



**Report of the United States Delegation to the
Sixth Bilateral (U.S./Cuba) and Third International
Research Exchange among
Labor Lawyers, Trade Unionists and Scholars in
Cuba, March 15 through 19, 2005**

**Co-Sponsored by the National Lawyers Guild
Labor and Employment Committee
and the Central de Trabajadores de Cuba (CTC)**

I. Introduction

By Joan Hill and Dean Hubbard

The Sixth Bilateral and Third International Exchange of Trade Unionists and Labor Lawyers took place from March 15th through the 19th in Cuba. The research program included two half days of orientation and overview of the global challenges facing workers, and four days of field research with workers, union leaders and labor lawyers at their workplaces. During the orientation program, the delegation, made up of labor lawyers, trade unionists and neutrals, heard presentations on the issues faced by Cuban workers, including shortages of housing and transportation, as well as the urgency of defeating the travel restrictions imposed by the U.S. and ending the 45-year-long blockade. José Castañeda, the Health and Safety Director for the central organization of Cuba's nineteen national unions, the Central de Trabajadores de Cuba (CTC), also described the responsibility of the national trade unions in demanding safe working conditions. A regular part of the program includes a presentation by Pedro Ross, General Secretary of the CTC. He reiterated that the most acute problems facing Cuban workers are the blockade, and its effects on the lives of Cuban workers, Cuba's economy, and its relationship with other countries. He estimated that the U.S. has lost over \$73 billion in trade as the result of the blockade. The housing issues, according to Ross, are being addressed by a new program announced by Fidel Castro, under which it is estimated that an additional 45,000 new houses will be built in 2005 as the first step toward a goal of building up to 100,000 new homes.

A special presentation was made by the daughter of delegate Berry Bingham (SEIU organizer from Oakland) who is a 4th year medical student in Havana. Through Pastors for Peace, the Cuban government has provided Kenya Bingham with a full scholarship to study medicine at its University of the Americas, which provides free medical education to talented students from poor and marginalized communities around the world, in exchange for their agreement to return to their home countries and practice in underserved areas.

Work site visits and worker interviews, which made up the largest portion of the research itinerary, included visits to various labor centers, including the Cuban trade union movement's national training center in Havana and a pharmaceutical enterprise. Through these visits, delegation members were able to understand the role of the labor unions in setting production goals, investigating and resolving complaints through grassroots Organs of Labor Justice, wage and incentive programs, and other conditions of work.

Following the orientation program, the U.S. delegation, along with 11 Cuban lawyers and union officials and representatives from Quebec and the U.K., traveled to the westernmost province of Pinar del Río. Delegates interacted with workers in a steel fabrication plant, cigar factory, community hospital/clinic, and tobacco cooperative. The safety information received earlier in the program became quite useful, as safety issues became apparent to the U.S. delegation while touring the steel plant. Traveling to the municipality of Viñales, the combined delegation enjoyed the opportunity to visit the prehistoric murals and interact with local workers in the tourist industry. Before returning to Havana, the

participants visited Las Terrazas, where they learned about the environmental program which has resulted in the designation of Las Terrazas as a biosphere by the United Nations. The area was clear-cut by the French colonists who fled Haiti's revolution, and the region's people traditionally eked out a marginal existence by making charcoal. In 1968, Cuba initiated an intensive reforestation program, planting over 6 million trees. The area has become a self-sustaining community, with a focus on environmentally-sound economic development.

At the end of the week-long program, during the closing event, the participants had an opportunity to meet Rosa Ross, the wife of CTC General Secretary, who described Cuba's retired workers education program, initiated five years ago. This program, called the University of the Third Age, allows retired workers to enter university programs and receive certificates in over 600 degree programs. Presently, over 17,500 students from rural and municipal areas participate, with many students in their late 80s.

Barring further restrictions by the Bush administration on travel for professional research, next year's delegation has been invited to attend and participate in the May Day activities in Havana, which usually involves a march of over a million Cubans in the Plaza de la Revolución.



Photo by Mike Whalen

Plaza de Revolución



Photo by Joan Hill

Musicians presented at opening of CTC orientation program

Orientation

To begin the bilateral orientation for our field research, the delegation received a report from Leonel Gonzalez, National Secretary of the CTC for International Affairs. This presentation began with some modest comments about U.S. policy towards Cuba, including an expression of concern regarding the treatise published by the Bush administration last May calling for a “transition” of government in Cuba. Gonzalez anticipates that if this “program for Cuba” were to be put into practice, Cuba would no longer exist, except as a colony of the U.S. Gonzalez discussed recent efforts to privatize U.S. Social Security in light of the experience in Chile, where he estimated that 50% of retirees in that country cannot afford to retire because their “pensions” have not earned enough in the private market.

Turning to economic news, the International Affairs officer mentioned the improved ability of Cuba to access important markets for its medical/pharmaceutical sectors, access technology for nickel mining, and expand the capacity for petroleum production. Two critical problems facing Cuban workers are housing and transportation. Reiterating points made by Fidel Castro in his speech honoring women on International Women’s Day (March 8th), Gonzales anticipated that Cuba will see approximately 45,000 housing starts this year and 100,000 next year. Utilities will continue to improve. The tourism sector has seen growth averaging 15 percent a year. Additional economic efforts include the

recovery of tobacco and alcoholic beverage production. Consumption of both are down in Cuba, partially as a result of the recently enacted public smoking limitations.

In conclusion, Gonzales suggested that the primary immediate objective should be to defeat the travel ban component of the blockade of Cuba. Trade continues, despite the blockade, the overall elimination of which should continue to be an ultimate goal.



Photo by Joan Hill

Orientation Panel

(l. to r.: Dean Hubbard, NLG L&E Co-Chair,
Raul Hodelin, CTC National Secretariat, and Francisco Guillén of the CTC Legal Dept.)

Francisco Guillén, CTC Legal Director, addressed Cuba's labor policy. According to Guillén, Cuba's labor policy is composed of principles contained in the Constitution, in the State's intervention in establishing standards for working conditions (hours of work, rates of pay, etc.), in collective bargaining at the enterprise level, and in mechanisms for labor justice. A number of provisions have been passed to decrease the unemployment rate, which was 1.9% in 2004 (compared to 2.3% in 2003). Cuba considers itself at "full employment" but is still not satisfied, according to Guillén, maintaining the goal of providing employment to all, including disabled persons, dropouts, and convicts. He stated that with new legislative provisions, many in these groups have been able to access jobs, thus decreasing the unemployment rate.

We were reminded of the reorganization of the sugar industry, where over 40% of the industry has been dismantled due to a steep long-term decline in world sugar prices, affecting a number of workers. These workers were "dislocated." During that process,

the workers maintained their level of salary while being provided with retraining programs and college courses to learn new skills.

Under the Cuban labor code, normal working hours are 8 hours a day, 44 hours per week. Through the Fall and Winter of 2004-2005, however, the work day was reduced by 30 minutes to save electricity in response to energy problems. While the length of the workday was reduced, salary levels were maintained.

New regulations have been passed to provide incentives to workers based upon production. In sectors linked to hard currency, incentives are provided in Convertible Cuban Pesos, the value of which is pegged to the dollar.

Guillén briefly introduced the “Grass Roots Organs of Labor Justice” (Organas de Justicia Laboral de la Base, or “OJLBs”) which are discussed in more detailed in the section of the report describing our visit to the FAME steel fabrication plant. These are special entities which were introduced in 2001 for the resolution of conflict in the workplace. The OJLBs are independent bodies which function at the level of the enterprise or plant site. Currently, there are 14,851 OJLBs in operation nationwide. Each OJLB has three members, one elected directly by the workers, one representing the union, and another member representing management (referred to in Cuba as the “administration”). All representatives act voluntarily, without compensation for their services. The role of the organs is to address cases raising both disciplinary and “labor rights” issues. Most workplace conflicts are resolved at the level of the OJLB. Specifically, 77% of the disciplinary cases presented to the Organs of Justice are resolved at that level, while 23% are appealed from the OJLBs to the labor courts. Sixty percent of the labor rights cases are resolved at the OJLB level, with a 40% appeal rate. The OJLBs are supervised by the Ministry of Labor. (It should be noted that previous delegations discussed the system of “labor prophylaxis” under which efforts are made to resolve disputes before they are concretized into complaints heard by the OJLBs.)

Collective bargaining agreements are negotiated at worksites between union and management, which is similar to the process in unionized enterprises in the U.S. The subjects of collective bargaining differ from the U.S., however. Salaries are generally established centrally, with the distribution of incentives left to local arrangements. On the other hand, decisions about how the workplace functions which would be considered outside the scope of mandatory subjects in the U.S. are often made through the collective bargaining process in Cuba. Laws dictate how the contracts are negotiated. Issues related to the specific work center are agreed to on a case-by-case basis.

