

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS

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Bush Administration's Labour Rights Record Appalling: New ICFTU Report

BRUSSELS, 15 March 2006, ICFTU Online: Serious violations of labour rights in the United States are on the increase, according to a new report issued by the ICFTU today. The report, which coincides with a World Trade Organisation review of US trade policies, details a catalogue of breaches of international standards concerning freedom of association, the right to collective bargaining and child labour, and shows a clear trend towards lower standards under the Bush Administration.

"The credibility of the US, which takes a strong international stand on human rights issues, is severely damaged by the lack of protection for working people, especially the most vulnerable, within its own borders", said Guy Ryder, ICFTU General Secretary, adding that "this only encourages other governments to seek competitive advantage in global markets by violating fundamental workers' rights".

Many categories of workers in the USA are excluded from the Labour Relations Act that provides for freedom of association and collective bargaining rights, such as agricultural workers, domestic workers, supervisors, independent contractors and government employees. More than 25 million private civilian workers and 6.9 million federal, state and local government employees do not have the right to negotiate their wages, working hours and employment terms. For those workers that do have the right to organise there is insufficient legal protection against anti-union discrimination. Anti union campaigns are widely used by employers in the case of organising, and 82% of the employers hire union busting consultants to stop workers from joining unions.

The right to strike is only allowed for private sector workers, but even there this right is severely restricted. There are legal limitations for workers to engage in "concerted activity" such as intermittent strikes and secondary boycotts. Moreover, the law allows for permanent replacement of striking workers, and also allows for those replacement workers to vote in union decertification elections.

Furthermore, undocumented migrant workers are discriminated against when it comes to legal entitlements in the case of unfair labour practices. A ruling by the Supreme Court in 2002 stated that undocumented workers are not entitled to back pay as a remedy for unfair labour practices and they are not entitled to reinstatement. This ruling has therefore made it difficult to enforce trade union rights of several million undocumented workers.

Although the US has ratified the ILO Convention No.182 on the worst forms of child labour, child labour remains a problem in the US, particularly in agriculture, where fewer regulations apply and children

are exposed to hazardous working conditions. Many children work long hours in the fields and are exposed to dangerous pesticides, sharp knives and heavy equipment. At the same time the number of inspections for the enforcement of child labour laws has decreased substantially. Furthermore the report notes that a number of new child labour regulations have worsened safety conditions for young workers, especially by lowering the minimum age for handling dangerous operations, such as operating fryers and grills in fast food restaurants and loading of paper balers and compactors.

The report also notes that, despite the existence of Equal Opportunities legislation, women earn on average considerably less than men, as do workers from ethnic minorities.

To read the full report:

<http://www.icftu.org/displaydocument.asp?Index=991223549&Language=EN>

The ICFTU represents 155 million workers in 236 affiliated organisations in 154 countries and territories(<http://www.icftu.org>) . ICFTU is also a member of Global Unions: <http://www.global-unions.org>

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