

REPORT OF THE UNITED STATES DELEGATION TO THE 2001 MEETING OF CUBAN AND AMERICAN TRADE UNION LAWYERS

Sponsored by the National Lawyers Guild Labor and Employment Committee and the U.S. Health Care Trade Union Committee



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In February, a 36 member delegation organized by the National Lawyers Guild Labor and Employment Committee, along with the U.S. Health Care Trade Union Committee, visited Cuba and met with lawyers, leaders and rank and file workers from the Central de Trabajadores de Cuba (the “CTC,” the federation of Cuba’s nineteen national trade unions). This was the second delegation sponsored by the Labor and Employment Committee, in what we hope may become an annual event. The US delegation included labor and employment lawyers, several administrative law judges, one arbitrator, legal workers, as well as trade union leaders, organizers, workers and students. Delegates came from at least ten states and the District of Columbia.

We spent a week in Cuba, starting and ending the visit in Havana. During the first days of the meeting, Cuban and US delegates offered presentations on various aspects of our respective legal and trade union systems. We then visited several work sites in Havana, and traveled for two days to the Santa Clara, Sancti Spiritus and Trinidad. We visiting several additional work sites in the provinces, as well as the Che Guevara Memorial and a museum in Trinidad dedicated to the struggle against the CIA and its allies in the early years of the revolution. We returned to Havana and met again to evaluate our efforts.

Our work builds on the efforts by last year’s delegates. Our efforts this year were helped immensely by former NLG President Debra Evenson, who allowed us to review an early draft of her upcoming book on the Cuban trade union movement and its labor laws. Several delegates participated last year, some had been to Cuba before in other capacities.

The delegation was organized by Dean Hubbard and Cuban labor lawyer Guillermo Ferriol Molina, the CTC's Director of Labor and Social Relations. While many others contributed, credit for the success of this trip is mostly theirs. We would also like to thank CTC General Secretary Pedro Ross Leal for his hospitality. We all enjoyed the friendship and help of our translator, Eddy Brown, our guide Romelio, and our two bus drivers. Our reception in Cuba was particularly heart-warming. Local and provincial unions treated us as honored guests. We are all grateful for their hospitality, and eager to return the favor in one way or another.

This report is a collective effort by the members of the delegation, the result of discussion and debate that was open to all through e-mail. The report may therefore be said to reflect a rough consensus.

As the Guild's second delegation of labor and employment lawyers, we view our efforts in a broader context of the evolving relations between the United States and Cuba. In particular, we would like to see this as an initial step in a continuing dialogue between our labor movements. This year's report is drafted with an eye towards US labor leaders and lawyers who may participate in future delegations. First, we set our visit in its political and economic context. Second, we share what empirical information we could gather from site visits and other discussions. The report then discusses the broad outlines of the structure and functioning of the Cuban labor movement. Finally, we discuss the basic question of whether the CTC appears to act as an effective representative of Cuban workers. In an appendix, Delegation Coordinator Dean Hubbard describes his observations of the CTC Congress held in Havana at the end of April 2001.

Part 1: Political and Economic Context

The Impact Of The US Blockade

The blockade (or "embargo" as it is referred to here) imposed by the U.S. on Cuba for over four decades has a direct negative impact on the daily lives of Cuban workers, in terms of nutrition, housing, transportation, and the unavailability of life-saving drugs. In the first instance, the blockade prevented Cuba from developing normal economic relations with its neighbors, instead of the countries of the socialist bloc, principally the USSR. This artificial reliance on countries that were thousands of miles away drove up the costs of imports. When the Soviet Union and the other "eastern bloc" governments collapsed in the early 1990s, Cuba lost its principal trading partners. Rather than seizing that opportunity to normalize relations, the United States tightened the blockade, causing the near strangulation of the Cuban economy.

The tangle of enactments against Cuba together comprise the toughest trade and travel restrictions we have against any country in the world, including Libya, Iran and North Korea. Of course, it is strictly forbidden for any U.S. owned business or U.S. citizen to conduct any commercial transaction with or in Cuba. U.S. law also prevents travel to Cuba by U.S. citizens by making it illegal for U.S. citizens to spend any money in or to

travel to Cuba, with very limited exceptions. The “Torricelli” law, passed in 1992, prohibits, among other things, ships of any nation which have docked in a Cuban harbor within the last six months from docking in any U.S. port. Not only U.S. businesses, but their foreign subsidiaries are prohibited from trading with Cuba. The passage of the “Helms-Burton” law in 1996 imposed even tighter restrictions, penalizing third countries which trade with Cuba, and forbidding the sales of even food and medicine to Cuba.

Moreover, although Cuba routinely authorizes at least 20,000 of its citizens to emigrate to the U.S. annually, the U.S. government just as routinely rejects those legal emigration requests, apparently preferring to encourage and provoke illegal emigration via the Cuban Adjustment Act. This law (which applies only to Cuban immigrants) gives U.S. permanent resident status to virtually any Cuban who makes it here by any means and stays for a year. This is combined with propaganda efforts like Radio Marti, which broadcasts hundreds of hours of anti-Cuban revolution and pro-U.S. government views into Cuba every week. Yet these efforts, for all their cost, result (according to no less an authority than the CIA) in Cuba to U.S. emigration rates substantially lower than virtually every other country in the Caribbean and Central America.

Despite the best efforts of the U.S. government, the right wing Cuban-American National Foundation, and its anti-labor allies like Jesse Helms, the Cuban revolution has survived the privations of the so-called Special Period. Cubans express pride that they have maintained their systems of free, universal and high quality public health care and education. Leaders of the CTC acknowledge, however, that the collapse of the socialist bloc, the strengthened blockade and the ensuing economic crisis had a great negative impact on people’s daily lives. They also acknowledge that to survive and develop under these conditions, Cuba was forced to adopt market economic reforms (including the adoption of the dollar and other foreign currency as legal tender) which have, for the first time since the 1959 revolution, “brought about contradictions and inequalities” that are “caused by disproportionate incomes not in keeping with the efforts and results at work”. These inequalities, they acknowledge, “are alien to the values we have defended and grown over these years.” The CTC has therefore expressed as an explicit goal of the trade union movement the return to the Cuban national currency as the main source of remuneration and material incentive “as soon as possible”. They argue that this will be accomplished through improving efficiency and productivity.

This is the political and economic reality within which the Cuban trade union movement functions, and within which it therefore must be analyzed.

Part 2: SITE VISITS

CIREN

Our first workplace visit was to CIREN, the "Centro Internacional de Restauración Neurológica" or "International Center for Neurological Restoration" in the western part of Havana. There we were greeted by the Director Dr. Julian Alvarez Blanco, who

explained the center's functions. CIREN is a sophisticated, 250 bed medical facility, with a staff of 11 neurologists and 3 neurosurgeons, and additional anesthesiologists, internists, pediatricians, gerontologists, psychiatrists and psychologists, 82 neuro-rehabilitation specialists, and a nursing staff of over 100. It specializes in the treatment and rehabilitation of individuals with neurological injuries and illnesses, whether from disease or injury. CIREN is an impressive part of Cuba's effort to develop its biomedical facilities, and individuals come to CIREN from many countries for treatment.



Of particular interest was CIREN's holistic approach to patient treatment. Because both a patient's neurologist and his/her rehabilitation therapists are working together in the same facility (as opposed to most hospitals in the United States where neurological medical treatment and/or surgery take place in a hospital, and rehabilitation takes place in a separate, rehabilitation center), patient care can be more closely coordinated. Combining this

with psychiatric and psychological treatment, which CIREN views as an essential element of the rehabilitation process, as well as other rehabilitation services from a staff of nursing and other medical center personnel, CIREN tries to treat each patient with a team of personnel working together. Of additional interest was the apparent success of CIREN'S use of this holistic approach in applying the theory that unused portions of the brain can be taught to perform functions formerly performed by the injured portion of the brain.