Social security falls under the Ministry of Labor as well. According to Guillén, the policy in Cuba is that “nobody is left to his fate.” Social Security in Cuba is not simply a pension scheme, as it is often thought of in the U.S. Rather, it is the entire network of state-subsidized benefits for the maintenance of health and well-being. With respect to the retirement aspect of Social Security, normal retirement age for a full pension is 57 for women and 60 for men, as long as they have completed 25 years of service.

Maternity leave is also based upon national law. A mother is entitled to 18 weeks of paid leave at full salary, including pre- and post- delivery, beginning at the 34th week of pregnancy. Women are eligible for this benefit if they were employed 75 days prior to becoming pregnant. A recent change to the law, implemented following the recommendation of the 18th CTC Congress in 2001, provides that after the fully paid leave is exhausted, the worker is entitled to continue the leave for a total of up to one year at 60% of her salary. This legislation also provides that a couple may opt for the father to decide to take leave and draw up to 60% of his salary.

The Labor Director concluded by discussing the upcoming review of the labor code, which will include recommendations from the CTC. Improvements will be considered with input from workers, unions, managements and the ILO.

In response to questions, Guillén also addressed the newly announced ministerial Resolution 10 regarding the tourism industry. According to allegations published in some U.S. and international media, this resolution restricts workers in the tourism industry from having contact with tourists, and further restricts the tips they are allowed to receive. According to Guillén, this interpretation is incorrect. The resolution is an anti-corruption measure which applies only to “cadres and leaders” in the tourist industry, not to rank and file workers. There has been no change in the policy under which every worker who takes part in tourism, whether or not they have direct contact with tourists, is entitled to receive tips via a process for collective distribution established by the workers. Workers still voluntarily allocate a percentage of their tips to the government’s anti-cancer program. \$1.3 million is contributed to this program annually. Guillén acknowledged that ambiguous wording in the resolution may have caused the confusion. He stated that because of this, the tourism union has met with the Ministry. In meetings with the union, the Ministry agreed that the Resolution did not apply to rank-and-file workers, but only to leaders and officials who actually negotiate contracts with foreign enterprises. The Ministry agreed to suspend implementation pending re-wording of the regulation.

The orientation program continued with a series of panels reporting the results of independent research on legal issues facing trade unionists, with a particular focus on the impacts of an integrated, neoliberal global political economy on labor internationally. Steve Ludlam of Sheffield University in the U.K. dissected the role of Britain’s “new” Labor Party politicians in efforts to undermine the British labor movement. Cuba’s Guillermo Ferriol addressed the potential impact of the proposed Free Trade Area of the Americas on ILO core labor standards throughout the Americas.

Delegate Lisa Brodyaga spoke to immigration reform and particularly the issues of due process litigation for documented and undocumented workers, and the response in her practice to the attack on lawful permanent residents by U.S. immigration service. Delegate Joan Hill gave the Cuban counterparts a short brief on the inter-union discussions over transformation of the AFL-CIO, outlining the “camps” of reform, one headed by the SEIU and the other by industrialized unions.

Julie Hurwitz, the Executive Director of the Sugar Law Center, spoke of the need for the labor movement to cast aside business unionism and function as a radical social movement, not cowed by the consolidation of right wing power in the wake of the 9/11 attacks, willing to take the lead in the struggle against the consolidation of global corporate power. “The U.S. labor movement,” according to the presenter, “must connect the issue of labor rights to economic rights. Labor must be a social movement.”

The orientation continued by providing the delegation with a perspective on the role of the trade unions in Cuba in addressing worker health and safety issues. Jose Castañeda, of the CTC Health and Safety at Work Program, suggested that trade unions must ensure that occupational safety and health measures, consistent with ILO standards, are adopted to create safe working conditions. Article 49 of Cuba’s constitution guarantees workers’ right to health and safety on the job. Historically, according to Castañeda, the 13th Congress of the CTC in 1973 proposed a labor protection law, passed in 1977, which gave the unions a key role in enforcing health and safety requirements. In 2004, worker safety legislation was passed to increase standards that will have the effect of lowering the risk of occupational accidents and disease. Castañeda discussed the organizer training system, which starts at the grass roots and proceeds up to the national level with the Lazaro Peña School, which the CTC has put in place to ensure the implementation of these protections. Statutory health and safety protections under the unions’ jurisdiction include medical exams, on-site medical personnel, classification of the health status of all employees, and determination of disorders or risks associated with the enterprise/workplace.



Photo by Mike Whalen

Pedro Ross addresses delegation and discusses a book which documents the history of trade unions in Cuba

Pedro Ross, Secretary General of the CTC, spoke to the delegation briefly and then turned the program over for questions from the floor. This allowed delegation members to raise questions to help them understand the role of unions in the lives of Cuban workers, and also offered Ross the opportunity to comment on U.S. policy towards Cuba.

The first questioner asked Ross to address the most pressing problems facing Cuban workers. Ross said the blockade was the most acute issue affecting the Cuban people as a whole. He emphasized that the blockade affects the lives of Cuban workers, economic relationships with other countries, political and social relationships, and prevents the Cuban people from fully participating in the world market.

Even agricultural trade with the U.S. is impacted by the blockade. Although the blockade was relaxed under the Clinton administration to permit cash purchases by Cuba of U.S. agricultural products, new regulations, or “hurdles” have been promulgated by the U.S. that interfere with this trade. Regulations affecting transportation of agriculture products, licenses, and now a regulation requiring purchases to be paid for in advance (where Cuba used to pay upon delivery) all have the impact of limiting trade.

It is undisputed that because of Cuba’s proximity to the U.S., the cost of transporting imports from the U.S. would be less than from most of Cuba’s trading partners. But due to the blockade and farm trade regulations, Cuba is forced to buy from Asian, European, or other markets. Moreover, Ross stated, “[under Helms-Burton,] we cannot buy any products or manufactured goods even from outside the U.S., where the U.S. has

investments in the company making the products.” As a result, by way of example, Cuba has to pay three times the market price for children’s heart pacemakers (which they provide for free as a public service) through a triangular arrangement with third countries, or risk their seizure by the U.S. Indeed, because the U.S. uses its influence to pressure other countries not to trade with Cuba, the term “embargo” is really a euphemism, and the term “blockade” more accurately describes the policy of the U.S. towards Cuba, according to Ross. While interest in trade with Cuba is increasing, the U.S. continues to use its influence to prevent other countries from doing so.

Cuba is in need of raw materials used in the production of medicine. During the Clinton administration, the U.S. permitted “people-to-people” exchanges, hoping this would influence Cubans to abandon their system. Closing even this venue for interaction, the Bush administration has limited the contact among the scientific and technological communities. According to Ross, the blockade has cost the *U.S.*, over the past 43 years, over \$73 billion in trade.

Other general issues facing Cuban workers and people include, we were told:

- the recent drought and related problems with transporting water within the provinces;
- problems with stabilizing the electrical supply, resulting in blackouts;
- transportation of goods;
- with the growth of tourism as a survival tactic during the “Special Period” following the collapse of the socialist bloc, Cuba is facing a resurgence of drug use and prostitution, which had been virtually eliminated;
- petty corruption among lower level officials, which emerged during the Special Period as a result of the harshness of the blockade;
- a severe housing shortage, again a consequence of the Special Period and blockade, although Fidel Castro has called a special session of the National Assembly to initiate a new program which has a goal of producing 45,000 new housing units this year and 100,000 next year;
- unemployment among youth and dropouts, although a program has been implemented in which youths receive a stipend to study; over 130,000 youth have joined the program, leading over 20,000 to enroll in the universities last year;
- public transportation, which is being addressed in a program with China to restore railway and urban transportation; and
- the price of oil/fuel (the recent rise in world oil prices is exacerbated in Cuba’s case by the decline in sugar prices, as Cuba has traditionally bartered sugar for oil).

Ross also discussed recent political developments throughout the Americas, noting encouraging trends in Venezuela, Argentina, Uruguay, Bolivia, Ecuador and Peru.

Efforts are underway to reform the labor code, after twenty years, to address new situations facing Cuban workers. New professions have developed, including social work and communications. Cuba is looking at salary standards, and expect to introduce changes into the code. New proposed labor code provisions will be discussed with all workers at their work sites, revisions made based on the workers' recommendations, and a final draft will be submitted to the legislature.

The Secretary General concluded by discussing in more detail the issue of housing and its impact on workers in Cuba. Statistically, 85% of Cubans own their homes, including those who pay "rent" every month to pay off the cost of the home. New houses to be built under the new program, which will include three bedrooms, kitchen, bathroom, patio, laundry room, living room and dining room, will cost citizens approximately the same 10,000 to 17,000 pesos (\$500-\$700) it costs the state to build them. Workers will pay them off over time. The houses will be built by "micro-brigades" (in a manner similar to that in which new housing was built after the revolution).



