Gendered Injustice

The Struggle of Women Flower Workers in Colombia

This document is based on contributions, reports and testimonies from people on the ground, including flower workers, trade unionists, and activists, mainly in Colombia, and on a combination of independent research, public materials, and company documents.

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GENDERED INJUSTICE

In the U.S. we are used to imagining flowers as a gift sitting on a tray accompanying a lovingly prepared breakfast in bed or at the beginning of a romantic evening out. However, late-starting mornings or romantic evenings that extend into the wee hours are not a part of a flower worker's life. The majority of flower workers around the world are women who get up as early as 3 a.m. or 4 a.m. to get breakfast and lunch ready for their children before taking company buses to start their workdays at 6 a.m.

Flower workers exiting the bus that brings them to and from the plantation.

Traditionally, flowers are a symbol of purity, reconciliation and new birth or healing. We wait for blooms to show us that spring has arrived, and give gifts of flowers to demonstrate love, friendship and forgiveness. We are accustomed to finding a diversity of flowers from all corners of the world at our local florist or grocery store year round to offer our loved ones at any given time. Rarely, however, do we ask if these flowers are offering a similar healing effect where they are produced.

Cut-flowers are produced in artificial conditions using heat to force them to bloom, harsh chemicals to keep them perfect and long-lasting, and labor intense work days by thousands of workers to assure that they arrive to their final destination without blemishes. A majority of the flowers available in the U.S. throughout the year are not grown domestically, but rather are imported from other countries around the world with more temperate climates; 60% of U.S. cut-flowers come from Colombia. In fact, an industry guidebook written in 1993 in collaboration with Colombian banks highlights these climatic aspects promoting Colombia among investors stating, "The climactic conditions of the country are ideal with plenty of sunshine, few frosts, and barely any seasonal change in temperatures so that flowers can be produced all year round without any heating or cooling costs."[1]

The guidebook also highlights another feature, *"In addition, there is a ready supply of* ***cheap female labor*** *[emphasis added] for sorting and packing the flowers."*[2] The ugly underside of the Colombian flower industry is the exploitation of its largely female workforce who toil long hours for meager pay and are exposed to harmful pesticides.

This booklet provides an introduction to the Colombian flower industry, its exploitation of women, and the struggle of Colombian flower workers for justice, as well as what we in the U.S. can do to support these workers.

CHAPTER 1:
THE COLOMBIAN FLOWER INDUSTRY

Members of Untraflores flower worker unions march to demand better contracts

In 2005, the Colombian flower industry provided 111,000 jobs directly (growing, harvesting, and packaging flowers) and an additional 94,000 jobs indirectly (transporting). The industry relies on labor supplied by rural women, indigenous communities, economic migrants and people displaced by war.[3] The cut-flower industry is the largest employer of women in the Bogotá region, largely because there is a lack of other salaried jobs. Labor expenses represent about 50% of production costs[4], with most workers solely earning Colombia's minimum wage of approximately $215 US per month. Administrative and supervisory staff tend to be male, middle-class, and light-skinned mestizo, with female staff in lower ranking positions; plantation owners are usually male, white, educated and members of the upper class.[5]

Colombia is the world's second largest exporter of fresh-cut flowers, with a 14% global market share, and is the largest exporter to the United States. As noted, around 60% of the flowers sold in the U.S. come from Colombia. Consumers in the U.S. spend over $18 billion on flowers annually.[6] According to Asocolflores, the trade association in Colombia that represents most flower growers and exporters, 85% of Colombia's flowers were sold to North America, 9% to the European Union, and 6% to other countries in 2004-2005. Nearly 300 national and foreign companies[7] operate in the Colombian flower sector. Most flower production in Colombia is located just outside of the capital, in the Savannah of Bogotá, in some of the municipalities of Cundinamarca (Facatativa, Madrid, Funza, Zipaquirá, Chia, Suesca, among others), where 90% of Colombia's flowers are cultivated. Production also takes place near Medellín, in the Antioquia

Province. These areas are ideal due to their high quality soil and close proximity to major airports.

Colombia began specializing in cut-flowers in the 1960's. The industry then expanded on a larger scale in the 1980's, in part because of the availability of an economically and socially vulnerable female labor force willing to work for low wages. In order to accommodate this expansion and compete in the global market, Colombia adopted privatization, trade liberalization, and labor deregulation policies. Colombia lowered tariffs and corporate taxation and pushed for foreign investment and "labor flexibility." Labor flexibility is the process of weakening labor laws, for example, by allowing easier use of temporary contracts and sub-contracting, reduced severance pay, lower overtime payments, and easier contract termination.[8] In other words, Colombia opened the door to foreign investment, and slammed the door on fair wages, safety and respect for workers.