After this brief introduction to the work performed by CIREN, we were ushered into the auditorium where a special ceremony was taking place, to which we were invited. It was the twelfth anniversary of CIREN's founding, and they were being honored by the CTC in recognition of their work. As an indication of the generally harmonious labor relations at CIREN, we were impressed to see Pedro Ross Leal, the General Secretary of the CTC, distributing certificates of recognition to both workers and administrators of CIREN.

Following the awards ceremony, we had the opportunity to speak more with Dr. Alvarez and the facility's CTC representatives about labor relations. Both stated that while the union sometimes has differences with the administration, labor relations were generally cooperative. When asked to give examples of some points of differences, two were cited: work shifts (inasmuch as the facility, like any hospital, needs to be staffed 24 hours a day) and promotion to more skilled job classifications. While workers can train to move to more technical job classifications, and the administration supports



promotion from within, it wants to make sure that individuals put in these positions have the requisite skill and education for the positions.

At the end of our meeting with the CIREN representatives, we presented them with several bags and backpacks full of medicines and medical equipment we had brought with us, as a gesture of solidarity and recognition of the impact of the US blockade against the country.

Asticar

The Asticar shipyard (short for "Astillero del Caribe" or "Shipyard of the Caribbean") is located on Havana harbor, in the southern part of Habana Vieja (Old Havana). With 647 workers, it is the second largest shipyard in Cuba, and a fully Cuban owned facility. Cuba's largest shipyard is across the harbor in Casablanca, and is a joint venture with the Caribbean island nation of Curacao. Asticar has a dry dock and is presently only a repair facility, but they are looking forward to getting into new construction. The ships there for repair at the time of our visit were Greek, Spanish and Japanese

Union membership is voluntary, and the Asticar workforce is proudly 100% unionized. The work force is divided into sixteen trade union sections, with a seven member trade union administration board. Fifteen of the trade union sections are working at the yard, the sixteenth is a microbrigade. (Microbrigades are organized in many workplaces to build housing by and for the workers of that enterprise. The workers in microbrigades are trained in construction skills, and continue to receive their regular salary while in the microbrigade.) The Asticar microbrigade has already built one housing complex, and is presently waiting for land to build another

There have been no terminations at Asticar, and it is a growing enterprise. Founded in 1995 with 300 workers, it had added another 100 workers by 1997, and had grown to 647 workers at the time of our visit. The workers are in all traditional shipyard trades -- machinists, carpenters, welders, pipefitters, painters, etc

Asticar is under the Cuban Ministry of Merchant Marines and Ports, and in Havana, there are 22,536 workers under that Ministry, divided, again in Havana, into 273 trade union sections, ten of which consist solely of retired workers. The Merchant Marines and Ports ministry has 128 workplaces affiliated with it. The union presently has 1724 trade union leaders, with an average age of 32 to 34 years old. There are 60,000 workers under the Ministry nationwide

After this orientation outside, we were all given hard hats and taken into the facility. We were encouraged to walk around and speak with the workers. Some of the workers showed us a chart with the goals of their production plan and the statistics reflecting what they have achieved. They have been quite successful in meeting their goals, and



Asticar has been identified by the Cuban government as a "vanguard workplace" for the last three consecutive years.

On our walk around the machine shop, a union leader pointed out a machinist whom he identified as a "vanguard worker"; a star on his collar indicated that he had been a vanguard worker for the entire year. Vanguard workers are selected as the best and most productive workers; they receive salary bonuses and recognition because of their status; this worker had achieved the rank of vanguard worker for three consecutive years. The union representative explained that 35 workers at Asticar are presently vanguard workers.

After our tour of the facility, we went to the worker's lunchroom where we had the opportunity for a long conversation with the president of Asticar's Labor Justice Board, a body about which we had by this time become very curious. (The Labor Justice Boards are described in more detail in Part 3 below.) This worker had been selected to be on the Labor Justice Board by a general assembly of the workers. In 1998, the Board at Asticar considered nine claims. Six were decided in favor of the worker, three against. One of these was appealed to the municipal justice court. In 1999, the Board considered thirteen cases: three were decided in favor of the worker, four against, and six were split decisions. Five were appealed to the municipal court. In 2000 there were no cases, and in 2001 the Board has considered one case so far. The cases the Board considers are usually discipline cases, with the most common infractions being absenteeism and negligence in the workplace

Shipbuilding and repair is dangerous work. Delegate Cindy O'Hara had worked at a shipyard herself, and was very interested to know how safety issues are handled at Asticar. She had a long talk with one of the union representatives, Dionisio Martinez, concerning that subject. Dionisio explained that in each work center there is a person who is responsible for safety, appointed by the union. If a worker thinks that a job is unsafe, he can call his safety representative, and the job is evaluated by a safety commission to correct any unsafe condition before it is performed.



Cindy asked what happens in the case of accidents. Dionisio stated that the accident rate is very low. When an accident occurs, the safety commission evaluates the accident and assesses responsibility. If the worker is found responsible, the worker is sanctioned based on the degree of negligence. Penalties can include suspension, transfer out of the workplace, or termination of employment. She then asked what would occur if the plant supervision or administration is found to be responsible. She gave the example of a worker who has to do a job using a grinder that he believes is unsafe, and he tells his supervisor, and the supervisor says do it anyway.

"Then the worker would call the safety representative," responded Dionisio.

"Well what if the worker doesn't?" Cindy replied.

"Then the supervisor should call the safety representative."

"OK, for sake of argument," Cindy said, "let's say neither one does, and the worker uses the grinder and it cuts his finger off?"

Dionisio explained that the safety committee would investigate the accident, and, if it found the supervisor responsible, the matter would be sent to the penal courts for consideration. If the court found the supervisor responsible, sanctions could range from a fine, termination, an order to leave the industry, and in cases of severe infractions, a jail term.

On our way back to the bus, we stopped by the shipyard's health clinic, where there was a doctor on duty; a doctor is on duty during all hours of operation, both to treat injuries and to do health and safety education with the workers. The clinic had a poster on the wall urging condom use.

SUMA Medical Research Facility

On the afternoon of February 27, while the largest part of our delegation was visiting a grain mill and the Asticar shipyard, a smaller group visited SUMA, a state-owned enterprise which produces medical equipment and performs medical research. SUMA, which is located in a beautiful residential neighborhood in western Havana, produces medical technology for three programs which are provided free of charge throughout Cuba: prenatal testing for congenital malformities, blood test certification and epidemiology. The workers at the enterprise also perform research for the treatment of the HIV and Hepatitis B viruses.

We were accompanied on the visit by Cuban labor lawyers and several national and provincial trade union officials. We were met by representatives of the union, the "administration" (management), the Communist Party, and many of the rank and file workers at the enterprise.

After a brief presentation regarding the nature of the work performed at the facility, we engaged in a fascinating and free-wheeling discussion regarding the structure and function of the trade union movement in Cuba generally and of this enterprise in particular. Much of the information we gleaned from this conversation is incorporated in part 3 below.

The union and administration at SUMA engage in collective bargaining over terms and conditions of work, including issues that would normally not be considered mandatory subjects of bargaining in the U.S., such as issues concerning the direction and future of the enterprise. When the union and administration reach a tentative agreement, the union, like unions in the U.S., presents the proposed agreement to the workers, who vote on it.