Photo by Mike Whalen

Cuban National Assembly President Ricardo Alarcón

On March 14, the delegation met for over two hours with the President of the Cuban National Assembly, Ricardo Alarcón. Sr. Alarcón began his remarks by responding to the Report issued by the U.S. Government's Commission for the Assistance to a Free Cuba (<http://www.state.gov/p/wha/rt/cuba/commission/2004/c12237.htm>), which was adopted as official U.S. policy by the Bush Administration in May 2004. The Commission was chaired by Colin Powell, and the campaign to implement its recommendations is being overseen by Assistant Secretary of State for Western Hemisphere Affairs Roger Noriega. Noriega has reiterated on multiple occasions, as recently as less than a week before our visit, that the recommendations in the Report are the official policy of the U.S. government. The Report contains a detailed plan to "bring about an expeditious end" to Cuba's socialist government and makes specific policy recommendations for a post-socialist government which would deeply implicate U.S. government agencies in the establishment of "a free market economy" in Cuba. While promising compliance with ILO core labor standards, the report predicts its plans will have the following results for Cuba's post-socialist labor law and relations:

"As a transitional Cuban government begins to denationalize state-owned and controlled entities, workers will encounter a new world in which the state will no longer be the provider of the paycheck, allowing for a more productive and efficient free market economy and potentially causing significant worker dislocations." (244)

The report's specific recommendations for post-socialist Cuba include, *inter alia*, the following:

“...[E]stablish[ing] mechanisms that can ease the transition [from socialism to capitalism, including]...changing old attitudes about the role of government in providing employment.” (245)

“...[A] transition may require changing the laws and role of the Labor Ministry to allow the free labor market to function...” (Id.)

Alarcón noted that the Report contains a plan to interfere with the process of government succession established by Cuban law, in order to establish a U.S.-backed regime which would impose several Commissions operated not by the new Cuban government but by agencies of the U.S. government. These would include a U.S. Commission for the Restoration of Property Rights, which would return real estate and other property to its pre-revolutionary owners. The report contemplates disregarding Cuba's system of retirement benefits, leaving about 2 million retirees without income and returning them to the labor force, according to Alarcón. It calls for the creation of a new police force under the control of the U.S. State Department, and for the disbanding of the Communist Party and all existing Cuban social organizations, including the neighborhood-based Committees for the Defense of the Revolution. The plan calls for spending \$29 million this year to hasten regime change, including \$3 million to strengthen “independent unions.”

Alarcón raised the cases of the “Cuban 5,” who are jailed in separate maximum security prisons throughout the U.S. Sr. Alarcón noted that their appeals have been completed and awaiting decision for over a year. This year, two spouses of the imprisoned Cubans were denied visas to visit their husbands in jail. (In August 2005, after our delegation's return from Cuba, a panel of the 11th Circuit Court of Appeals held that the trial court had committed reversible error by denying the defendants' motion for a change of venue, ruling that a fair trial was impossible in Miami, given the intense antipathy expressed by public officials and through the media there towards both the Cuban revolution and the defendants. However, on October 31, the full court granted the U.S. Attorney's motion to reconsider and vacated the panel's ruling. The court will hear oral argument on February 13, 2006.)

Sr. Alarcón was then asked about the well-publicized jailing in Cuba of 75 “dissidents” (or “mercenaries”), including “journalists and librarians”, two years ago, around the time of the U.S. invasion of Iraq. He stated that the 75 were jailed after their conviction for participation in a covert plan, financially abetted by the U.S. Government, to overthrow the Cuban government. He noted that even the U.S. has laws that punish individuals who act in favor of a foreign government. He also pointed out that some of the 75 are now on parole, that their names are known, and that they were all represented by counsel. He argued that the Cuban National Assembly used British, E.U., Mexican, Argentinean and Canadian law as a model in drafting the law under which the 75 were charged and convicted, and that this law was passed and publicized well before the arrests. He referred

to the “hypocrisy” of the U.S. government in particular in harping on these jailings, given its incarceration of over 700 anonymous prisoners at Guantanamo without counsel and without being charged with any crime. He stated that the 75 were not incarcerated for their professions, or because they wrote good or bad poetry, for example, but because they participated, for pay, in the plan of a foreign power to overthrow the Cuban government. In that sense, they were not at all “independent.”

When Alarcón was asked about Pedro Pablo Alvarez, one of the 75 who has been referred to as an “independent” trade unionist by his supporters in the U.S., Leonel Gonzalez pointed out that Alvarez too was on the payroll of the U.S. government. He said it was cynical of the U.S. government, “the most anti-worker government on the planet,” which is overseeing laws under which the U.S. trade union movement is growing smaller and smaller, to claim to be supporting an “independent” trade union movement in Cuba. He said the U.S. government’s efforts are instead an obvious effort to divide Cuba’s workers, who have had an independent trade union movement since long before the revolution. He asked rhetorically why the U.S. government didn’t spend its money to develop an independent trade union movement in the United States.



Photo by Joan Hill

II. Field Research

From its inception, the originators of the bilateral research exchange (Dean Hubbard of the U.S. and Guillermo Ferriol of Cuba) agreed that, while exchanges of views among labor relations professionals provide essential threshold context, informal field visits with rank and file Cuban workers (as well as local union leaders, labor lawyers, judges and community leaders) are equally important for U.S. researchers to gain deeper insight into

the day-to-day lives of Cuban workers, who labor in a political and economic system that presents strong contrasts to that of the U.S. Thus, field visits to workplaces, union halls and local government offices have been an essential component of the NLG/CTC exchanges since their inception.

It should go without saying that orientation meetings conducted in a setting of professional exchange are a critical predicate to well-informed field research. This insight is apparently lost on the Bush Administration, however. Effective June 30, 2004, as part of its continuing efforts to prevent U.S. citizens from exercising their right to travel, the Administration implemented regulations that seek to prevent professionals who travel to Cuba to engage in academic research from participating in professional meetings and conferences.

The reader should bear in mind that the impressions reported here are based on brief visits, not a comprehensive investigation. Nevertheless, several of the delegates have now visited Cuba to research working conditions and workers' rights annually over a six year period, have had the opportunity to interview workers in a wide variety of sectors and enterprises, and are now developing a level of familiarity with Cuban labor policy which approaches expertise. This report should be read in the context of the previous NLG delegation reports, which are available upon request from delegation coordinator Dean Hubbard, dhubbard@slc.edu. The 2001, 2002 and 2004 reports are also available on line at <http://www.worksafe.org/nlglaboremploycomm/international.cfm>.



Photo by Joan Hill

Mural depicting the struggle of workers, CTC Training Center

**A. Visit to Lazaro Peña National Training Center
Havana
By Joan Hill and David Elsila**

We had the opportunity to begin the field research portion of the program by visiting the national training center of the CTC. At the Lazaro Peña National Training Center – which reminded some delegates of the UAW’s Black Lake or the Machinists’ Placid Harbor schools, classes are offered to student from different unions, developing their leadership skills. We briefly observed and interacted with a class for union officers and activists from throughout Cuba. The class was a program in organizational management—the psychology of management, and research methodology. This included homeland defense, labor legislation, economics, international economics, international trade and the international labor movement.



Photo by Joan Hill

Examples of products produced at pharmaceutical enterprise

**B. Visit to Adalberto Pesant Laboratorio Farmaceutico
Havana
By D'Ann Johnson and Joan Hill**

At this pharmaceutical plant, the delegation was addressed by Mariana Martinez, secretary general of the local trade union bureau. There are 16 trade unions in the plant, ninety-seven local leaders, seven full time officers, and 635 workers, all of whom are union members (union membership in Cuba is voluntary). The workforce is made up of technicians (35%), production workers (60%), and managers (5%). Women comprise over half the workforce (54%).

The manager of the enterprise, Engineer Riveri, also addressed the group, explaining the 26 different products manufactured at this 30-year-old plant, including 20 types of IV fluids and six blood by-products. There are three plants of this type in Havana, one producing blood by-products and two producing intravenous fluids. The management of the enterprise consists of a Board of Directors and representatives from 11 sections of the

plant (under directors) plus research and development personnel. The board meets weekly, with the union as a permanent guest. There are also weekly briefings between management and the union, and the union attends the monthly management meetings. The union organizes monthly floor meetings of all workers by unit, at which management is a guest. We were told that at these meetings, the administration is required to render an account to the workers as to how they have resolved both collective and individual issues. It was stated that the “mission” of the plant is to “satisfy the needs of the national health system, to gather and produce quality products.”