The international consumers "are buying the sweat of many workers." **(CACTUS)**

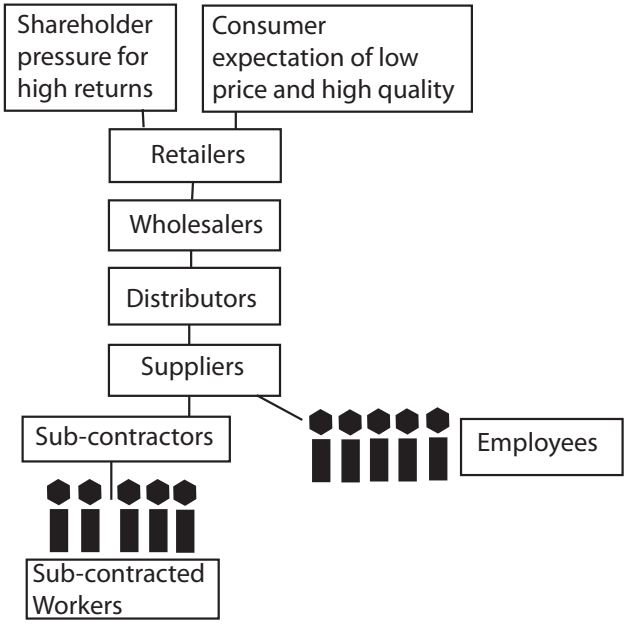
A major driving force in the growth of the flower export sector in Colombia (as well as next door in Ecuador) was a new U.S. trade program introduced in 1991 that provides duty-free treatment for fresh-cut flowers exported from Andean countries. Originally entitled the Andean Trade Preferences Act, it was later expanded as the Andean Trade Promotion and Drug Eradication Act, reflecting its stated objective to provide alternatives to coca production. These programs have helped make flowers Colombia's fourth largest export to the U.S. (while effectively wiping out the U.S. fresh-cut flower industry).[9]

The International Monetary Fund (IMF) and the World Bank promoted cut-flowers as a development strategy for rural poor people, and women in particular, to provide them with jobs in order to lift them out of poverty. They also promoted cut-flowers as a way to counteract Colombian coca production. However, instead of lifting people out of poverty, this development strategy institutionalized an exploitation cycle. While the flower industry does provide many people with jobs, these jobs are unsafe, unreliable and unjust. It is important to understand how trade between the U.S. and Colombia contributes to this cycle of exploitation, specifically by examining the flower supply chain.

The business sector defends the flower industry by stressing the number of people the industry has employed, claiming that the industry has stalled coca production and provided large profits that positively impact the country. Nevertheless, statistics show that coca cultivation has remained essentially the same over the last several years.[10] Furthermore, cash crops, like flowers, often replace food staples and increase communities' dependency on market sold foods and their fluctuating prices instead of locally grown crops.

The business sector's discourse strategically avoids the issues of workers' and human rights by using the flower industry as a symbol of national success. Even the Colombian government itself uses a similar argument

The Flower Supply Chain



to defend international investment and trade, and utilized it during Colombia's push for the U.S.-Colombia Free Trade Agreement.

Academics Caroline Wright and Gilma Madrid point out how owners and investors seek to protect their interests and neglect the impact their actions have on workers by framing the discourse on the cut-flower industry in national terms:

"…employers invoke public gains or losses not private ones; the success of the industry is represented in national terms, not in relation to owners' profits, and the threat to profitability is represented as a threat to the whole economy, not to company owners."[11]

Since the Colombian flower export expansion in the 1980's, demands for speed, quality and overtime have increased. This is partly a result of the supply chain between the U.S. and Colombia, or the process of getting flowers from the greenhouses in Colombia to the supermarket shelves in the U.S. Flower workers are positioned at one end of this supply chain and consumers at the other end. The middle of the supply chain consists of the suppliers (flower plantations), distributors (shipping companies that transport the flowers), wholesalers, and retailers (supermarkets). Retailers are under pressure to provide consumers with a cheap and quality product, and to provide their shareholders with high returns. As a result, suppliers are pressured to ensure perfect flowers at high output levels and employ cheap labor to cut costs.

The worst of this downward pressure falls on the flower workers and their families. Many scholars and experts are concerned about how global supply chains contribute to the development of poorer nations and inequality, and in particular gender inequality.[12] Global supply chains are not just a bundle of boxes, trucks and airplanes; they are a chain of human interaction that has a very real affect on human lives.

CHAPTER 2:
ADVERSE WORKING CONDITIONS

A worker applying pesticides at a flower plantation

Working conditions on flower plantations are difficult, to say the least. Long days, starting just after dawn, of working in plastic tents where pesticides and heat are used to promote timely growth create intense working environments. In addition, the companies' continual efforts to reduce costs lead to a variety of tactics including sub-contracting, short term contracts and understaffing in peak seasonal periods so that those who are contracted work extended hours. The salaries that workers receive are not sufficient to cover basic living costs. All of these factors lead to unsustainable working conditions that workers in the flower sector accept only because there are few other economic options.