Unlike many collective bargaining contracts in the U.S., which are frozen in place during for their terms (with the possible exception of wage reopeners), the collective bargaining contract at most Cuban workplaces, including SUMA, is a living document, in that modifications can be negotiated and submitted to the workers for approval at any time, responding to the changing needs of the present moment.

The highest paid workers at the facility, including administration, are the scientists. The highest paid scientists receive a salary of \$450 per month. The lowest paid laborers receive \$148 per month; i.e. there is a 3:1 ratio between the highest and lowest paid workers at the facility. A U.S. Delegate's comment that the ratio in a similar facility in the U.S. might be closer to 20:1 was met with expressions of shock. While the salaries at SUMA are set by statute rather than through collective bargaining, the union representative informed us that they have applied to participate in a new program which awards bonuses based on the productivity of the enterprise. If awarded, the bonus will be paid to all the workers at SUMA.

The V.I. Lenin School Of The Exact Sciences

After the visit to SUMA, the smaller group proceeded to the Lenin High School, the college preparatory boarding school serving the top students in the Havana province. We were warmly received, and provided with background in the history of the school, and of the educational achievements of the Cuban revolution, as well as some delicious, fresh-squeezed juice from the school's citrus groves.



When the revolution triumphed in 1959, approximately 25% of the population, or some 2,000,000 persons, were illiterate, and a significant percentage of teachers were out of work. One of the highest priorities of the revolution was to provide the populace with the tools necessary to participate meaningfully in the political and economic life of the country. In addition to dramatic improvements in health care and nutrition, this required a literate population. So volunteers recruited from all walks of life fanned out to teach basic literacy, under the guiding principle of "who knows more teaches those who know less." Within one year, a basic level of literacy had been established throughout the country. A follow-up adult education program was then implemented, using many of the same volunteers. Next was a campaign to provide everyone with a sixth grade education, later expanded to the ninth grade. Now, a person needs at least a ninth grade education to be admitted into the work

force, although in many instances, provisions are made for workers to continue studying as part of their employment.

The Lenin High School was established in 1964 as a school of science and technology. In the 1970s, it was converted to college preparation, and is now one of a series of such schools, each one serving a specific province. Currently, the Lenin School has approximately 3,500 students, in grades 10 - 12. Although it is a boarding school, most students return home each weekend to spend time with their families. There are approximately 30 to 38 students per class, 115 professors, a support staff of some 572 workers, and an over-all ratio of approximately eleven students per teacher or teaching assistant. The school has two cafeterias, a 60-bed hospital, and a dental clinic. Each classroom has a TV monitor, wired for audiovisual teaching aids.

The various municipalities in Havana province have specific quotas of students who may attend the Lenin School. Applicants are selected by an equally weighted combination of test scores and academic record. Once admitted, those who do not maintain an 85% average in each academic discipline, including math, physics, chemistry, and biology, must transfer to another educational institution. Transfer is also the ultimate disciplinary sanction. It is intended to serve an educational purpose as well, and is imposed only after a process of analyzing the error. School rules are also carefully developed such that each rule has an educational function.

Another guiding principle emphasizes the connection between work and study, which they view as key developing the students' sense of social responsibility. The school has its own agricultural component, and the school community raises much of the food needed for its own consumption. Students also share in the responsibility of cleaning and maintaining the facilities, and the premises are clean and very attractive, with inviting courtyards and airy, well-lit classrooms.

Approximately 95% of the graduates of Lenin High School enter the University. Indeed, one of our esteemed C.T.C. hosts, Attorney Zulma Hechevarria, is a graduate of the Lenin High School. There are courses for the most talented of this already gifted student body. Such high output students receive extra training, but are not afforded special recognition. Indeed, our hosts seemed puzzled when we asked whether they were given such special recognition. Their emphasis is on developing academic excellence and social responsibility, rather than competition.

The students themselves are organized. Students sit on the governing board of the school, and the student federation has monthly assemblies, where they analyze and address any problems.

Work conditions for faculty and staff are very intense, as they involve a heavy social responsibility. Work hours are from 7:00 a.m. to 4:50 p.m.. Teachers at the Lenin School receive higher salaries than elsewhere, due to these intense working conditions, and the fact that the school is located in an isolated area. Under the labor code, workers are considered permanent, with full job protection, after one month. They enjoy numerous

fringe benefits, such as inexpensive meals, and the freedom to leave early if their work load permits. They are also provided with transportation to and from their homes. We were told that the drivers feel like they own the buses they operate, and maintain them accordingly.

Most of the faculty commutes, but approximately 30 professors remain each day after classes, to be accessible to the students, and each stays overnight two weeks out of the year. Teachers do not work on Saturdays, and do not have any duties relating to security. Given the emphasis on universal education, there are programs to send teachers to hospitals, and to the homes of handicapped students, as well as instructional courses which are transmitted world-wide, reaching some 16 million persons by TV.

The union within the school consists of eleven sections, of which four are comprised of teaching staff, and the others, of service workers. Collective bargaining agreements are re-negotiated every two years. Once a tentative accord is reached, it is submitted to the workers, who must approve it before it goes into effect.

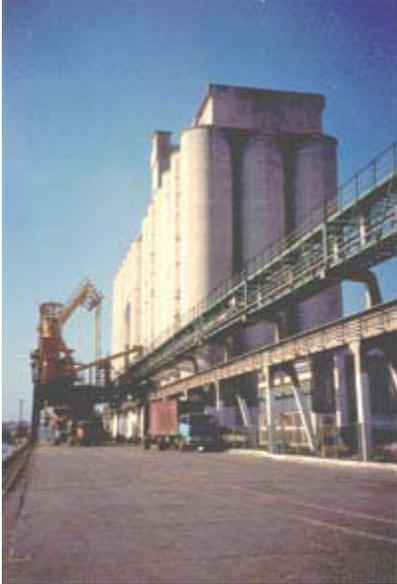
Teachers in Cuba undergo yearly evaluations, and, as a general rule, if the results are not positive for two years in a row, they may be separated. However, because of the select nature of the Lenin High School, teachers may be transferred to another educational institution if they receive only one such negative evaluation. A number of people, representatives of the union, student body, and administration, all participate in the evaluation process, but the evaluations are ultimately written by the administration, and signed by the Director.

In the year 2000, there were a total of forty-two disciplinary measures imposed at the Lenin School. These included twenty-one public reprimands, five fines for negligence, eight temporary transfers, two permanent transfers, and six separations. Of these, nine aggrieved parties appealed to the Labor Justice Board. Eight of the nine disciplinary measures were modified in favor of the worker, and one was ratified. It was taken to Municipal Court, and resulted in separation. Of the forty-two initial sanctions, only one involved a professor. The rest were service staff, and were based on matters such as neglect, absenteeism, etc.

There has been a chronic teacher shortage, but last year, more teachers entered than left, including some returning graduates. A new academy recently opened, which provides intensive training of teachers. Outstanding students also assist the teachers, and there are a number of retirees who work as volunteers, again, on the principle that who knows more teaches those who know less.

We concluded our visit with a brief tour of the main building, during which we were able to observe students working in small study groups, and socializing in the halls. Noticeably absent were any signs of internal security apparatus, or vandalism, a testament to the school's success in developing the students' sense of social responsibility, as well as their well-deserved reputation for academic excellence.

Molina Turcios Lima Grain Mill



On the afternoon of February 27, after leaving the shipyard, the larger group visited a grain mill and elevator in Regla, a city adjacent to Havana. The mill is named “Molina Turcios Lima”, after a Guatemalan revolutionary. It is operated by MINAL (Ministry of Alimentation), making primarily flour and cereals for human consumption, plus some animal feed, under the Haricub brand.