This plant originated in 1970 when the Peruvian earthquake taught Cuba to be ready to respond to great catastrophes. Blood donations were found insufficient and this plant was built to produce products from blood. The plant responds to natural disasters, both domestic and throughout Latin America, Asia and Africa. There is a national blood program with a network of blood banks across the country, including the community-based CDRs, Institutes of Hematology and the Cuban Red Cross. All of these programs encourage blood donations on a local level. Blood donations are voluntary; blood is screened for HIV and Hepatitis B and C.

The plant includes a water treatment facility (for the IVs) which uses double osmosis and multiple distilling effects, sterilization and refrigeration components.

The base salary for production workers is 343 pesos a month, plus incentives. Additional compensation is based upon the efficiency and output of the plant. Non-productive areas receive incentives based upon sales of the product. Incentives are paid on a monthly basis in both Cuban pesos (national currency) and the CCP (Convertible Cuban Peso, the value of which is pegged to the dollar). Incentives may be up to 30% of salary in Cuban currency and an additional 25 convertible pesos. The Ministry and National Trade Union decide the level of incentives countrywide to be earned by workers, according to their contribution to the national economy. The local union and management meet to formulate a proposal for how the incentives will be distributed. Then a floor meeting is held, at which the workers vote to accept or reject the recommended distribution of incentives. All base pay and incentives are considered “earnings” for purposes of retirement and vacation pay. The director’s salary is 600 Cuban pesos plus up to a 30% incentive based upon overall output (or approximately double the entry level compensation). Union dues are 1% of salary.



Photo by Joan Hill

Director of Enterprise and Local Bureau Secretary address delegation

The work week is standardized by the national government. Sometimes there are voluntary work days to complete production goals. March 13th, for example, was a voluntary work day. Workers celebrated a national holiday on International Women's Day, March 8th.

The management and unions try to resolve conflicts at the level they occur. If there is no solution to a problem at the floor level, the issue or conflict is passed to the union and management. If there is still no resolution, the matter goes to the Grass Roots Organ of Labor Justice (Organa de Justicia Laboral de la Base, or OJLB), a commission composed of a representative from management, a union representative, and a member elected directly by workers. One of the three is chosen by the other two as chair and one as secretary. (The OJLBs are discussed in greater detail in the section below describing our visit to the FAME steel fabrication plant.)



Photo by Joan Hill

Dean Hubbard gives Pharmaceutical Workers an overview of the delegation's purpose and the "typical" grievance and arbitration procedure in the U.S.

A delegate questioned how the workers felt about having their work characterized by the U.S. administration as part of weapons industry. An engineer stated that the center is dedicated to noble work -- saving human lives. It has a vision, he emphasized, of help, of internationalism, of saving lives--not creating wars or biological weapons. The center and others like it in Cuba develop vaccines for third world countries. Working with African countries, they are seeking to develop a vaccine for cholera.

The center has been involved in the development of an AIDS vaccine and influenza vaccine. According to the director, "no blockade can stop the development of vaccines." Indeed, agreements have been signed to manufacture vaccines that are not produced in the United States. Peace, we were told, is the enterprise's export.



Photo by Mike Whalen

Worker at Pharmaceutical plant discusses the “mission” of the facility to work to save lives, not make weapons.



Photo by Mike Whalen
Metal Worker at Steel Plant

C. Visit to FAME, Steel Fabrication Plant by Alan Benchich, David Elsila and Julie Hurwitz

Introduction

If anything dispels the notion that Cuban hosts arrange only carefully stage-managed tours to places that put their country in its best light, it was the NLG research team's visit to the FAME steel-fabricating shop in the Province of Pinar del Rio, where we saw one operation of a small industrial workplace, observed health and safety problems and questioned the representation of women in the industrial workforce.

FAME is a publicly owned enterprise that produces steel products, such as metallic structures and scaffolding, used in construction. It employs 215 workers, 38 of whom are women. In addition to the plant, located in a small village in Pinar del Rio province, FAME has two plants in Havana, which we did not visit. Ten separate union locals, or units, based on the different production areas in this enterprise, represent the workers (if a production center is overly large, its workers are divided into two different units). And although union membership in Cuba is voluntary, we learned that all 215 workers at FAME, including management, are union members.

Wages and Bonuses

During an opening briefing with leaders of the union (CTC) and management, as well as with lawyers whose job it is to represent the enterprise and the CTC, we learned that the average wage at FAME in 2004 was 395 pesos per month (24 pesos=1 USD), ranging

from 150 pesos for cleaners, janitors, and clerical workers to 565 pesos for the enterprise director. As at the pharmaceutical laboratory, if the enterprise exceeds its production quotas, “incentives,” or bonuses, are paid. Managers and other administrative employees, who receive among the highest wages at the enterprise and of whom women comprise the majority, can get up to a 30 percent incentive plus 15 convertible pesos; there is no incentive cap for production workers. (We subsequently learned that the reason there is a cap on the incentives for administrative workers and not for production workers is that, in general, administrative workers are paid more than the production workers.) The incentive cap is determined at the national level, while the actual amount of the incentive is negotiated locally. It should be noted that in addition to their wages, every worker in Cuba receives, as a matter of right, fully paid comprehensive medical care for him/herself and his/her family; fully paid education for the worker and his/her family through university, and a housing allowance.

Labor-Management Relations

As in our other field-research visits, much of the discussion at FAME centered on the structure of the union and on the approach to solving problems in the workplace. All 215 workers who belong to the CTC pay 1 percent of their wages in union dues. The 10 union locals, or units, at FAME comprise a Bureau, described as an umbrella organ composed of seven officers who are workers from the enterprise. The Bureau is in turn part of the Pinar del Rio municipal CTC.

When a worker faces a disciplinary offense, the matter is first brought to the union representative(s) who attempt to resolve it directly at the shop floor level through conciliation or mediation. The overwhelming majority of such situations are resolved at that level.

However, if such an issue cannot be resolved through this method, and either the worker cannot convince the director and/or his/her union representative that he/she is right, or that the director/management is wrong, then, as at other enterprises, the matter is presented to the Grass Roots Organ of Labor Justice (OJLB). At FAME, as in other enterprises, there is a legal advisor attached to the enterprise who counsels both the workers and the enterprise management on the law and their respective rights. But because the lawyer is a “professional” and the Organ of Labor Justice members are not, the lawyer may not directly represent the worker in OJLB hearings. The worker can select a family member or co-worker to be a witness at such hearings.

If the OJLB decision does not satisfy either party, then either can appeal to the courts. Once a disciplinary matter reaches court, the enterprise lawyer will represent the enterprise, and the worker will either be assigned a free lawyer through the union, or he/she can hire his/her own lawyer from a *bufete* (a labor law collective), for a fee of 40 pesos (about \$1.50).

Despite such a complex system set up nationally to guarantee worker rights, we were told that there was not one “grievance” (as we understand the term) filed by workers with the

OJLB at FAME in the past year. The reason, we were told, is because workers have either been able to see where failures have occurred and have understood and accepted their company's position, or they have been able to convince the management, with assistance from their union representatives, that they are right without the necessity of filing a formal complaint with the OJLB (see question 2, below).

Three Key Questions

The description of the legal system, the fact that less than 20 percent of the workforce is female, and the fact that there was not a single grievance during the past year led the authors of this section to raise several questions:

How can a lawyer who represents the enterprise advise workers fairly? In order to answer that question, it is important to understand the context in which the Cuban enterprise functions, and, more importantly, to believe that such a context is sincere. Under Cuban socialism, no one person, or capitalist, privately owns the enterprise; rather, it is publicly owned, by the state, and by extension (at least in theory), by the workers themselves. Whenever a decision needs to be made with respect to the production process at the enterprise, the management, or director, regularly consults with the union and with the workers at a floor meeting, and the issue is debated until a mutually agreeable solution is reached. The role of the enterprise lawyer, we were told, is not to defend the enterprise but to see to it that the laws governing workers' rights are complied with.

How do worker grievances against enterprise management get resolved was another question we asked once we learned that no grievances had been taken to the Organ of Labor Justice during the past year. As at other enterprises we visited, both management and local CTC officials had initially referred only to worker disciplinary issues as having been brought to the OJLB; we, as North Americans, tend to define "grievance" somewhat more broadly – such as a complaint over shop-floor issues like speedup, health and safety, sexual harassment, etc. Thus, it was at first difficult for us to understand why the only issues the OJLB seemed to address involved worker discipline, not what we normally think of as a "grievance." The answer lies in the fundamentally different nature of labor-management relations in Cuba.

A FAME shop-floor union representative explained that the kinds of shop-floor issues that we think of as grievances are first brought to the local union and that almost all are resolved directly between the local union and management at monthly floor meetings, where workers can voice their complaints and solve their problems through discussion.