Health and Safety Problems

Anyone who has tried to grow flowers, especially species such as roses, knows that they require specific environmental conditions in order to bloom and are extremely sensitive to infections and pests. Companies that export these flowers do all they can to limit these threats to perfect flowers by using strong pesticides and fungicides, plastic tents, and smoke to force blooming. About 20% of the chemicals used in Colombia are carcinogens or toxins whose use has been prohibited or restricted in Europe and North America. Most of the pesticides and fungicides used in Colombia are exported from the United States, where they are illegal.

Workers who apply pesticides and fungicides are rarely trained adequately in safety, and companies do not necessarily provide protective clothing or masks.

Frequently, these chemicals specify that workers should not be in the enclosed areas for 24 hours after spraying, yet most often companies do not respect this limitation. Many times, workers must reenter the greenhouse just minutes after spraying is completed. As a result, these toxins have produced illnesses for men, women and their children including dizziness, headaches, cramps, rashes, impaired vision, and skin discoloration. The use of these chemicals has contributed to birth defects, miscarriages, asthma, neurological problems and sterilization.[13]

Most of the pesticides used on Colombian flower plantations are prohibited in the United States.

Additionally, the clear plastic tents built to protect the flowers cause a working environment wherein workers frequently are exposed to drastic temperature changes due to the increased heat and high humidity inside the shelters and the cool temperatures outside. These shifts often cause respiratory infections among workers. Repetitive motions from cutting and classifying flowers and high productivity levels lead to back and muscle pain, leg and knee problems and carpal tunnel syndrome.[14]

Inadequate Wages

At the same time, labor laws and labor protocols applied to workers hired by flower companies have degenerated to limit provisions for healthcare, food and travel subsidies, and salaries. Low wages are now stretched even farther because in 2002, Colombia reformed its labor laws to lengthen the official working day and reduce overtime pay for work on Sundays and public holidays; these changes leave the average woman flower worker earning $21-25 less per month.[15] Colombian flower companies deduct the necessary social security percentages from workers' pay checks for healthcare coverage and retirement pensions, but often do not actually send this money to the social security system, leaving workers without coverage in the case of healthcare needs and without pensions when they retire.[16]

Generally, flower workers earn the legal minimum wage or slightly more, equivalent in 2009 to approximately $215 US per month, but it is not enough to cover a family's basic monthly expenses. While the Colombian monthly minimum wage in 2009 is 495,000 pesos, the minimum needed to live on according to the government is 597,000 pesos for a family. The gap is even more dramatic when compared to the retail value of flowers: while a day's work pays flower workers approximately $8 US or less, the flowers picked by that worker and classified in that day will sell for between $600 and $800 US retail.[17]

Long Hours

As if this was not enough, workers are more likely to suffer worse conditions during the high flower selling seasons in the U.S., such as Valentine's Day and Mother's Day. Industrial and technological advances allow flowers to be cut, packaged, and shipped within 24 hours from Colombia to the U.S. For people in the U.S. to be able to buy and receive some of the freshest flowers, most flower workers in Colombia are being forced to work 12-15 hours a day to meet demands for these special holidays. Under Colombian law, a company can obligate workers to work overtime to meet their orders so long as the company has a special permit from the Ministry of Social Protection.[18] For most women workers, these special permits mean less hours spent with their children and a rush to find childcare at the last minute. Labor law reform in 2002 contributed to the further exploitation of workers and by changing the start of night work hours, which pay at a higher rate, from 6 p.m. to 10 p.m.[19]

A Day in the Life of a Flower Worker:

In low season, workers at the plantation regularly work about 50 hours per week. The high season workweek is often 70-80 hours. Men report waking up around 5 a.m.; for women it is often as early as 3 a.m. in order to finish housework, feed their children and prepare them for school. The bus arrives between 5 and 5:30 am.

Once at the plantation, they put on their work clothes, and must be in position when the bell rings at 6:15 a.m. The post-harvest section, in which flowers are sorted by quality and color, employs only women, while the cultivation and packing sections mostly employ men.

The number of hours worked daily depends on the worker's department, but a typical worker will stay at work during the low season from 6:15 a.m. until 3 p.m. Monday through Friday, and 6:15 a.m. to 1 p.m. on Saturdays. They are allowed 30 minutes for lunch and at least one 15-minute break. During the high season, workers report working 14 or 15-hour days. They begin work at 6:15 a.m. and often stay until 10 or 11 p.m. At the end of the day the workers return home in buses, then start all over again the next day.

--www.usleap.org

CHAPTER 3: EXPLOITATION of WOMEN

Female union leaders meet at an executive committee meeting

The majority of workers in the flower sector are women: 65%.[20] This fact leads to the questions:

- Why?
- How do working conditions in the flower sector specifically affect women?