This port facility located on the waterfront unloads grain from ships into grain elevators for further processing in the mill. The grain received is primarily wheat and corn from Canada, Europe and Argentina, but also includes other grains such as barley and oats. About 60% of the production is for the Cuban population, which is subsidized by the Government. The rest is for earning hard currency, primarily in the tourism industry (hotels, airlines, etc.). They also do some exporting within the local Caribbean area.

This is an extremely modern, highly computerized, state-of-the-art facility. Three to five thousand tons of grain can be unloaded per day, and the mill processes one million tons of wheat in a year. The Government made a major monetary investment to upgrade the mill in 1997. The CTC was involved in the decision-making process which led to this investment. The equipment and operation is equivalent to the highest U.S. standards for similar facilities. It is more modern and technologically advanced than most comparable U.S. facilities. For instance, the milling machinery is made by Buhler, a Swiss company, which is considered to be top-end state-of-the-art for U.S. mills. However, this facility is the only one of its type in Cuba.

The enterprise employs 260 workers, whose average age is 37, and who average a twelfth grade education. The mill operates on 12-hour rotating shifts, with the workers generally working 24 days each month, with a total of 6 days off. The enterprise endeavors to have both moral and material incentives for the workers. Wage incentives are measured by production, and if the mill exceeds production quotas, the workers receive incentives in the amount of 50% to 100%



of their wages. If workers put in overtime, in addition to being paid at the overtime rate for such hours, they are given non-wage incentives, such as vacations in beach houses.

The Union at the facility is divided into five sections, and is run by one Board at the factory level. The Union has various commissions for dealing with specific issues, such as women's issues and specific needs of the workers (e.g., nutrition and recreation). Although Union membership is voluntary, it is at 100%. All of the Union's leaders come out of the ranks of production workers, and are elected by secret ballot, normally every 2 years. The head of the Union at this mill has been re-elected several times, having served 8 years as a section leader and 6 years as the general secretary of the Union.

A matter of particular interest to some of the U.S. delegates was the manner in which workers are selected to fill job openings. As is typical in the U.S., job openings are posted. However, decisions as to who is awarded the job are made by a Commission consisting of 1 representative from the administration, 1 from the Union, and 3 to 5 workers elected by the work force who are qualified to evaluate applicants. The Commission meets with all job applicants, and then endeavors to fill the opening with the best qualified worker. Unlike the situation which exists under many U.S. collective bargaining agreements, seniority is not the determining factor. Seniority used to be determinative, but now job qualifications are the most important factor. Only when qualifications are approximately equal does seniority prevail. However, it was emphasized that training is equally available to all workers so that they can qualify for more skilled jobs. For instance, courses are available for English and computer skills.

The Ché Memorial

On Wednesday, February 28, 2001, we arose early, packed our bags, checked out of the hotel, and boarded the buses for Santa Clara. After approximately a three-hour ride, we arrived at the Ché Guevara Memorial in Santa Clara. Each of us was greeted with a gladiola flower as we exited the bus. We crossed a large plaza, Plaza de la Revolución, and climbed the steps of the Memorial to a massive bronze statue of Ché, on which is inscribed "Hasta La Victoria Siempre". Many people placed their flowers at the foot of the statue in tribute to Ché. Across the large plaza are two large billboards, which state: "We want everyone to be like Ché. - Fidel." And "Ché, it was a star that put you here and made you from these people." Part of the monument contains a relief map of Ché's army route when in December 1958, he led Cuban revolutionaries into Santa Clara and derailed one of Batista's trains.

Afterwards, we proceeded downstairs to the inside part of the Memorial. Ché's remains were discovered in Bolivia in 1997 and were brought to the Memorial along with the remains of the other guerrillas who fought and were killed with him by the Bolivian army and the CIA in 1967. The exhibit contains a detailed account of the capture of Santa Clara in 1958 along with childhood photos of Ché, photos of his travels throughout Latin America, and other possessions, including his black beret with the five-point star.



Cigar Factory

After our visit to the Ché Memorial, half of the group visited a nearby cigar factory. We were taken through the various rooms of the factory and had the opportunity to observe firsthand how Cuban cigars are made. We saw in one room how the leaves of tobacco are torn in half by hand; in another room how the cigars are rolled by hand and placed in wooden molds that are screwed down to press the cigars into shape; and in another room how the finished cigars are separated and sorted by color and size before they are packed into boxes for marketing.

We had the opportunity to talk with the workers as they worked, to ask them questions, and afterwards we had a short meeting with representatives of the union and management at the factory. We inquired about the operations of the union at the factory, the type of issues which are presented in grievances, and what is done to prevent or alleviate the development of carpal tunnel syndrome by the workers. We were told that tendonitis is a common occupational disease for cigar workers, especially women. If a worker develops tendonitis, she is given the necessary medical attention and is transferred to a different position to accommodate her. The factory has a full-time massage technician on staff and there is a project to develop a hydraulic press for cigars to avoid ergonomic injuries of this nature. There is also a doctor present every day.



We learned that last year they had three labor conflicts regarding promotions. The union won two and lost one. The worker who lost appealed to the Municipal Court. The union and management generally try to work out a consensus to avoid cases going to court. The factory has an 11 member local executive board and has four union sections. The union participates in meetings of the Board of Directors of the factory.

Additionally, we were told that the factory workers can smoke as many cigars as they want during the day and can take home two cigars each day to smoke that evening at home. On the weekends, they can take more home to smoke. They can also buy 15 cigars a week at negotiated prices. The workers work an eight-hour workday with one-hour for lunch, a half-hour break in the morning, and a 15 minute break in the afternoon. They are allowed 15 days of vacation every six months.

One of the "readers" spoke with us and explained that his job was to read to the factory workers while they make the cigars. He told us that he reads for four 30 minute sessions each day. He reads the newspaper to them every day as well as novels and other books. The practice of reading to the workers apparently dates back to 1864 when the practice was set up to alleviate boredom and help educate the workers while they worked.

The INPUD Appliance Factory

Located approximately 300 km east of Havana, Santa Clara is a city of immense historical significance for the Cuban people. It played a pivotal strategic role in the final

days of the Cuban revolution, where Ché was comandante of a division that literally "derailed" Batista's forces and paved the way for Fidel's entry into Havana days later. After the revolution, Ché took great interest in the city's industrial development, including founding the INPUD appliance factory that we visited more than 35 years later.

INPUD stands for "Industria de Production de Utensilios Domésticos" (Industry of Production of Domestic Appliances). The history of this appliance factory demonstrates the ingenuity and resolve of the Cuban people, and their determination that the economic and social gains of the revolution will survive. As our tour guide put it, "the harder the squeeze, the stronger we have gotten."



In 1959, there was no industrial development in Santa Clara, which was exclusively a handicraft city. The appliance factory was founded by Ché, whose signature is first in the factory's guest book. The factory was founded for two simple reasons: people needed jobs and people needed appliances. Within five years, by 1964, there were three other mechanical factories in Santa Clara, with equipment imported from socialist countries. As noted in Part 1, the collapse of the Soviet Union and socialist bloc in the early 1990s had a devastating effect on the Cuban economy, which was 85% economically dependent on the socialist countries. The loss of their support, and the U.S.'s reaction – to escalate the blockade -- led to a productive collapse. There were no raw materials, a lack of fuel, supplies, equipment, parts. The result was catastrophic economically. As for the appliance factory, no one could afford to buy appliances.

The factory's workers and management developed a plan to respond to the crisis, with two goals in mind. First, there must be no loss of jobs, since unemployment would spiral the economic crisis downward and also have a devastating psychological effect. Second, to produce a product that people needed and could afford. Since there was no fuel for cars and people desperately needed transportation, the decision was made to temporarily convert the appliance factory into a bicycle factory. This decision saved the factory and

thousands of jobs. In 1996, the bicycle factory was converted back into an appliance factory.