The differences between Cuban and U.S. social and economic systems, as our hosts kept emphasizing, means that the whole relationship between workers and their means of production is fundamentally different as well. Because property in Cuba is socially owned and workers are the owners of the means of production, all of the "management" activities of the enterprise are legally regulated.

For example, unions and management sign collective agreements, which guarantee, among other things, that workers cannot be compelled or pushed to work beyond eight hours a day, both management and union representatives told us, and which affirm that Cuba respects International Labor Organization labor standards.

There are ways for dealing with unexpected problems that arise under the agreement – for example, when it is necessary to increase production to fulfill orders, workers can agree to work extra time, even a double shift, to meet the enterprise needs. If the plant needs to increase the rhythm of production under such circumstances, the director consults the union about working overtime. The union and administration summon workers to a floor meeting where there is open debate and where “the best ideas will flourish.” Cuba, we were assured, will never admit to doing something by force, only by democratic vote. The role of the union is always to represent workers as well as to represent the interests of the revolution.

Is anything being done to increase the number of women in the workplace and to ensure that women have equal opportunity for all jobs on the shop floor?

According to our hosts, female representation has to do, as one representative told us, “with the kind of work. Most work implies a certain kind of strength; we have some activities preferentially given to women because of strength. Most administrative staff positions are filled by women, and some crane operators are women,” we were told.

The disproportionate under-representation of women in the more physically rigorous job assignments, it appears, has more to do with deeply-rooted cultural attitudes about men and women than with law and policy, which mandates gender equality. (In this respect, Cuba is not much different from the U.S. or much of the rest of the world.) In later discussions, we were told that women were to be “protected” because they also had the important “job” of producing future workers for the revolution. We did not hear Cuban women accompanying the delegation voice disagreement with this philosophy.

We learned, as well, however, that the “administrative” positions held primarily by women are the higher paying professional jobs in the enterprise. Another example of women having positions of authority is the fact that the local CTC president at FAME, as at some other enterprises, was a woman, elected in a predominantly male union.



Photo by Mike Whalen

Observation of steelworker at FAME raised questions of safety and health to delegation.

Production and Health and Safety

As noted above, prior to our visit to the FAME enterprise, the research team had heard from Jose Castañeda, the CTC's top health and safety official, who explained how the Cuban labor code incorporates stringent health and safety provisions, and how plans are underway to strengthen these provisions. The number of workplace deaths, he said, has been declining (last year there were 152 workplace deaths in Cuba). There are now 2,000 trained union inspectors to investigate accidents, and 14,502 workplaces have been inspected. Castañeda also explained that while health and safety at the workplace was a top priority, cultural factors as well as the lack of resources sometimes made it difficult to fully enforce the laws at each enterprise. We observed this problem first-hand when we visited the FAME facility.

Walking into one of FAME's production sheds – a large structure with big openings on two sides – we observed upwards of a dozen workers welding metal parts, others pushing steel bars into a press, others picking up steel shavings from the other side of the press, and still others moving piles of steel bars around on the shop floor. One woman was on a structure over the floor where she could have either been observing or taking a break from operating a crane.

What immediately struck us was the lack of safety equipment being used. While persons doing welding did wear welding masks, others who were working in close proximity did not. There was also no shielding around the welding site to protect passersby from the welding flash. The workers operating the punch did not appear to have safety guards, and neither they nor the worker picking up shavings and scrap were wearing protective gloves or eye protection.

What's more, as one U.S. industrial union officer in the group observed, visitors were neither issued safety glasses nor kept inside lines away from the potentially dangerous equipment, which would have been standard practice in any of the "Big Three" auto plants in the U.S. At the same time, we were given free access to talk with any and all of the workers inside the production shed. When asked about some of these workplace safety concerns, one worker told us that there really was little concern because there were few injuries over the previous year.

CTC official Castañeda, who had briefed us the day before about Cuban health and safety regulations, accompanied us and was visibly upset by the conditions. We observed him in animated conversations with both workers and supervisors on the shop floor. When we asked him later about the conditions at the FAME facility, he said, "I was concerned. There should not be a contradiction between what you were told yesterday and what we see in practice."

When asked if the workers had been issued personal protective equipment, such as work gloves, one of the managers responded that they had indeed been given such equipment. What it often boils down to, as it sometimes does in the U.S., is that workers who are issued safety equipment don't use it. Some workers, as one field-researcher noted, may take a "macho" attitude of not needing gloves or other protections or say they can do the job more comfortably without them. When asked what was being done to introduce a safety "culture" to workers to change this attitude, Castañeda replied that continuing safety training and safety audits were being implemented.

The Cuban health and safety official also emphasized, "We cannot allow for purposes of meeting production targets that workers can risk injury or disease." In addition, as another field-researcher noted, failing to use health and safety equipment in the workplace could add to the strains on the health-care system, and so taking unnecessary risks in the workplace becomes an anti-social practice.



Photo by Joan Hill

CTC Health and Safety Officer José Castaneda Martínez addresses delegation questions about health and safety.

It is the responsibility of the immediate supervisor to see that workers use the protective equipment that the enterprise has issued to them, Castañeda said. Supervisors need to not only enforce the regulations, he said, but to continually educate workers on the importance of using them. He pledged that a full investigation would be made by the enterprise Trade Union Bureau and that municipal union officials will also be involved in evaluating the violations and finding a solution. Disciplinary measures will be enforced against both individual workers and the management, if corrections are not made. At the same time, he noted, that generally speaking workers in the plant had been well instructed in health and safety. Although the plant itself has no medical personnel, a nearby sugar mill has a clinic with three doctors and two nurses and emergency assistance available around the clock that is available to workers at FAME. Overall, FAME's injury rate has been good, plant officials maintained, with only one accident last year – a fatality caused by a fall from a scaffold.

Conclusion

Our visit to this FAME machine shop was enlightening on several levels. First, we believe that our visit to this enterprise afforded us an honest view of the small industrial workplace setting in Cuba. Rather than preventing us access to the visibly apparent problems of health and safety, or sugar-coating the problems, the workers' union leadership acknowledged the contradictions that exist and pledged to correct such problems.

Second, we learned that while women are a distinct minority in the FAME workplace, women hold most of the higher-paid administrative positions (as well as some crane-operator jobs).

Finally, our discussion about wages came at a time when the Cuban government announced several changes in the overall economy including an increase in the peso's value against hard currencies, the provision of more electrical kitchen appliances for the general population, the construction of tens of thousands of new housing units, and a program to end power blackouts. Cuban officials stated that these changes promise to improve the living standards of workers, as Cuba continues to move out of the "special period" that has gripped the island since the collapse of the Soviet bloc some fifteen years ago and as it grapples with continuing U.S. efforts to strangle Cuba economically and politically.



Photo by Joan Hill

Workers sort and grade tobacco

D. Visit to Francisco Donatier Cigar Factory By Joshua P. Rubinsky and Esmeralda Osby

The Francisco Donatier Cigar Factory employs 159 full time workers. They do not use part timers at this facility. The employees come from Pinar del Rio, the city where the factory is located, as well as the surrounding rural areas where the tobacco is grown. Sixty eight percent of the workers are women, with four of the twelve management employees also being women. The factory produces the Cuban brands Bequeros and Trinidad. A single cigar will sell for an average of approximately \$17 in the international market.

Walking into the Francisco Donatier Cigar Factory is like walking back in history to a typical small factory in the early 1800's. As you walk in the front door of the main production area, you pass the lector, an employee who has the job of reading (in this case from the Cuban newspaper Granma) to the employees as they are taking the tobacco leaves, previously cured at the tobacco farm, and processing them into what will become the Bequeros and Trinidad cigars. Walking past the reader, you are then in the main production area, where there are a series of about ten tables with four employees working at each, dressed in casual clothes, preparing, rolling and producing the finished product. Working at the factory is a good job and most the employees have been with this particular factory for more than ten years. We were told that all the Cuban men want their girlfriends to be cigar rollers because they have the best hands.

Structure of Work Day and Pay

The required work day for the Francisco Donatier Cigar Factory is the eight hour workday established under the Cuban Labor Code (although it may be shorter if a worker meets her production target; see below). The starting and ending times of the work day may vary depending on the needs of the employees and is scheduled in advance with supervision between 7:00 a.m. and 6:00 p.m. Employees who travel farther to work have the ability to start later, and those with family responsibilities may leave early. The applicable rule is that employees are allowed to schedule their eight hours as long as they work it out in advance. There is a one hour lunch break and lunch is prepared and available at work. Two fifteen-minute snack breaks also occur during the day.