There are a number of reasons why women make up the majority of flower workers, but the principal reasons are because women make up a large available labor source in Bogotá's Savannah and are thought to be easier to exploit. Thus, women generally earn 14% percent less than men for the same work, and more commonly receive seasonal, contractual work than men, who are trained for year-round positions.[21] At the same time, companies assert the belief that women are better at handling flowers because they are more delicate, an assertion that reaffirms gender stereotypes and relegates women to the lower paid positions in the sector, while men are trained in more technical skills and therefore contracted on a permanent basis.[22]

Women who are employed in the flower sector have specific needs due to the gendered distribution of power: most women must combine this paid work with unpaid domestic work and childcare. When considering the role of women in union organizing, this becomes a triple work day with a disproportionate responsibility for household chores and childcare. Furthermore, almost a third of the women in the flower sector are single mothers who are trying to make ends meet with the minimum wage.[23]

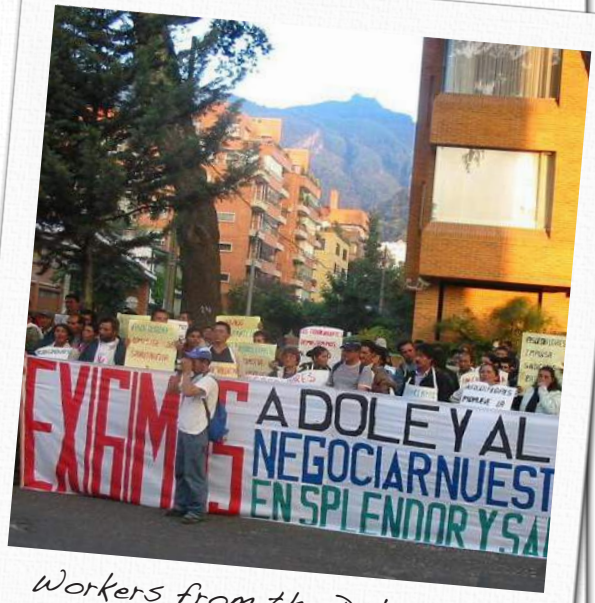
Additionally, there are gender-specific abuses against

women. One study concluded that more than half of women flower workers have experienced some form of sexual harassment in their workplace.[24] Furthermore, because of the precarious situation of many of these jobs, sexual harassment cases are rarely reported for fear of dismissal, and many women are threatened or simply unaware of their rights in their workplace.

Another arena of abuses is maternity-based discrimination. Many companies have required women to take pregnancy tests before signing contracts in order to avoid providing maternity leave. In a study of 1,400 Colombian women flower workers conducted by the Colombian NGO CACTUS, 85% were obliged to have pregnancy tests prior to hiring, a violation of Colombian labor law.[25] Additionally, many workers are fired when they become pregnant, despite labor law that stipulates maternity leave and easier work loads during pregnancy.[26] The instability of temporary or sub-contracted work leaves a legal loophole where women who become pregnant are not re-contracted nor do they receive maternity leave benefits.

Union organizer Stella Orjuela at a protest against Dole.

CHAPTER 4:
VIOLATIONS of the RIGHT to ORGANIZE and COMMON ANTI-UNION STRATEGIES



Workers from the Dole flower plantations demonstrate to demand a contract

Organizing independent unions is central to the defense of key workers' rights and to the struggle of improving working conditions. To take one example, unionized banana workers in Latin America typically make $10 a day plus $10 a day in benefits, with a voice at work. Non-union banana workers typically earn $3 a day, with no benefits, and no protections.

Unfortunately, few workers in Colombia belong to unions, partly out of fear of losing their jobs or even their lives. Colombia still stands as the most dangerous place to be a trade unionist, and Colombia's sky-high impunity rates leave little hope that the judicial system will bring justice to those who fight for their rights as workers.

The Colombian flower industry has been almost completely non-union, characterized by a lack of respect for core workers' rights, most fundamentally freedom of association, the right to organize, and the right to bargain. The Colombian flower industry has a long history of vigorous and effective opposition to the formation of independent democratic unions, using a variety of tactics to block union organizing, including illegal firings, threats to close plantations where workers are organizing, anti-union discrimination, black-listing, subcontracting, creating competition between workers, and pressuring workers to join company-promoted unions. The hiring of young women (usually migrants and immigrants) is also a tactic intended to minimize worker resistance.[27] It is equally important that women flower workers are empowered to defend their rights against a gendered system of discrimination and exploitation by becoming leaders and active members in the flower labor movement.

Employer opposition to worker organizing is aided and abetted by the Colombian government, which frequently acts in collusion to deny workers their basic rights. For example, the Colombian government will go so far as to routinely accuse unionists of having ties to guerillas as a way to defend the nation's abominable record of violence against trade unionists, and as a strategy to control the overall national perception of unions.