Today, the factory manufactures a range of household and commercial appliances, including electric fans, refrigerators, and stoves, as well as plastic products, and employs 2,200 employees. There is a doctor and four nurses on the premises, a dining room, a special break room for pregnant women, and a weekend retreat for workers. We were told that there was 3% absenteeism among the workers, and only 9 workplace accidents last year. Although union membership is voluntary, there is 100% union membership, and, at the time of our visit, all the employees were excused from work for a union meeting. What happens to individuals who don't want to join the union? The answer is: nothing. As in the U.S., they receive the benefits of bargaining unit membership, but can't attend or participate in union meetings. In Cuba, non-members do not have to pay dues.

After talking both with management and union representatives for about an hour, we visited a showroom where samples of the finished appliances -- all very elegant -- were on display. Now that the economic crisis or "special period" is over, what is the factory's next goal? To compete with General Electric and Sanyo on the world market, we were told.

Sancti Spiritus & Trinidad

Following our visit to Santa Clara, we traveled to Sancti Spiritus, a colonial city (founded in 1514) in the south-central part of the island, near the Escambray mountains. Our CTC hosts and local labor attorneys gave us a warm welcome with drinks, a presentation by the town historian, and a musical duo playing the country music typical of the region. In return for their gracious reception, our delegation presented the Sancti Spiritus CTC representatives with numerous bags of school supplies, which had been brought to Cuba by members of our delegation as a gesture of goodwill and solidarity.



The next morning, our buses took us past the beautiful Valle de los Ingenios (Valley of the Sugar Mills) to the colonial city of Trinidad, also founded in 1514. As an indication of Trinidad's age, we learned that Hernan Cortez had, in 1518, recruited many of Trinidad's residents to accompany him in his trip to Mexico where he proceeded to conquer the Aztec empire. After a brief reception with yet more music and dancing we were free to explore the museums and cobblestone streets of Trinidad, which has, like Havana Vieja, been declared by UNESCO as a "treasure of world heritage."

Part 3: The Structure and Functions of the Cuban Trade Union Movement

Union Structure And Democracy

The Cuban trade unions place an important emphasis on rank and file participation, communication and debate, which we not only heard described but observed first hand at the workplaces we visited. Each of the 19 national unions which comprise the Cuban trade union movement has grass roots, municipal, provincial and national components. All union officials at each level are elected.

Rank and file involvement in the unions is facilitated by a union structure in which the primary organization level is the workplace. The workers at each workplace are represented by at least one Sección Sindical (Union Section). A Section may consist of the workers of a single enterprise, or a larger enterprise may contain several Sections. So, for example, a 1,020 worker hospital we visited



had 15 Union Sections. The union at SUMA, the 238 worker medical research and production facility we visited, is divided into 5 Sections conforming to the organizational structure of the enterprise: quality control, production, instruments, research, and commercialization (marketing). At the Lenin School, the honors high school for Havana, the 572 workers are organized onto 11 sections, with 4 of the 11 Sections consisting of teachers. All Section officers are directly elected by secret ballot vote of the rank and file members of the Section. They continue to work as full time employees after their election. We were told that elections are often contested and it is not unusual for an officer to be voted out of office. Each Section drafts its own disciplinary regulations based on guidelines passed in the previous trade union Congress.

At the next level of organization, several Sections combine to form a Buró Sindical (Union Bureau). Each of the 14 provincial unions (Cuba is comprised of 14 provinces, the equivalent of our states) is divided into several Union Bureaus, which have their own leaders and staff. The leaders and staff of the Bureau are directly elected by the members of the Section. We were told that these elections, too, are often contested. Depending on the size of the workplace, a Bureau may cover one or more enterprises. A large workplace may have several Bureaus. For example, the University of Havana has 79 Sections and different areas of study have their own Union Bureaus comprised of several Sections. Thus, the Department of Biology has its own Bureau consisting of 7 Sections.

Officers representing all categories of work are included in the Bureau. So, for example, at the University of Havana, each Union Bureau includes officers representing service and maintenance employees, administrative and clerical employees, and faculty.

The national unions are organizationally distinct from the CTC (the national federation). They each have separate offices, staffs, organizations and meetings. Generally, all the workers at a particular workplace, regardless of craft or classification, are represented by one of the national unions. For example, all the workers at SUMA are represented by the National Science Union.

The CTC, which was founded twenty years before the revolution (in 1939), has its own municipal, provincial and national staff and offices. The leadership of the CTC and the unions with whom we met includes a substantial number of women and Afro-Cubans. In some areas, the leadership appeared to be majority female.

Many CTC leaders, who are elected at a Congress held every 5 years, also hold high level government posts, both elected and appointed. Thus, most CTC officials and all the heads of the national unions play important policymaking roles in addition to their trade union responsibilities (see Appendix on CTC Congress below).

It is apparent that workers regard the CTC as a source of representation in addition to their own union. CTC officers described to us the frequent receipt of letters from workers who complain about their local leaders. It is the job of CTC staff (including attorneys) to respond to such communications and to investigate and attempt to resolve the complaints.

Union Functions

Communication, Education, Advocacy and Dispute Resolution

At each workplace, the union holds monthly worker assemblies at which management is required to report on the progress of the enterprise and workers raise issues and complaints. Management is held accountable to answer questions or take corrective action.



The rank and file also participates in the grievance and arbitration process, which is described in more detail below. The worker assembly at each workplace elects a rank and file employee to be on an arbitration panel called the “Labor Justice Board” (“Organ de Justicia Laboral”). At the Asticar Shipyard, the rank and file representative was elected

President of the Labor Justice Board by the other Board members. Hearings of the Labor Justice Board are held in the grievant's work area and are open to worker attendance.

Although no effort was made to call it to our attention, we observed union bulletin boards in the workplaces we visited. They contained notices of the sort commonly seen on union bulletin boards at work sites in the U.S. At one hospital, an exhortation to workers to pay their union dues was posted.

There also appears to be an effort to explain labor relations mechanisms to the workers. At one workplace, a U.S. delegate noticed and obtained a copy of a booklet entitled "The ABCs of the Collective Bargaining Agreement," explaining the concept and function of collective bargaining agreements.

Collective Bargaining

The union and administration (management) engage in collective bargaining. As part of the process of decentralization which is part of the plan for the nation's economic recovery, many terms and conditions of employment which were formerly established centrally are now set through the collective bargaining process. The subjects and procedure for bargaining differ from the U.S., however. As described to us, the process is not adversarial (because the union and administration are thought to have the same objective) but also "not without contradiction". Conflicts which cannot be resolved between the union and administration at the workplace are often submitted to higher levels of the respective organizations (or to the workplace representatives of the Communist Party-see below) for consultation and advice.

We were informed that once the union and administration do reach a tentative agreement, the union, like unions in the U.S., presents the proposed agreement to the workers, who vote on it. If the workers do not approve the agreement, the union and management are obligated to return to the bargaining table. Unlike the U.S., however, there is no point at which management may unilaterally implement a proposal. No proposed term of a collective bargaining agreement may be implemented, we were told, unless and until it has been approved by the workers.

Collective bargaining in Cuba often includes issues that would not be considered mandatory subjects in our country, such as issues concerning the direction and future of the enterprise, and management's reporting obligations to the worker assembly. Other subjects of collective bargaining include promotion and hiring procedures, work schedules, and methods for tip redistribution (for workers in the tourist sector). Salaries are generally set through a legislative process, (see below) with input from the CTC. The salary schedules for a workplace are published in its collective bargaining agreement.