The employees, union, management and the Communist Party are involved in an ongoing process to set minimum production requirements for all employees, establish an incentive system for additional production and at the same time allow as much flexibility as possible with respect to the number of hours employees want to work. The employees can determine the hours they work and the amount of work they do, so long as they meet a quota of 100 cigars a day. If they finish the 100 cigars, their work day is ended and they are permitted to leave if they so desire. If they decide to earn additional money by continuing to work, then, when they produce more than 130 cigars, they are paid double their regular rate. This particular incentive program has been in place in this factory for a considerable period of time.

Actual Production

Production is set up to deal with the fact that the cigars are handcrafted through an extremely long and complex process requiring a number of steps. The tobacco leaf comes from the field where it is grown, to a drying room; then the leaf is deveined at the factory and divided and bundled for use by the rollers. Only the best leaves are selected. Tobacco leaves are inspected at the factory in addition to being inspected before they leave the field. Different leaves may be used for different parts of the rolling process. Tobacco leaves are brought to the cigar rolling tables. Each of the employees in the rolling/production room receives a stack of tobacco leaves, has his or her own press, and is responsible to complete the process for preparing each cigar. After the hand rolled cigars are completed, they are moved into what's called a "banding room." The cigars are checked for quality and then are prepared and placed in boxes for shipping. Any rolled cigars which do not meet the quality standards are unbranded and sold locally for a much lower price.

Grievance Process:

Employees at the cigar factory, as in most Cuban Industries, have several different options in which to raise workplace grievances. This varies from bringing an action in court, writing letters of complaints to the party and/or union or bringing a complaint to the local grievance committee, a/k/a the Grass Roots Organ of Labor Justice (OJLB). The local grievance committee that we were introduced to consists of two men and one woman. One

of the three was chosen by the management, one was elected by the employees and the third was an individual chosen by the union who had received some outside training. During the last year there were two grievance complaints brought to the OJLB. One was decided for the employees and the other was decided for the management. The issues grieved dealt with an employee being late and not coming in to work and the second had to do with production. Additionally, the union representatives and the manager were questioned about general concerns raised by the employees. We learned that the most common complaint by the workers was the lack of good raw materials. We were told that if the tobacco leaf was of poor quality, then the employees were slowed in their production, hindering their efforts to finish work and/or make additional salary.



Photo by Mike Whalen

Cigar Workers work in a mass-production form to meet daily goals

Smoking and Production Tension

The plant manager was questioned about the health costs of smoking. While being aware of the concern, the manager, puffing on a cigar as she spoke, responded there was still a tradition of smoking cigars in Cuba. She said that they were aware of the tension between production and health and that the state pushed for both. We were also advised that a review of current Cuban regulations show that current Cuban policy is to decrease smoking and in particular keep smoking away from schools and locations where kids tend to be.



Photo by Joan Hill

**E. Visit to Pedro Borrás Polyclinic
By Dr. Diana Bustamante
and Mary K. O'Melveny**

Our delegation spent extended time with medical and health care workers at the impressive community health polyclinic serving approximately 35,000 families in Pinar del Rio, capital of the Pinar del Rio province. The Polyclinic was named for Pedro Borrás, who was a medical student who did not complete his career because he died fighting for the revolution. The polyclinic is one of the major institutions within the Cuban health care system, providing access to primary medical care as well as specialized treatment and diagnostic facilities.

We were addressed by Dr. Andres, General Director of Public Health Services for Pinar del Rio and by Dr. Lilien, Director of the Pedro Borrás Polyclinic. In addition, we were greeted by representatives from the 18 trade union locals who represent the various hospital workers and retirees belonging to this institution. These 18 locals constitute a trade union Bureau, which has 7 officers. Each labor group is organized to address issues such as worker welfare, labor discipline, incentives for better services and general policies designed to ensure provision of quality care. Representatives of each of the 18 unions work within each sector of the clinic, to ensure smooth functioning of the work site and representation process.

The polyclinic is open 24 hours every day. The average number of people who are seen on a daily basis is between 500 and 600. Workers responsible for medical consultations see approximately 135 people each day. The clinic building was in excellent condition

and, as we toured the facility, we were able to stop and talk with workers as well as patients or others waiting for treatment.

There are 669 employees at the clinic: 107 staff workers, 20 administrators, 465 technicians and paramedics, 88 clerical and janitorial workers, 9 managerial staffers and 143 doctors. The polyclinic is the pride of the Cuban health care system. It was chosen by Fidel Castro to be expanded and refurbished because of the high quality of care it provides. It originally offered only 11 services, but now provides 22 extensive services, including specialized medical diagnostic and prevention services. The recent refurbishing of the polyclinic has resulted in the integration of two former health care units and a third is under reconstruction which will provide extensive physical rehabilitation services to disabled patients.

74 percent of the polyclinic's workers were women, both in general staff positions and in medical and technical jobs. Many women held supervisory positions and many of the trade union representatives and retiree workers were women.

Among the 22 specialties and services provided by the polyclinic are: emergency room treatment; general medical consultation and prevention services; dental emergency care; minor surgery; ambulance transport; ultrasound; x-ray; vaccinations; OB/GYN; psychology; otolaryngology; endoscopies; electrocardiograms; ear, eye, nose and throat care and treatment; allergies; podiatry; dermatology; hematology; menstruation regulation and related services and special laboratory facilities for a wide variety of diagnostic and treatment needs. The clinic also provides full maternal and infant services like immunization programs, including vaccination programs directed at common childhood diseases such as diphtheria and measles as well as at other infectious diseases such as tuberculosis. The clinic has also been actively involved in efforts to ensure that expectant mothers and young infants receive ongoing medical care and nutritional support. They also provide full psychological services that are coordinated with social workers. Additionally, the clinic has full rehabilitation and physical therapy services which will be further expanded as the work is completed on the construction of the clinic's third phase.

The clinic provides significant support to members of the community active in health care issues. We were told about various public health and hygiene campaigns in the Pinar del Rio Province with which the clinic has been particularly involved. Among these are campaigns to increase hygiene and sanitary conditions for field workers. The clinic is also actively involved in the government's recent educational programs designed to reduce smoking. As this region is one of the main tobacco-producing areas of the country, we were told that approximately 30-35% of residents were probably smokers and that statistics on cancer rates were being monitored by Province officials in conjunction with these campaigns. Doctors, nurses and other health care workers worked in conjunction with Committees for the Defense of the Revolution and the Cuban Women's Foundation to develop some of the sanitary brigade units and other activities designed to improve public hygiene efforts. Additional educational programs have focused on nutrition and diet counseling, with particular emphasis on the number of calories recommended for a

"normal diet" and explanations of the relationship between protein, carbohydrates, fat and other components of a well balanced dietary regimen.

Health is considered to be a basic right of all Cuban citizens, and is delivered free at all levels of the system to anyone needing health care services. The Cuban health care system stresses preventive care, along with providing treatment for various medical needs. In 2004, more than 200,000 inhabitants were served by the Pinar del Rio health care system. The number of families seen by individual doctors and other health care providers has increased within the past ten years. We were told that infant mortality rates in this Province were 2.3% per 1000, * rates that are comparable to or better than those of more "developed" nations. The doctor-family ratio has been traditionally low. It was reported that, as the number of families has increased in this region, they have revisited ways to best serve families' medical needs. Their research found that the health indicators show good overall health for the population. As a result, there was a move to consider raising the number of families seen by doctors.

We learned that experienced doctors earn 525 Cuban pesos per month at the clinic, while 280 Cuban pesos per month is the average salary for other clinic workers. In 2003, salaries were increased for all workers in the public health field in recognition of the extraordinarily significant work they do. A new medical school graduate earns 235 Cuban pesos per month, and first, second and third year residents earn 325, 355 and 375 monthly, respectively. Technical and paramedic employees at the infirmary earn a starting salary of 148 and can increase their earnings to 325 based on additional training and experience. Unlike other work opportunities, there are no salary incentives paid to health care workers based on productivity or other measures that are used in other job categories.

Our hosts fielded many questions about the labor dispute resolution process at the clinic. They explained that when a worker has a problem, the matter is first raised in his or her work group to see if a consensus resolution can be achieved. If the matter cannot be successfully resolved or mediated in this manner, the problem is forwarded to a commission made up of representatives from different groups which evaluates the issue to determine if the worker's position is correct and/or whether the remedy proposed is appropriate. The first step in any grievance, from whatever worker (e.g., administration or rank and file) is to meet with members of the collective of their respective sector. The complaint is reviewed at this level before it goes to the next level for further action. The sectors are organized according to the area of expertise and/or work. As examples, they mentioned administration, technicians, service workers, management and doctors as sectors which would independently address issues affecting their work group. If the dispute involves a violation of a work rule, for example, the nature of the punishment proposed may be reduced or some particular type of educational program may be recommended. If the dispute involves a claim that the worker should have received a promotion or other job assignment, the matter is referred to the OJLB for decision. We asked what would happen if a worker raised a concern or question that would necessarily affect a larger group of people than just that individual, but were told that no case of that type had arisen.