Temporary Contracts

Labor law changes in 1990 legalized the hiring of employees under temporary contracts for permanent jobs.[28] The law effectively allows companies to repeatedly hire workers for a short period of time, continually canceling contracts and rehiring them. This results in high-level job insecurity, and many workers are forced to migrate in search of work, hindering the formation and growth of unions by cutting off collective worker resistance and community organizing. Women are more likely than men to be hired under temporary contracts, and are therefore more vulnerable to abuse, discrimination and exploitation.[29] Workers on temporary contracts are legally allowed to join unions; however, if they do, they run the risk of not being rehired after their contract expires. The same risk applies when temporary workers report grievances. Workers under temporary contracts do not receive health insurance, vacation, or social security, even if they have been employed at the same plantation for years.[30]

Sub-contracting

The tactic of subcontracting employees also hinders freedom of association and allows employers to avoid providing benefits. Under Law 79-1988 and 10-1991, it is legal for employers to hire workers through service cooperatives and subcontracting agencies, based on fixed-term and fixed-pay.[31] Subcontracted workers are not allowed to unionize, and employers argue that they are not 'employees' but 'associates', and therefore are not entitled to the same rights under Colombian labor law.[32] According to members of the union UNTRAFLORES, subcontracted workers also face up to 16-18 hour workdays. Many companies even pressure their workers to resign and join a cooperative or face dismissal. According to a 2006 survey done by the Colombian NGO CACTUS, 66% of the flower workers are directly hired by companies while 34% are subcontracted – 21% through temporary agencies, 8.7% through the associated work cooperatives and 4.3% through contractors.

Government Collusion

Not only are the working conditions and industry tactics tough obstacles to overcome in order to organize a union, but also the legal process of registering a union has its own bureaucratic hurdles. In order for unions to be legally recognized, they must register through the Ministry of Social Protection (MSP), which can take months or even years. The MSP typically favors company interests over those of workers and their unions. In a case involving the union at Dole Flowers largest plantation, the MSP initially delayed the union's registration, which allowed the company-favored

union to sign a contract and block the independent union. The MSP also never intervened or investigated the company's anti-union campaigns.[33]

Once independent unions are legally recognized, companies will seek to undermine them by providing certain benefits, such as food and transportation subsidies, to non-union workers, which is legal under Law 50 of 1990.[34]

If none of these tactics succeed in destroying an independent union, large companies will sell and close down a plantation to avoid further unionization. After the announcement of the liquidation of the property and the firing of all workers, management will then hire a new group of workers under temporary contracts. This is a common strategy in Colombia and elsewhere to ensure that workers cannot organize and that workers with seniority do not receive higher wages.

CHAPTER 5: WORKER RIGHTS, VIOLENCE, and COLOMBIA

"DANGER: Do Not Enter, Fumigation Area"

The Republic of Colombia, with a population of about 45 million people and Latin America's fourth largest economy, is also home to Latin America's longest running armed internal conflict.

The Armed Conflict

Colombia's armed forces consist of more than 170,000 members in the Army, a Navy with 22, 000, 14,000 Marines, 7,000 soldiers in the Air Force, and the National Police, controlled by the Ministry of Defense, with about 105,000 members.[35] The heavy militarization of the country is related not only to the extensive drug trade, but also to the internal armed conflict that has spanned more than four decades. The conflict began in 1948 as a dispute between two of Colombia's elite-controlled political parties, the Liberals and the Conservatives, but it quickly spread into rural areas incorporating large numbers of peasants. Over the next decade, "La Violencia," a primarily rural conflict, claimed the lives of 200,000 to 300,000 Colombians. The end result was the formation of a two-party power sharing arrangement between the Liberals and the Conservatives, known as the National Front. The arrangement between the two parties, however, excluded large sectors of civil society, leading to the emergence of guerilla groups.[36]

In response to an uprising of peasants that was repressed by the army, the largest guerilla group in Colombia, the FARC (Colombian Revolutionary Armed Forces), was formed in 1964. The ELN (National Liberation Army) guerilla group was also formed in 1964, by Cuban-trained Colombian students. The FARC relies on 18,000 combatants and is

largely financed by extortion, kidnappings, and the taxes it charges coca growers operating in their controlled areas. The much smaller ELN, with about 5,000 combatants, finances most of its operations through kidnappings and extorting the oil industry.[37]

High levels of poverty in the 1970's increased the cultivation of coca among poor farmers. Fast and guaranteed financial earnings allowed the new drug magnates to invest in land to raise cattle and organize paramilitary groups to defend themselves against attacks by the guerillas. Paramilitary groups gained more power during the mid-1980's as more landowners and drug barons financed their operations and the army supported them with training and weapons. The Autodefensas Unidas de Colombia (AUC) is the largest paramilitary group in Colombia with an estimated 20,000 members and deep links to the government. In 2006, the AUC claimed to control 30% of the Colombian Congress.[38]

Despite Colombian President Alvaro Uribe's administration efforts in a controversial process of peace negotiations to demobilize the AUC in 2003, paramilitary groups continue to operate around the country, are more heavily financed by the drug trade than guerilla groups, and are implicitly supported by members of the Colombian government and military, economic elites, and local communities. Nevertheless, the peace process has started to reveal the participation of the AUC in assassinations of union leaders and the close ties between these groups and multinational companies as well as the clear collusion between paramilitaries and members of the government, including the Congress. Paramilitary threats against union leaders, and other sectors of the population, continue even today.