When asked to compare collective bargaining in Cuba with the U.S. system, one CTC official explained that in Cuba there is agreement on the social objectives, but sometimes they disagree on the methods. The unions agree that wealth must be produced in order for it to be distributed to the workers and general populace, but it must be done with proper

working conditions. They don't always agree on how to do this and don't always agree on the interpretation of the contract. He pointed out that, at times, they will have problems with non-compliance with the contract by management. Another CTC official added, however, that a management official who repeatedly violates the contract or refuses to reach agreement in collective bargaining will be removed. (Management officials are appointed by the Ministry responsible for the economic sector in which the enterprise operates.) He offered this as another reason for the lack of strikes in Cuba.

As part of the collective bargaining process, every 6 months there is an "assembly for economic efficiency," at which management reports to the workers regarding the economic performance of the company and they discuss frequently differing views on how to improve it. In some sectors of the economy, they are experimenting with expansion of collective bargaining to include some issues that were previously established centrally by the government. In companies owned by foreign investors, all collective bargaining and other labor laws apply and collective bargaining is tripartite, involving the union, the foreign company and the Cuban employment agency that provides the workers.

Salaries are generally set legislatively as part of what remains of the central planning process, in order to prevent large disparities in income. (In addition to their base salaries, workers in the state sector participate in a program which awards cash incentives based on the productivity of the enterprise. If awarded, the bonus is paid to all the workers in the enterprise.) However, the process for legislation impacting workers also takes a form resembling collective bargaining. We were informed that all proposed labor legislation must first be submitted by the supervising ministry to the trade unions, which then submit the proposed legislation for consultation to workers' assemblies throughout the country. We asked for examples of policies that were changed because of CTC opposition, and were offered the following example: During the depths of the "special period", an income tax was proposed (Cuba has no income tax per se). The matter was taken up, debated and rejected by the workers' elected representatives during the 17th CTC Congress in 1996. The proposal has not been heard from since. Delegation coordinator Dean Hubbard had a first-hand look at Cuba's version of workers' democracy in action when he attended the 18th CTC Congress shortly after our delegation returned home. (See Appendix)

The Role of the Communist Party in the Workplace

Although it is clear that the CTC shares and adheres to the goals and policies of the Cuban Communist Party, it is also important to note that all the union and party representatives we spoke with agreed that the unions are autonomous from the party. Party membership is not a prerequisite for either union membership or leadership. The party's role, according to the representative present at our meeting at SUMA, includes seeking to converge the interests of the union and administration, working to enhance productivity and labor discipline, and overseeing the enterprise from a political and ideological point of view. The union, administration and party don't always agree. We asked for an example, and were told that if the administration wanted to expand the enterprise and the union objected, the party might play a mediating role. If the union and

administration still didn't agree, then the matter would be submitted for resolution under the collective bargaining agreement.

Dues and Union Membership



Surprisingly, given the astoundingly high level of union membership nationwide (98%), membership, as well as the payment of dues, is voluntary. At the Asticar shipyard, a large chart listing the names of workers was posted. Upon inquiry, it was explained that the chart showed the amount of dues paid by each worker and how far ahead they were paid up. Dues are not paid by payroll deduction pursuant to checkoff authorization, as in many union shops

here. Rather, they are paid directly by the worker to the union. Workers show their support for the union by paying several months in advance. The dues rate, as is commonly the practice here, is based upon the wage level. The union officials we spoke with emphasized that the payment of dues is voluntary. If the level of dues received from a work site declines, the union infers that there may be a problem and investigates.

How does the Cuban trade union movement maintain such high levels of participation when both payment of dues and union membership are voluntary? The answer to that question is perhaps the subject of a future delegation's research. While some might assume a hidden compulsion, delegates from our group who have visited several times have observed a culture of solidarity which stands in stark contrast to the individualism of our consumer culture. From the teaching of communal values in the earliest grades in school to the universally accepted and apparently quite safe practice of giving rides to people that need them (whether or not the driver and the rider are personally acquainted), the notion of mutual aid and protection seems to pervade virtually every aspect of daily life in Cuba. Regardless of the explanation, however, the long-term, precipitous decline in U.S. union density is itself a strong argument for further study of the Cuban experience by the U.S. labor movement.

Labor Justice Boards

The basic forum for resolving shop floor grievances is the Labor Justice Board. As described at the Asticar ship yard, the six member Board consists of three permanent members, with three alternates. The three workers that sit on the Board at any one time consist of one representative of the plant administration, one union representative, and one representative selected by the workers. Those three members then select the president of the Board among themselves. The president explained that he had been selected to be on the Board by the workers, and then was selected by the other two permanent members of the Board to be its president.



As with labor arbitrators under collective bargaining agreements in the United States, Cuban labor boards review both disciplinary actions and charges of violations of the collective bargaining agreement. Discipline is imposed in accordance with Law 176, passed in 1977, which establishes a grievance procedure. If the union or the worker feels the proposed discipline is unfair, the worker has a right to present a claim to the Board; the claim must be presented within days of the incident. It is then up to the Board to investigate and decide if the discipline is justified. A public hearing is held in the workplace, in the area where the worker presenting the claim works. Both parties can present witnesses and documents to the Board. Afterwards the Board meets, and has three days to reach and make public its decision in favor of or against the worker. There are various levels of disciplinary action that the Board can determine are appropriate. The Board can decide that the worker deserves a suspension, a demotion with a right to return to his old job, a demotion without a right to return, relocation to another job, or in the most severe cases, termination.

If the worker or the union is not satisfied with the Board's decision upholding a permanent transfer or separation, the decision may be appealed to the municipal court level. This appeal request is made to the Board, which then passes on the appeal to the municipal court. If the administration of the enterprise disagrees with the determination of the Board, it similarly can appeal the decision to the municipal court. Courses are provided to members of the Labor Justice Board, to keep them abreast of the law, and all may participate in advancement programs such as courses and educational conferences.

Legal Protection Against Discrimination

Under the Cuban Constitution, discrimination on basis of race, gender, religious belief, national origin or for "any other reason which harms human dignity" is unlawful. Art. 42. This article applies to all acts of discrimination, not just state action as in the United States.

The criminal code and the labor code also make such discrimination unlawful. Article 41

of the Cuban Constitution provides that all citizens enjoy equal rights and are subject to equal duties. In the workplace, a worker who believes he or she has been discriminated against may bring a complaint to the Labor Justice Board.

The only lawful basis on which a person can be disciplined or denied a promotion or other right in the workplace is for violation of published work rules or a finding that the person is not suitable for the job or promotion in the sense of demonstrated lack or loss of ability or capacity. The claim before the Labor Justice Board for discrimination is made claiming a "denial of rights" or "mejor derecho" in Spanish. In the case of discrimination, there is a right of appeal to the court in all instances.

If the worker prevails, s/he will be awarded the job or promotion but is not generally awarded damages unless s/he was unlawfully fired. In that case the person responsible would have to pay the lost salary.

In such cases, there is no concept of respondeat superior except to the extent that the enterprise will have to promote the person, etc. A manager found to have intentionally discriminated against a worker would probably be sanctioned by his superiors. For example, Debra Evenson is aware of a specific case where the union forced a foreign company to replace its hotel manager because the person was found to discriminate against dark skinned Cubans and older Cubans. The result is that today the staff is very mixed racially. But rather than an individual case, this was a collective action on the part of the Tourism Union which in Cuba appears to be a the best route to take to resolve a claim of discrimination.

There is no developed jurisprudence, as there is in the United States, regarding the methods of proving what constitutes discrimination, intent, etc. For example, there is no established case law for what constitutes sexual harassment and how someone claiming to have been harassed would have to prove their claim. What seems likely is that the person found guilty would be personally sanctioned.