A question also arose about possible recourse for patients who claim that a mistake of some kind had been made in their medical care. We learned that individuals who believe that they have been harmed by errors in medical treatment or care can present their case to a Commission on Medical Ethics which determines an appropriate remedy in such situations.

A significant number of the workers we met with were retirees who have remained actively involved in the work of the clinic and other health care programs. Educational programs that offer training in computer technology, managerial skills and other fields are actively staffed by retirees with strong support from the various unions. Retirees are working to recruit others to continue to offer their services and skills to the community.



Photo by Joshua Rubinsky

Retiree speaks to delegation regarding the role of retirees in service to the Clinic

We visited the clinic's emergency room, which opened last February, and talked briefly with one of the ER doctors on staff. He explained that the ER operates on three shifts and sees patients as an initial intake matter, referring the more serious cases to the main hospital located about five minutes away. Ambulances are available to transport these patients when needed. Some of the typical problems treated in the ER arise from traffic accidents, as well as from complications from health conditions such as diabetes or hypertension.

While impressive and dedicated staff, modern facilities and important medical technological advances are offered at the polyclinic, we also learned about the significant limitations and difficulties presented by the U.S. blockade which has deprived, or greatly limited, the government's ability to provide badly needed medicines, medical supplies and equipment and medical technology. These shortages impair effective health care delivery

and cause documented harm to the population. Despite these severe hardships, however, provision of quality medical services and care to every citizen continues to be a top policy priority, and our experience in Pinar del Rio provided a very dramatic demonstration of Cuba's commitment to health care as a basic human right.



Photo by Mike Whalen

**F. La Majagua Farmers' Basic Unit of Cooperative Production (UBPC)
By Mike Whalen, Marie Steinbrenner and Lisa Brodyaga**

“Continuing Evolution of Agricultural Structure in Cuba”

After the revolution, agricultural co-operatives were established in Cuba. In 1959-60 there were some 881 co-operative farms in Cuba averaging in size about 200 - 300 hectares (one hectare = 10,000 square meters or 2.471 acres).

In May of 1961 sugar cane co-ops voted to become state farms with workers being employees of the state/farm.

In 1961-62 small agrarian societies formed. There were approximately 229 of these farms which were formed as small private farmers agreed to work their individual plots together, sharing farm equipment. Many of these smaller operations failed--some due to lack of experience of those given land after the revolution and some due to the government's focus on the creation of state farms.

In 1975 the government encouraged farmers to form co-operatives similar to the agrarian societies but larger. By the decade of 1970-80 over 100 of these agricultural production cooperatives (cooperativas de produccion agropecuaria or CPA) were formed. Most were better equipped than the agrarian societies with schools, medical clinics, vacations and retirement plans. Those farmers who owned the land donated it to the co-op and were, over time, paid by the co-op for the value of their donated land. While these co-operative efforts began by joining small farms and small private land holdings, they were later joined by landless farm workers, mechanics, welders and professionals like accountants and agronomists.

By 1983 there were some 1472 CPAs with 82,000 members. By the year 2000 there were 1146 CPAs with 61,083 members. Approximately 90% of the decline in memberships was due to retirements.

The fall of the Soviet Union in the 1990s and the crisis caused by the end of its subsidies to Cuba brought to the fore the inefficiencies of the large state farms. From this reality were born the UBPCs, or units of basic cooperative production. In 1995 there were some 2855 UBPCs with 260,000 members. Of the 2855 UBPCs, 1415 were devoted to sugarcane production and 1440 to other types of produce. The main difference between the UBPCs and the CPAs is that UBPCs are not created by small farmers coming together to work the land but rather were formed by breaking up the large state owned and operated farms. The land remains the property of the state, but the co-op members have more control over production. Quotas are set for production, with the state guaranteeing the price for the quota. The co-op may then sell anything over the quota to the government, in local markets or distribute it among the members.

Today, CPAs and UBPCs cover roughly 56% of Cuba's farm land with the remaining 44% divided evenly between state farms and private farms.

In 1993, the government set up rules for transforming state farms to UBPCs. These rules were intended to create a relationship between the worker and the land worked, to raise the standard of living by both increasing production for consumption by the worker and improving housing, to link income with production and to give the co-op autonomy in administration and production. Subsequent legislation granted the co-op ownership rights to the means of production and the crop, provided for open-ended use of the land while assuring that it remained the property of the state, allowed for the sale of crops to the government or authorized agencies, and set up direct elections by the workers for the administration and board of directors of each UBPC.

Subsequent studies revealed five basic ways through which members are motivated to improve production: advanced earnings (wages paid in advance of harvesting the crop), share of the co-op earnings (share in the crop surplus), share of the crop for consumption by the members, ability for individual members to cultivate family plots, and member ownership of farm animals.¹

The Majagua co-op, a UBPC, was formed on October 16, 1993 with five basic goals:

First, to solve the housing problems of the farm workers.

Second, to promote self sufficiency. This includes producing their own seed, as well as much of their own food, and development of housing.

Third, to connect the workers to the means of production; here, the land and its fruits. As the NLG research team learned last year during a visit to a citrus cooperative, this heightens the workers' sense of dignity, producing many intangible benefits, best expressed by the old saying, "el ojo del amo engorda al vecero," or, "the master's eye fattens the calf."

Fourth, to work the land using animals rather than machinery. Not only had the fuel and spare parts supplied by the former Soviet Union dried up, but oxen are more efficient. They don't compact the soil the way heavy machinery does, and are far less likely to damage the tobacco plants. Also, the by-products of raising and working with oxen are food and fertilizer, rather than pollution. Fuel efficiency is also gained by their use of a natural, rather than a mechanical, drying process.

And fifth, to produce good economic results.

Majagua started with 45 members and now has 80, with an average earning of 3,000 pesos a year. Frequently, entire families will work at the co-op, each earning an individual salary. Based on individual worker preferences, the men generally work in the fields, and the women in the tobacco barns. This can bring household income to 10,000 pesos a year or more. At harvest time, brigades are brought in. They are paid a basic salary of 250 pesos a month, but can earn up to 350, with incentives.

There are seven trade unions represented on the farm. The union leadership is composed of a five member board, including three representatives of the field and barn workers.



Photo by Mike Whalen

Tobacco Worker Elpido Luis Vinedas hanging tobacco in barn

One such worker is Elpidio Luis Vinedas. Elpidio has been working in tobacco for 42 years. He didn't much care for the state farm period. He refers to those times as the time of the Russians. "It was a bad time," he explained.

Elpidio has been a member of the UBPC for 8-9 years. The main difference he sees with the UBPC is the money. "Some here earn 10-11 pesos a day with the opportunity to earn as much as 20. And it is regular. We're paid every month plus a share of the surplus at the end of the year.

Workers' income depends both on quality and quantity. They are paid based on their contribution. Each production unit sets its own production plan: the workers participate "100%" in this process. The coop is open to city people as well, but membership is limited by available housing.

Asked if he had owned his own land before, Elpidio answers yes. "But there was never anything left. The cost of productions was more than what I could sell my crops for. Now we have not only more income but we grow our own food as well as the tobacco crop."

Only the primary crop of the UBPC, here tobacco, must be sold to the state. Secondary crops can be used by the members or sold.



Photo by Joan Hill

Workers at Hotel greet delegation

G. Meeting at Hotel Jazmines in Vinales, Cuba by David Elsila

Introduction

When three tourists complained that money had been stolen from them during a stay at the Hotel Los Jazmines in Vinales, Cuba, management and the CTC-affiliated union took immediate steps to resolve the complaint.

Upon their return home in 2003, the tourists had sent their complaint in a letter to the home office of the Horizontes hotel chain, a publicly owned enterprise based in Havana with which the Hotel Los Jazmines is affiliated. Officials there directed the local management and union at the Los Jazmines to investigate the charges.

The Grass Roots Organ of Labor Justice (OJLB) reviewed the charges and interviewed the workers. It issued a ruling that there was no evidence that workers were involved in such a theft. The workers, the OJLB ruled, were of “high prestige” and were considered very good.

This was one example of how the OJLB deals with complaints or grievances involving the workers at this beautifully situated hotel overlooking the Vinales Valley, about a two-hour drive west of Havana. The hotel has 67 rooms and 16 cabanas, a large pool, and a collection of shops.

