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INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)

## ITUC OnLine

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### US: Anti-union Administration Weakening Labour Law Enforcement and Violating Fundamental Workers' Rights

Brussels, 9 June 2008 (ITUC OnLine): The ITUC presents today its biannual report on core labour standards in the US, coinciding with the Trade Policy Review of the US at the WTO, taking place on 9 and 11 June. It reveals a poor and worsening record on worker protection, particularly in the areas of trade union rights and child labour, areas in which serious violations continue to take place.

US law excludes large groups of workers from the right to organise. These include agricultural workers, many public sector workers, domestic workers, supervisors and independent contractors. Moreover, for most private sector workers forming trade unions is extremely difficult and anti-union pressure from employers is frequent. The report notes that there is a huge union-busting industry which aims at undermining trade union organising. Some 82 per cent of employers hire such companies that employ a wide range of anti-union tactics. Employers also force employees to listen to anti-union propaganda and threaten workers with company closures if they vote to form a trade union.

"The US administration, rather than leading the way on protection of the rights of working people and on decent pay and conditions, has been intent on denying the freedom to join a union and bargain collectively to millions of American workers. This hurts America's working people and has a negative impact on workers' rights in other countries as well," said ITUC General Secretary Guy Ryder.

New figures from the US Department of Labor show that the Bush Administration has been cutting back even further on labour law enforcement, now spending an average of only US\$26 per employer, while spending on rigorous oversight of trade union activities amounts to an average of \$2,500 per union/local union.

The report further notes that the Employee Free Choice Act, which would redress some of the imbalances workers are subject to, was blocked by Senate Republicans last year despite passing the House of Representatives and gaining majority support in the Senate. Moreover, the National Labor Relations Board took a number of decisions in 2007 which withdrew various workers' protections and weakened already ineffective remedies. Among these decisions was one that makes it harder for workers who are illegally fired to recover back pay and another to make it easier to discriminate against employees who are union representatives.

Child labour is in many cases not effectively addressed in the US, particularly in agriculture and not least because of the hazardous conditions that children are exposed to. Many of the children are migrant farm workers, often Latino. Not enough urgency is being shown with the Children's Act for Responsible Employment (CARE) currently before the

Subcommittee on Workforce Protections of the House of Representatives, which would bring standards for children working in agriculture in line with standards for other sectors. Moreover, child labour inspections are falling, as shown in the report.

Concerning discrimination and remuneration the report notes that women continue to earn less than men (80.8%), and that for most women of colour this gap is even larger. Women earn less in every occupational category, even in occupations where they outnumber men. Nurses and middle school teachers earn 10% less than their male colleagues even though over 80% of the employees are female.

Finally, the report notes that forced labour remains a problem in the US, in particular with forced labour in agriculture for migrant workers, and manufacturing (garments) in US overseas territories, in particular the Northern Mariana Islands. Working conditions are severe, and recruitment practices often result in indentured servitude.

To read the full report:

[http://www.ituc-csi.org/IMG/pdf/US\\_report\\_cls\\_2008.FINAL.pdf](http://www.ituc-csi.org/IMG/pdf/US_report_cls_2008.FINAL.pdf)

The ITUC represents 168 million workers in 155 countries and territories and has 311 national affiliates. Website: <<http://www.ituc-csi.org>>

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