There is a commission within the CTC which deals specifically with gender issues and monitors employment opportunities. Debra has heard of numerous cases of women complaining about being denied a job they felt qualified for and finding channels to make the complaint.

Debra does not know of cases concerning discrimination against homosexuals although such discrimination probably exists. Gays and lesbians that Debra knows all have good jobs and have had promotipromotions, etc. It was harder 10 or more years ago, particularly in jobs that had a lot of public interaction, but the situation appears to have improved. For example, one friend of hers who was denied a promotion in the 1980s on implicit grounds that he was gay has since received an apology.

The political leadership, from Fidel to Vilma Espín and the leaders of the Young Communist Youth have spoken out and taken positions against discrimination on the basis of sexual orientation. For example, when asked by a member of our delegation

about anti-gay discrimination, Pedro Ross spoke out against such discrimination. He said Cuba, because of its macho culture, had experienced sexual orientation discrimination in the past, but that there was no place for it in today's workplace. He said that people must be judged strictly by the quality of their work.

Our delegation asked about issues of employment discrimination and was generally told that such problems do not occur in Cuba in the same way they do in the United States. On various trips to worksites, we saw both persons of African descent and women in positions of leadership among the workers. The CTC regional leadership in Santa Clara were principally women. Most of the lawyers who work for the CTC nationally or for specific national unions were women. The Secretary General and Director of the Department of Labor and Social Relations of the CTC and many of the CTC lawyers are persons of African descent.

Conclusion



Many in the United States tend to view Cuba as another Soviet satellite, and expected it to collapse after the demise of socialism in Eastern Europe. While the nation clearly suffered in the early 1990s, Cuba is just as clearly rebuilding and moving forward now. We saw new cars on the streets, factories with new equipment, renovation of older buildings, and people who appeared healthy and well fed. The art and music is both vibrant and diverse.

Tourism is thriving, and visitors include thousands of US citizens.

It was clear to our delegates that US unions have a stake in what happens in Cuba. The new machinery, cars, construction equipment and other goods we saw could have been purchased from US manufacturers, creating US jobs. Despite the embargo, this island is part of our regional economy. Even indirectly, this economy affects US workers.

If nothing else, US unions have a narrow self-interest in the path our neighbor takes within the regional and global economy. Will Cuba replicate the maquiladora plants in Mexico? This point was discussed in detail in "American Labor's Stake in Cuba's Future" by Jeff Faux and Marjorie Allen, Working USA Jan.-Feb. 1999. Our delegation shares their conclusion that the effectiveness of Cuba's labor movement is critical to that society's successful evolution as a regional and global economic player 90 miles from our coast.

Our ability to make that assessment is limited by our own government's hostility towards Cuba. We have little reliable information in the United States, and are constantly exposed

to negative media coverage. These complaints are similar to the treatment unions receive in the United States. Much of the conventional US wisdom about Cuba comes from roughly the same people who brought us “right to work.” While we must retain our critical faculties, we believe that US trade unionists should visit Cuba and make our own determination, rather than allow enemies of labor like Jesse Helms to dictate our views.

Our delegation defined its work as participating in a dialogue with our Cuban counterparts. We do not pretend that a week of organized visits could ever provide definitive answers on a question of this complexity. We do believe, however, that our visit provides a basis for answering whether the Central de Trabajadores de Cuba provides an effective organized voice for Cuban workers. It is important for US unionists to understand that the CTC was not created by the revolutionary government. Indeed, the opposite is closer to the truth. The trade unionists spoke proudly of their role in the revolution, and their contribution to building a more just society, particularly in the areas of health care, nutrition, education and employment rights. A historian told us of labor organizing going back to the 1800s. The Central de Trabajadores de Cuba was formed several decades before the revolution, and Cuban labor struggles have always combined militancy with political radicalism. The CTC continues to play a leading role in the transformation of Cuban society.

We met trade unionists from all levels of the CTC, from the work sites through the local and provincial leadership to the national leaders. They were sincere, dedicated individuals who spoke with pride of their role in improving the lives of their members. It was a real pleasure to get to know them, and our delegation’s reception was truly moving.

Cuban trade unionists face many of the same problems we face in our workplaces, from protecting workers from injuries to providing a fair disciplinary procedure. The environment in a socialist enterprise, however, is dramatically different from a private corporation in the US. While it was clear that the unionists and managers we met were often at odds, there was no evidence of the deep antagonism and distrust that pervades US labor relations. The union leaders and workers we met appeared genuinely interested and concerned about the overall survival of the enterprise. They were willing to consider performance-based compensation or promotion systems that would be anathema in private sector unions in the US. At the same time, there was little indication that they needed objective systems such as seniority to protect against management abuse. Similarly, the managers seemed to value the workers, and respect the union.

While collective bargaining in Cuba plays a more limited role than in the private sector in the United States, the unions’ (and the workers’) influence is more extensive and pervasive. The workers and their elected union representatives participate in all levels of economic decision making, including investment decisions. While Cuban unions would not strike over health care or retirement benefits, they do not need to. Those benefits, and a broad array of other economic rights, are provided by the state, outside of the collective bargaining context. The CTC as a whole appears to exert broader influence in the overall direction of the economy and the individual enterprises.

While many in the US express skepticism that Cuba has meaningful unions, we believe we saw an active labor movement, contributing in a meaningful way to the lives of their members. Rather than claiming that we have the answer, we would urge more US lawyers and unionists to visit and see for themselves.

In the final analysis, US progressives, unionists and workers have a stake in understanding Cuba. It is one of our closest neighbors. With or without the embargo, it is part of our regional economy. Moreover, understanding Cuba is essential for anyone interested in finding alternatives to the global vision being offered by international capital, the WTO, and the United States government. We also have a responsibility, as members of a global community, to help end our own country's embargo, as well as all other efforts to interfere with Cuba's sovereignty.

Perhaps the single most important reason for direct dialogue and reconciliation between the US and Cuban labor movements is the necessity for international trade union solidarity in the face of rampant corporate globalization. Cuba has long been an often lonely voice opposing this phenomenon. Now, among the governments of the hemisphere, Cuba is again alone in opposing the proposed Free Trade Area of the Americas. However, it is joined in this opposition by trade unions throughout the Americas, including our own. Like it or not, the self-interest, even the survival, of the U.S. trade union movement is inextricably linked to that of the Cuban trade union movement. As Dr. Martin Luther King, Jr. taught shortly before his assassination, "We are tied together in the single garment of destiny, caught in an inescapable network of mutuality. And whatever affects one directly affects all indirectly. For some strange reason, I can never be what I ought to be until you are what you ought to be. And you can never be what you ought to be until I am what I ought to be." These words, we submit, are as applicable to the relationship between the US and Cuban trade union movements today as they were to the destinies of African and European Americans when they were spoken by Dr. King.



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Appendix: XVIII Congress of the CTC

Every five years, the CTC holds a trade union Congress. Since the Revolution, this Congress has taken on an important role in planning and developing law and policy for the whole Cuban nation. NLG Delegation Coordinator Dean Hubbard was invited to attend the 18th Congress of the CTC, which took place in Havana on April 29 and April 30, 2001, less than two months after our visit ended. As a full account would far exceed the space limitations of this report, the following is a selection of highlights from the Congress.