We met with hotel manager Javier Chavez and officials of the trade union and OJLB during our brief visit. They told us that during part of each year, 10 rooms are set aside for rental by Cubans; the rest of the rooms are reserved for international tourism. Our

group noted one Cuban couple that had been married the day before in Pinar del Rio and who were now celebrating their honeymoon at the hotel.

“Our final goal,” said Chavez, “is to benefit the income of the state and to benefit our staff at the same time.”

Grievance Procedure

As at other publicly owned enterprises that we researched, workers have a system to resolve complaints where the first step is conciliation or mediation between workers and management. While most cases are settled at that level, workers may take unresolved issues to the OJLB for a ruling. Most of the cases involve administrative discipline; some involve work assignments. There were no complaints related to salaries or working conditions. In one recent period, 22 administrative discipline cases were appealed to the OJLB. Of 12 where appeals were heard, 10 were sustained. In one case, the OJLB ruled that the administration had sufficient reason to discipline; in another case, the OJLB issued a mixed decision.

The results “come out of the reality that our justice system has worked for both workers and the administration,” said one OJLB member. “If there is no violation of rules, then conditions of work won’t be a subject of complaints.”

Our field-research team asked about complaints from clients, noting that this can often be an area of tension between customers and staff. We were told that “clients are always important to us” and that every effort is made to resolve complaints in a responsible way. The hotel is sometimes overbooked, as it was during our visit, and clients may have to be shifted to another similar-class hotel nearby.

Tips

Because most of the business of this hotel is done in convertible Cuban pesos, known as CPCs, it’s common for the staff to receive hard-currency tips. These tips, we were told, are shared among all the staff so that behind-the-scenes workers such as cooks also benefit from them. The staff is encouraged to make voluntary donations to social projects from their tips. Last year, they gave \$1,998 for use in health care. When asked whether there had been any changes in policy with respect to the receipt of tips following the announcement of ministerial Resolution 10, the workers all indicated that there had not.



Photo by Joan Hill

Delegation members after completing orientation program at CTC.

III. Conclusion **By Dean Hubbard**

The 2005 NLG delegation, though smaller than some in years past, encompassed a broad diversity of views, locales, and areas of labor relations expertise. In addition, the delegates demonstrated an unprecedented seriousness of purpose. Perhaps it is for these reasons that the quality of this year's exchange was so complex and rich. It is our hope that this complexity is reflected in the report. While our research was undertaken in a spirit of solidarity, we visited Cuba with eyes and ears critically attuned, and have not flinched from reporting what we saw and heard.

Despite the divergence of our views on many issues, at the end of our visit, each member of our delegation agreed on one fundamental point: The more than four decade long blockade (or embargo if you wish) of Cuba by the United States is immoral, illegal and must be ended. It should be vigorously opposed by the U.S. labor movement.

It is deeply hypocritical for the United States government to attack Cuba's record on workers' rights and trade unionism at a time when U.S. private sector union density is under 9%. Our law places such severe limitations on concerted activity and obstacles to organizing by unions that Human Rights Watch has concluded that the fundamental human right under international law to workers' freedom of association is "systematically violated" and "under severe, often buckling pressure" in the United States. (Human Rights Watch, *Unfair Advantage: Workers' Freedom of Association in the U.S. Under*

International Human Rights Standards, 2000. Available on line at http://hrw.org/doc/?t=usa_labor .)

As we have remarked in previous reports, the U.S. labor movement has a demonstrable self-interest in normalization. Workers in the United States will benefit, especially if Cuba as a society retains its commitment to protecting the livelihoods of its working people. If the blockade is lifted, not only will increased exports result in an improved trade balance (and presumably a corresponding increase in U.S. employment), but more importantly, Cuba's improved ability to contribute to the economic well-being of its working people will strengthen its network of social protections, proving a significant disincentive to any U.S. investors inclined to outsource jobs to Cuba simply to obtain cheap labor.

On the other hand, workers in the U.S. will suffer if Cuba becomes just another unregulated outlet for transnational corporations to drive down the cost of labor, just another partner in the race to the bottom, which would undoubtedly occur if Cuba abandoned its socialist ideals in favor the neoliberal capitalist model which has permeated most of the rest of the world.

The former scenario is far more likely in a context of genuine transnational labor solidarity. The continued rhetoric from sectors of the U.S. labor movement calling for a "transition" to an "independent" labor movement in Cuba is not only a Cold War hangover, it is chimerical. The argument that unions operating under a capitalist model are by definition "independent," while any functioning within socialism are automatically rubber stamps for government oppressors, is a superficial generalization at best. More important, such arguments, when reflected in official policy, are a significant and unnecessary impediment to building cross-border solidarity.

In our view, the most important thing the U.S. labor movement can do is continue working to build a strong and truly independent labor movement at home, and leave it to the Cuban people to determine the type of labor movement and government they wish to have. Certainly, trade unionists of both countries have much more to gain from respectful and honest dialogue than they do from clinging to a moribund Cold War ideology.

Appendix A

PARTICIPANTS

*Labor and Employment Lawyers, Trade Unionists, Labor Scholars,
and Labor and Employment Professionals*

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The authors also wish to acknowledge the following publications consulted in addition to field research:

Debra Evenson. 2002. *Workers in Cuba, Unions and Labor Relations*. NLG/Maurice and Jane Sugar Law Center for Economic and Social Justice

Guillermo Ferriol Molina. 2001. *El Derecho Laboral en Cuba: Fundamentos, Actualidad y Perspectiva*, Central de Trbajadores de Cuba.

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Participants Comments

“The interaction with Cuban labor lawyers was particularly helpful to me. Including them with us on most of our travels was a good idea. I was interested in what they do compared to us. This trip gave me some more input into the similarities of their work to that of U.S. labor lawyers. ... This was my second visit. I feel that I have a lot more to learn and will certainly be back.”

*Joshua Rubinsky, Attorney
Philadelphia, Pennsylvania*

“I came back with a renewed appreciation for how the Cuban experiment proceeds to move the economy forward not on the backs of workers but with their help and participation, as seen in the workplaces we visited. ... there seemed to be a genuine engagement by workers in plotting the future of their enterprises. I was interested in seeing how retired workers are integrated into society, both by having the opportunity to serve as consultants to their workplaces and by receiving higher education opportunities.”

*David Elsil, Labor Educator
Detroit, Michigan*

“...[A]n understanding of the Cuban educational philosophy helps clarify a number of issues, including the extent to which Cubans actually view management and labor as striving for the same goals, rather than as being inherently contradictory.”

*Lisa Brodyaga, Attorney
San Benito, Texas*

“...[F]or me, the Cuban revolution, with all its contradictions and its warts, represents one of the only remaining beacons of light on the horizon in this world. Each time I have visited Cuba (1985, 2001 and 2005) I have been most impressed with the leadership’s ability to see the Cuban revolution as a ‘work in progress,’ rather than as a ‘final product.’ And I have been equally as impressed with the ability of the Cuban people to continue to move forward, in the face of the U.S. government’s unabated desire to destroy the revolution, politically, economically and ideologically.”

*Julie Hurwitz, Attorney
Detroit, Michigan*

“I was particularly surprised that there were so many questions regarding the difference between rank-and-file workers and management in Cuba. I was struck by the intent to compare between U.S. labor relations law and the Cuban experience. All protections seem to be covered in their constitution, including issues of human rights—something we don’t have here.”

*Diana Bustamante, Worker Advocate
Le Mesa, New Mexico*

Appendix B. Special Reports



Photo from Cuban Connection, www.cuba.tc

Rio San Juan, Las Terrazas, Pinar del Rio

Las Terrazas is in the middle of an internationally recognized biosphere, located in the eastern area of Pinar del Río Province, and is an example of a sustainable community. The area is in the Sierra del Rosario, about 50 km from Havana. The area was first developed in the late 1700s as coffee plantations but subsequently, after the richness of soil was depleted, and major deforestation by French colonial coffee plantation owners, the land has been terraced and undergone reforestation.

The town was built in the early 1970s and developed to employ the nearly 1,000 residents. Ecotourism offers employment to a many of the families in the area. It was necessary to convince the peasant farmers (*campesinos*) to relocate and form this small village and agricultural cooperatives. Educational programs for students across the country are available through the ecological study center just east of the main city and hotel area.

The eco-tourist area includes a lake (with paddle boats), swimming and the natural pools (los baños) of Rio San Juan. Day picnic areas are also available, as well as overnight cabanas. Mountain climbing and hiking are also available. Development is undertaken with caution to make sure it is consistent with preserving and restoring forests and nature areas.

A museum of the area, including old photographs and equipment used in the coffee harvest is located in the community. Pictures of the early reforestation programs, under the revolutionary ideals of Fidel Castro, are also on display. Some would argue that Las Terrazas represents the essence of what the Cuban Revolution has been about since 1959.