According to Human Rights Watch and other human rights organizations, paramilitary groups are considered responsible for 70-75% of the known political murders in Colombia.[39] The violence across Colombia, caused by the country's civil war, has left up to four million people internally displaced, and another 500,000 to 700,000 Colombians have fled to neighboring countries.[40]

Violence Against Trade Unions

Labor union leaders and those who advocate for their rights are a part of the population of internally displaced peoples. For decades, the Colombian government has been ineffective in protecting the rights of workers. Colombia is known as the most dangerous place in the world to be a trade union leader with more than 2,700 assassinations of trade unionist since 1991 and a 96.7% impunity rate. Between President Alvaro Uribe's inauguration on August 7, 2002 and December 2008, there were 482 documented cases of trade union murders in Colombia; over 50% of unionists murdered worldwide between 2003 and 2007 were from Colombia.[41]

However, violence is not the only factor prohibiting workers from organizing and joining a union. The International Labor Organization (ILO) has highly criticized the Colombian government of failing to enforce its own laws and international labor standards, even though Colombia has ratified all eight of the ILO's fundamental conventions including Conventions 87 and 98 covering *Freedom of Association and Protection of the Right to Organize* and *Right to Organize and Collective*

Bargaining. In the mid-1980s and again in 1990 and 2002, the Colombian government enacted new labor laws aimed to facilitate foreign and domestic investment, reducing labor protections of core labor rights.[42]

Murders of Trade Unionists in Colombia Compared Globally

Over 50% of unionists murdered worldwide between 2003 and 2007 were from Colombia:

Year	Colombia	Rest of World	Total
2007	39	91	130
2006	72	66	138
2005	70	45	115
2004	94	51	145
2003	90	39	129
Total	**365**	**292**	**657**

In 2008, 49 union members were killed in Colombia, increasing from 39 in 2007. Rest of world figures for 2008 were not yet available at presstime.

U.S. AID and TRADE POLICY towards COLOMBIA

Foreign Aid: In 2000, under the Clinton administration, the U.S. launched Plan Colombia, an aid package aimed at reducing illicit drug cultivation and trafficking while supporting social and economic development in Colombia. More than $6 billion in aid has been sent to Bogotá since then with a heavy focus on military aid. Many international human rights organizations have protested the disparity between military aid assistance and social development and humanitarian aid assistance programs. The 2008 aid package provided Colombia with $662 million in aid, of which more than 63% was allocated towards military and police assistance. This actually represents a reduction in the percentage of military aid after years of heavy campaigning against military funding and aerial fumigations of coca crops.

Trade: Colombia's largest trading partner is the U.S. In 2007, Colombia exported 35.4% and imported 26.2% of its goods to and from the U.S.[43] Among the export commodities most traded to the U.S. are petroleum, coal and related fuels, coffee, and cut flowers.[44] In 2006, U.S. goods imports from Colombia totaled $9.3 billion, a 4.7 percent increase from 2005.[45]

Some of this trade is fueled by the Andean Trade Preference and Eradication Act (ATPDEA), which provides duty-free access to the U.S. market for approximately 5,600 products, including cut flowers. Cut flowers are one of the largest U.S. imports under ATPDEA with a customs value of $448 million (2006).[46] According to the U.S. Trade Representative, 3.1 million Colombians are employed in export industries and more than one-in-three workers are employed by companies that export to the U.S.[47] Under the terms of this program, Colombia is required to "provide internationally recognized worker rights," terms that are regularly violated. Members of the U.S. Congress have urged the government to address impunity and violence against trade unionists or face possible loss of U.S. trade benefits.

In 2006, the U.S and Colombia signed a Free Trade Agreement (FTA), but congressional concerns over continuing violence and impunity have stalled the pact despite heavy lobbying by Colombian government and businesses. Among other things, the FTA would make permanent the current trade benefits provided to the flower industry. Consequently, one of the most active Colombian employers lobbying for the FTA is Asocolflores, the Colombian association of flower exporters which represents more than 75% of total flower exports from Colombia.

The labor provisions in the pending Colombian Free Trade Agreement fail to provide adequate language for protecting and enforcing workers rights. The Colombian labor movement and much of civil society are opposed to the FTA because of concerns that it will have a negative impact not only on workers, but also farmers, health care providers, and small businesses.

CHAPTER 6:
FLOWER WORKERS FIGHT BACK

Flower plantation in Colombia

Despite the odds stacked against them, flower workers are fighting back, organizing for fair wages, dignity and justice. Three key Colombian actors are: UNTRAFLORES, CUT, and CACTUS.

