER

Special to The New York Times

WASHINGTON, May 14 — Six months after a massacre halted presidential elections in Haiti, United States officials and members of Congress say that there has been no progress toward democracy in the impoverished Caribbean country and that new measures are being taken to force change.

Legislation has been introduced in Congress that would strip Haiti of vital United States trade benefits, and the House subcommittee on appropriations is expected in the next few days to recommend that the suspension of most economic aid to Haiti be prolonged for a second year.

About \$60 million in aid to Haiti was suspended on Nov. 29, hours after thugs and soldiers killed 34 people during what was to have been Haiti's first democratic election in nearly 30 years. In addition, the World Bank and the International Monetary Fund have withheld \$40 million in loans.

The legislation to revoke the trade

benefits was spurred by concern over reports that Haiti is being used as a way station by drug smugglers as well as by concern over human rights abuses, according to the chief sponsors of the bill, Representative Dante B. Fascell and Senator Bob Graham, Democrats of Florida.

## Drug Link Explored

Earlier this year, Col. Jean-Claude Paul, one of Haiti's most powerful army officers, was indicted in Miami in connection with a drug-smuggling conspiracy. On May 21, Senator Graham is planning to hold hearings in Miami to look into allegations of drug trafficking in Haiti and into the involvement of the country's military in the narcotics trade.

After the abortive election in November, the army organized another round of voting and Leslie F. Manigat, a former political science professor, was installed as President. But real power appears to remain with the military. More than three months after Mr.

## The army retains the real power in Port-au-Prince.

Manigat's inauguration, United States officials and lawmakers monitoring affairs in Haiti say they are unable to point to any significant action taken by the Manigat Government or to any concrete signs that the President is trying to honor his pledge to lead the country "to a new era of democracy."

The presidential candidates who were regarded as the most popular in Haiti boycotted the election in which Mr. Manigat was named President.

"People are still debating whether Manigat is a good democrat with really honorable intentions or whether this guy is one hell of an opportunist who would sacrifice principles and the democratic process to assume the presidency," a United States official said.

The army is believed to have interfered in the election out of fear of losing illicit sources of income and out of concern that some officers might be prosecuted for human rights abuses committed before and after the collapse of the Duvalier family dictatorship in 1986.

Representative Fascell and Senator Graham say their trade-sanctions bill, which has been endorsed by nearly 70 other members of Congress, was partly inspired by the failure of the Reagan Administration to develop an active policy on Haiti. The Reagan policy, Senator Graham said, appears to be "to accommodate and tolerate a continuation of authoritarian rule."

In describing the Administration's policy in Haiti, an official said, "We're biding our time."

"We're being very cautious in our approach right now," another Administration official said.

Although the Administration took the

initial action to suspend economic aid to Haiti, some officials suggest that if Mr. Manigat has little to show for his time in office it might be due in part to a lack of money. The Administration is not yet recommending a restoration of aid, but the White House opposes further sanctions against Haiti.

## Harm to Manufacturing

Stripping Haiti of the trade benefits, which provide mainly for shipping duty-free goods into the United States, could devastate the country's light manufacturing industry. United States officials estimate that light manufacturing employs 41,000 Haitians, down from as many as 60,000 before the country was plunged into political turmoil when Jean-Claude Duvalier fled.

Some United States officials are skeptical that the trade sanctions bill, which received little attention when it was introduced in mid-March, will become law. But the officials, as well as Americans and Haitians involved in light manufacturing in Haiti, say the introduction of the bill has had an impact. Some American companies, they say, have not renewed production contracts with Haitian factories, and companies still doing business with Haiti have begun exploring possibilities in neighboring Caribbean countries.

The failure of United States economic pressure to bring about change in Panama has tempered hopes that the tactic will be effective in Haiti. But the sponsors of the trade bill said they regarded sanctions as an alternative to doing nothing or to going to the extreme of sending in troops.

"Regardless of its efficacy," Representative Fascell said, "it's an absolute statement of principle as far as this country is concerned."

On Sunday, Peter Johnson, the executive director of Caribbean Central American Action, a lobbying organization financed mainly by American business people, is to meet in Haiti with Mr. Manigat and two American business representatives.

beat 1

In mid-April a worker had an arm broken by soldiers from the <sup>beat</sup> notorious Dessalines barracks who attacked and beat employees at the Omnicon factory who were protesting a pay cut. Likewise, in early May police entered the plant of Chancerelles Manufacture, <sup>Castro</sup> an underwear producer located near the Port-au-Prince airport. They beat workers who were demanding no more than that the <sup>Beat 3</sup> company pay the \$3.00 per day wage considered standard for Haitian factory work.

Haiti's crushing poverty and illiteracy make it difficult to amass lengthy documented evidence of labor rights violations. For this reason, I will visit Haiti in July on behalf of the International Labor Rights Education and Research Fund to undertake an investigation of labor rights and labor conditions there.

Cases outlined here should suffice for USTR to accept UE's petition to review labor rights in Haiti. Acceptance of the petition is a preliminary move that does not commit USTR to a decision. At the hearing stage of the administrative process we will present further, detailed reports on the issue. Thus, we request acceptance of this petition so that the process might continue to a full and fair hearing on the status of labor rights in Haiti.

Respectfully submitted,

Lance Compa, UE Washington Rep.