The process of preparation begins 17 months before the Congress itself. At each workplace, assemblies are held, at which the workers elect delegates to represent them and offer proposals for the Congress to consider, all of which are duly recorded. For the 18th Congress, approximately 4 million proposals were culled down to several hundred written resolutions, which were divided into different subject areas. The over 1600 elected delegates (from among over 5000 candidates) were each invited to serve on one of 10 different "commissions" reflecting the subject areas of the resolutions. The commissions met the day before the Congress officially convened, and debated, amended and voted on approximately 50 resolutions each. These resolutions covered not just what we might think of as traditional trade union issues such as wages and workplace health and safety, but the whole range of issues facing the nation, from education to housing to crime to foreign policy. While it was in session, the Congress was the main news story in Cuban print, television and radio media. The themes of the Congress are summarized in a 14 page document called the "theses".

Pre-Congress Commissions Debate Future Of The Nation

On April 28, I was invited to attend commission number 6, which considered several resolutions on each of the following 5 subjects: workers' rights (officially entitled "the defense of the legitimate rights of workers"); labor security, health and working conditions; women workers; retired workers; and young workers. This commission was attended by about 200 delegates from various industries and presided over by two of the Cuban participants in the NLG exchange: Ramon Cardona Nuevo, a member of the CTC Secretariat (equivalent to an Executive Board), and Guillermo Ferriol Molina, an attorney who is the Director of the CTC's Department of Labor and Social Relations. A representative of the ministry in charge of each matter debated was present (including the Chief Justice of the Cuban Supreme Court), and clearly expected to respond to the concerns raised by the delegates on behalf of the workers. A sign language interpreter for the deaf was present throughout. I was the only foreigner present.

After introductory speeches, the floor was opened to debate on each of the resolutions, by

subject area. Interestingly, with respect to workers' rights, the overriding concern was one we might not think of when we think of workers rights: housing. For the delegates to

this Congress, however, there was no such ambiguity: The adequacy of housing was clearly a workers' rights issue. Several delegates discussed successful housing initiatives in their workplaces and communities (including collectively bargaining a percentage of the enterprise's profits to go to building and improving workers' housing). One delegate from Las Tunas discussed a pilot program, which she referred to as a social movement, in which each participating family, with financial support from the construction ministry, builds their own home with the assistance of their neighbors. The delegates voted to propose to the Congress as a whole that this pilot project be applied to Havana, where the housing shortage is particularly acute.

Another issue of great concern to the delegates in the commission (and of interest to U.S. labor lawyers) was the role of law and lawyers in enforcing workers' rights. Proposals which were debated and passed included reinstating publications on workers' legal rights which had been suspended along with other nonessentials during the special period, starting a television and radio labor law education program, and increasing the number of union-side labor lawyers so that each local trade union has a lawyer, as most enterprise managements presently do. (Although one delegate, in a remark that could have been made at a US union meeting, responded that you can have all the lawyers in the world, but the problems of enforcing workers' rights won't be solved unless the local union leaders are less timid and more aggressive in doing so.)

The debate on women workers was presided over by Vilma Espín, an icon of the Cuban revolution who is the head of the Federation of Cuban Women. The proposal which drew the most attention from the delegates, roughly half of whom were women, was one to extend the already generous national policy of six months paid parental leave per child under six years of age to one full year. The debate on this proposal delved deeply into men's and women's respective roles, and the delegates agreed to amend the proposal to make it clear that mothers and fathers may divide the year of paid leave between themselves. Both this proposal and the housing proposal, as amended, were taken up by the Congress as a whole the following day. When I asked one of the delegates what would happen if the Congress passed the resolution to extend paid child care leave but the responsible ministry objected because it was too expensive, he replied, "No importa. Los trabajadores han hablado." (It doesn't matter. The workers have spoken.)

It is difficult to adequately describe the level of discipline and concentration displayed by the delegates. While discussion was completely open, with no visible constraints, each speaker stuck to the topic at hand, and delegates listened to one another closely. As my translator explained to me, after 42 years of revolution, Cubans have developed what they refer to as a "collective mind" when it comes to solving the problems of the nation. I was to see this collective mind on display on an even larger scale the following day.

The Congress

As a “norteamericano” walking into the site of the opening plenary session of the 18th Congress the following day, I was awed and slightly taken aback by the sight of a sea of Cuban workers dressed in the olive green fatigues of the army and the denim blue shirts of the militia (as a symbol of their unity in defending their revolution against the U.S.-imposed blockade), chanting and singing with percussive militancy and waving rustling Cuban flags as they awaited the official opening of the Congress. Presiding over this meeting of 1680 delegates and 400 invited guests from 150 unions in 60 countries was none other than el comandante en jefe, Fidel Castro. He was joined at the dais by Pedro Ross (the General Secretary of the CTC), the nation’s entire top trade union leadership, Ricardo Alarcón (the speaker of the Cuban Parliament), Raul Castro, and the heads of each of the Cuban ministries (Construction, Housing, Education, Justice, Labor, etc.).

The moving opening ceremony featured dance and musical performances by some very young and quite talented children, the presentation of the CTC flag led by a procession of Cuba’s Olympic champions, and ended with a line dance of the delegates led by the children. The emphasis on children was a pointed reminder to the delegates of the reason for the assembly. The first-time delegates were asked to stand. They constituted the vast majority.

In his opening speech, Pedro Ross highlighted what he called the “deeply democratic” character of the Congress. The theses of the Congress, according to Ross, represent what the workers feel are the main issues facing the country, including unemployment, salaries, social security, education and housing. He spoke of the need to increase productivity over the next ten years without falling into the consumerist design of capitalism. He said the CTC and Cuban workers had a leading role to play in the effort to stop unequal trade. He spoke of the negative consequences for the whole world and of multinational capitalism as led by the US. He contrasted the Congress to profoundly undemocratic process underlying the Free Trade Area of the Americas, in which 500 corporations are attempting to decide the future of the hemisphere without regard to the will of its nearly 900 million people. He finished with a chant, “This is a revolution...” to which the delegates thundered their response en masse, “...by and for the humble ones!”

Pedro asked the delegates, who were seated at desks, each with a microphone, to confine their remarks to five minutes each. With that, the debate began. The first issue raised by the delegates was education, specifically the teacher shortage. For the first several speakers, Fidel remained silently attentive. However, he began asking a delegate from a remote mountain area without electric power about the solar-powered computer which became the foundation for a school for that tiny community. From that point on, Fidel literally led the nation in a conversation, as workers and top government officials discussed concrete measures to solve the problems they face. When the delegate from Las Tunas presented the proposal regarding the housing program, Fidel demanded that the housing and construction ministers inform him and the delegates, down to the last tile on the last roof, how much this program would cost to implement in Havana, and forced the delegates to face hard choices, such as whether, given the country’s limited resources, this housing program or the “computer clubs” which are being implementing as sort of

school-based community centers should have higher priority. A similar conversation occurred regarding every issue faced by the Congress that day. There were very few of the side conversations and mass milling about in the halls outside and none of the jeering of the speakers that one might experience at a US union or political assembly. The delegates exhibited a disciplined single-mindedness and seriousness of purpose that continued throughout the very long day until the Congress ended after 11 that night. (By the way, the proposal to extend paid child care leave to a full year was passed unanimously.)

The debates in the Congress continued in a similar vein the following day. On May 1, the delegates joined the workers of Havana (and trade unionists all over the world, except the US) in their celebration of the international workers' holiday, begun following the killing of the Haymarket martyrs in Chicago.

After the Congress, the delegates were to return to their workplaces and report to the rank and file on the results of the debate. According to Ramon Cardona, the workers will let the delegates know in no uncertain terms whether the resolutions, as passed, truly represented their interests.

To the eyes and ears of this first-hand observer, the CTC Congress displayed the unity, militance, and organization of a powerful and, yes, democratic workers' organization that plays a central role in determining the policies that shape its nation's future.