UNTRAFLORES

UNTRAFLORES is currently the leading independent, industry-wide organization of unions in the Colombian cut-flower sector, based outside of Bogotá. The organization, which has about 450 members and 7 member unions, is a small but vibrant force that is helping lead to the formation of a growing labor movement within the flower industry in Colombia. Most of the unionists and leaders are women.

UNTRAFLORES was formed in May 2001 in response to unjust working conditions at one of Colombia's largest flower exporters, Agrícola Celestina, currently called Benilda.[48] UNTRAFLORES struggled during its first few years while the company continually used anti-union strategies and illegally fired numerous union members, many of whom were women. Since then, UNTRAFLORES has supported the formation of other unions within the flower sector in Colombia.

The organization also pursues legal procedures to demand the reinstatement of fired unionists, coordinates workshops, and leads an aggressive campaign to educate flower workers about what it is to be a unionist and how to benefit from a union.

Since August 2007, UNTRAFLORES has had some major contract victories. Most recently, the SINTRAPAPAGAYO

union negotiated a new collective agreement with the company Agricola Papagayo, signed on April 16, 2009 after long negotiations. Other recent victories include:

- May 2008: The ASOFLORES union at the Santa Barbara flower plantation near Bogotá became the only independent union in the Colombian flower sector with a contract after signing a collective bargaining agreement with C.I. Pardo Carrizosa Navas y Cia.
- July 2008: Workers at two Dole plantations signed contracts on the Splendor and La Fragancia plantations. These contracts were the only agreements held by Dole flower workers in Colombia, and were the second and third contracts to be signed by independent unions in the Colombian flower sector. Dole sold its flower operations in early 2009 but these contracts remain in effect as of April 2009.

CUT Flower Worker Initiative

In 2009, the largest trade union confederation in Colombia, CUT, initiated a three-year flower worker project with a focus on health and safety. The project, funded primarily by Europeans, also seeks to support worker organizing, and promises to be a major focus of international support work from groups like USLEAP. With short-term goals of training on labor rights, organizing strategies and women's rights, this project aims to stimulate union organizing. Betty Fuentes, who was a flower worker leader and president of her union at the now closed Splendor plantation, is coordinating this project.

CACTUS

CACTUS, independent and non-governmental, is a Colombian-based organization that has the longest standing history in the flower sector, specifically in the savannah of Cundinamarca where the largest volume of flowers is produced in Colombia. After more than fourteen years of research in the region, CACTUS has been able to take that research to the next step in advocating for workers rights and environmental standards by using strategies that range from direct legal services to on the ground organizing that target both public policies and company programs.

CACTUS has offered trainings and organizational support that emphasize an integrated understanding of rights and promotes an understanding of economic, cultural, social, environmental and human rights. One of the most admirable aspects of CACTUS is their ability to train organizers. Women and youth, who have been part of their programs, have gone on to create their own organizations, participate in unions and create youth radio stations. CACTUS, in response, has continued to support this work, but as an ally instead of in a directive role.

Currently, CACTUS focuses on three work areas: communications and participation in local development; women, work and agro-exportation; and water and food overeignty. With programs in each of these areas, CACTUS has expanded beyond the flower sector to start looking at the needs of the people and communities that live throughout Bogota's Savannah. By promoting a more holistic programmatic sphere of action, CACTUS supports communities as they address the ever-growing issues of

labor flexibility, sub-contracting and informal work. Strongly focused on radio communications, their programs build connections and knowledge throughout the communities by promoting community activities and important legal and political information.

Despite broadening their focus, CACTUS continues to support flower workers as they organize to demand respect for their rights.

USLEAP'S ECONOMIC JUSTICE for FLOWER WORKERS CAMPAIGN

The Economic Justice for Flower Workers Campaign is a U.S. Labor Education in the Americas Project (USLEAP) initiative that supports flower workers in Latin America who are organizing to achieve dignity, justice, and fair wages. Since 2005, USLEAP has focused on supporting flower workers in Colombia who are fighting to improve wages and working conditions and to gain respect by establishing unions and securing collective bargaining agreements.

From 2005 to 2008, USLEAP's campaign focused on Dole Fresh Flowers with diverse tactics in support of the on-the-ground organizing by UNTRAFLORES. Email blasts, letter-writing campaigns and protests around the US organized by USLEAP and others provided grassroots support to help pressure Dole to meet the workers' demands.

One element that promoted this campaign was the organization of worker tours in the U.S. in coordination with partners in various cities including Miami, home of Dole Fresh Flowers. Additionally, staff met with Dole executives and facilitated the involvement of a leading member of Congress. In 2008, Dole, then the largest grower of flowers in Colombia, signed its first two contracts with an independent union. Workers won increased pay, improvements in health and safety protection, and educational stipends for their children.

In order to educate the public and policy makers and to create grassroots support for campaigns, USLEAP uses a variety of strategies including visits to policy makers in Washington, DC, including members of Congress, special reports, congressional letters, and the media. Some of the media tools developed and promoted by USLEAP are a 2007 Valentine's Day report, news stories in print, radio and TV, and internet tools, such as the USLEAP web page (www.usleap.org), a blog created jointly with The International Labor Rights Forum, STITCH, and SweatFree Communities entitled "Labor is not a Commodity," and pages on Facebook, MySpace and Change.org.

WHAT CAN YOU DO?

Women flower workers in Colombia are asking consumers and concerned citizens in the U.S. to support their struggle for justice and dignity. There are easy ways you can respond to help make a difference. But perhaps the most important response is to make a long-term commitment because there are no quick solutions to achieving worker justice in the Colombian flower industry. If you've read this booklet, you already know more than most people about the situation of flower workers in Colombia and you know enough to take action. If you have additional questions, contact USLEAP.

EDUCATE OTHERS and GROW the SUPPORT BASE

To obtain the type of changes flower workers want in this industry, we will require a bigger base of support in the U.S. So, one important step you can take is to educate and involve others.

- *Use Mother's Day, Valentine's Day, and other occasions* when people often buy flowers to show your friends, your faith group, women's rights group, or union a video on the issue. Check out USLEAP's YouTube account and web site for videos of interviews with women flower workers in Colombia. You can borrow a one-hour movie available from USLEAP entitled Love, Women and Flowers (Silva, 1985). You can also order extra copies of this booklet for a study session or use other materials from the resource section below.

- *Write a letter to the editor!* Letters to the editor are widely read, and your letter can bring up information not included in an article. Again, you can piggy back off of Mother's Day or other flower-centered occasions to make the point that flower workers, mostly women, deserve a better life.

- *Encourage others to friend us* on MySpace and Facebook and to join USLEAP's Causes, including End Violence Against Colombian Trade Unionists and Support Workers Rights in Latin America, where USLEAP posts updates, articles, and actions! Change.org is also a great place on the web to get involved in not only USLEAP's campaigns, but as well as many other issues.

TAKE ACTION

- *First, check out the USLEAP website* for the latest suggested actions on specific campaigns as well as for on-line versions of the actions proposed below. You can also sign up for our flower worker action alert list.

- *Contact the flower industry.* A sample letter for individuals can be found in our Flower Worker Toolkit on our website, as well as a petition to circulate to others. Both are addressed jointly to the Colombian business association that represents most of the flower growers and exporters in Colombia (Asocolflores) and to one of the leading U.S. business association(s) that represents 20,000 florists in the U.S. (Teleflora).

- *Ask your local florist or supermarket representative* where they buy their flowers and express concern about the conditions faced by flower workers in Colombia and elsewhere in Latin America. Raising questions and concerns at the consumer level can filter up the chain and let employers know that this is an issue of growing concern that should be addressed.

- *Contact your Members of Congress.* U.S. trade policy with Colombia provides specific benefits to the flower industry (see page 19). This trade link can be used to encourage the Colombian flower industry and the Colombian government to improve conditions and respect for basic rights. A sample letter is provided on our website.

- *Don't stop buying flowers!* An understandable first response to hearing about the conditions faced by women flower workers is to stop buying flowers. But flower workers in Colombia and elsewhere want to keep their jobs. Boycotting flowers from Colombia would not help them, unless it's part of a specific campaign requested by the workers themselves.

What About Fair Trade and Other Certified Flowers?

In some stores, including Whole Foods and Costco, you may find flowers certified as socially and environmentally-responsible by Veriflora, Rainforest Alliance, or Fair Trade (Transfair USA). Unfortunately, flower worker unions in Colombia report that there are problems with some of the flower growers in Colombia who have been certified for all these labels. Colombian flower worker unions therefore say that certification by these groups does not at this point assure better respect for labor rights in the production of flowers than from other companies. Groups like USLEAP are working with certification groups to address workers concerns. Check our website or contact our office to see if there has been enough progress that USLEAP is able to endorse Fair Trade or Veriflora flowers. (A separate initiative by the Colombian flower industry, led by Asocoflores, has a label called Florverde but this certification completely lacks any credibility.)

To learn more about the victories and struggles of our partners in Colombia and the U.S. check out not only www.usleap.org but also the following resources:

CACTUS: www.cactus.org.co

International Labor Rights Forum: www.laborrights.org

South Florida Jobs with Justice, Flower Worker Committee: 305.324.1107

Untraflores: www.untraflores.org

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The U.S. Labor Education in the Americas Project (USLEAP) is an independent non-profit organization that supports workers who are fighting for a better life for their families and to overcome poverty in Latin America. We support especially those workers who are employed directly or indirectly by U.S. companies producing for the U.S. market.

USLEAP believes that in a global economy, it is also in the best interests of U.S. workers that workers in other countries have the freedom to fight to improve their wages and working conditions.

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