

## Shoes or sandals? Delphi fires hundreds of women workers instead of giving them safe footwear

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Many Delphi women workers are from Veracruz, they wear sandals all the time due to the tropical climate. Photo Kristen Petros

The workers were upset because they knew that under Article 132 of the Federal Labor Law, the employer must "provide workers as needed with the tools, instruments and materials required to carry out the job, making sure they are of good quality and in good condition and replacing them when they wear out." Article 46 of Delphi's collective bargaining agreement contains similar language. If Delphi says that closed-toe shoes are necessary for the workers' safety, then it should provide them with safe footwear. In fact, Article 48 of the labor contract states that "the company will provide the safety equipment that it considers necessary in accordance with the nature of the work."

July 20, 2006 was not an ordinary day for more than 400 women workers at Delphi. When they arrived at the gates of Delphi's four plants in Reynosa, the guards refused to let them in. What distinguished them from hundreds of other workers is that these women were wearing sandals. Management told the workers right there: they could not come in because they were not wearing closed-toe shoes. In this manner they were dismissed.

Management had been "alerting" the workers for several weeks, insisting on the need to have strong and adequate footwear. The argument was that closed-toe shoes promote workers' safety and prevent electrostatic shocks to Delphi products. In the words of management, "in today's work environment a safe employee is one who uses the correct footwear. The more conservative the shoe, the more appropriate." The workers replied that in that case the company should provide the shoes, but the response of Delphi's managers was that Delphi's recommendation "permits the employees to choose which shoes to wear, which would not be the case if Delphi provided all the shoes." The workers also argued that a closed-toe shoe is not necessarily safer, for example if it is made from thin cloth or leather. Delphi also prohibited shoes with high heels.

Many workers at Delphi and other maquiladoras in Reynosa come from the state of Veracruz, where women, children and men are accustomed to wear sandals all the time due to the year-round tropical climate. Moreover, buying a pair of shoes is not necessarily an easy thing for the majority of workers who are living on salaries of \$40 to \$60 per week. Delphi thinks that it is easy for the workers to go to the store and pay \$20 or more for a pair of work shoes, but the workers' salaries are barely enough for them to buy food. The women workers think that it is unfair to ask them to buy something that principally benefits Delphi.

The CFO is observing that in many maquiladoras in different cities the workers are being forced to pay for necessary work equipment such as gloves, safety glasses, etc, which by law should be provided by the companies. This is happening because the maquiladoras, in their race to reduce costs, are willing to save money at the expense of the health, safety, and wages of their workers.

The workers assert that for several years Delphi has been using a strategy of pressuring workers, especially those with the most seniority, to resign. The company tries to harass them into leaving voluntarily, thereby avoiding having to pay them the legally-required severance benefit. In this case, there were workers who had worked up to 14 years for Delphi.

### 277 workers file a lawsuit; the CTM appears to support them

On the day they were dismissed, a large group of women workers went to the local media to denounce the firings. They also sought out their union, which is affiliated to the CTM, to ask its leader for help. While some workers accepted Delphi's demands and returned to work the next day, a group of 237 workers filed a lawsuit with the Local Conciliation and Arbitration Board claiming that their dismissal was unlawful and demanding reinstatement.

Delphi's most recent strategy insults the intelligence of the workers. The company is making an offer to return to work to some workers, but not really reinstating them - rather, depositing their severance payment in the workers' bank accounts, without consulting the workers, and then calling them to return to the factory. This strategy suggests that the company wants to bring them back as new hires in exchange for a small compensation in cash. This is similar to the bonus that was paid to many workers during the last two years to persuade them to move from plants 3 and 4 (which closed down) to plants 5 and 6. Those who did it had to give up their seniority. Today the company wants to achieve the same objective: stripping the workers of their seniority in exchange for a small payment instead of paying them the full amount of severance pay.

The leader of the union, more as a result of pressure than of his own will, instructed one of the union's lawyers to file the legal demand for reinstatement. What he did not tell the workers is what Delphi later revealed: that the decision to force the workers to wear closed-toe shoes was agreed upon "jointly" with the CTM. The true face of the union's supposed "support" for the workers became evident soon thereafter. What the CTM union leader is saying now to the workers is: "The company is offering you reinstatement. That's what you want, right? So if you don't accept it, then there's nothing more I can do for you." But the workers, who are not so easily deceived, decided to get another lawyer and insist on their demand for reinstatement with full seniority rights or full severance pay.

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#### Mexican workers speak out

By [unreadable] in Mexico City  
The Mexican workers at Delphi in Reynosa, Tamaulipas, are speaking out against the company's demand that they wear closed-toe shoes. They say that the company is trying to force them to wear shoes that are not safe and that they are not willing to pay for them. They also say that the company is trying to force them to work longer hours and that they are not getting paid enough for their work.



Graciela, Teresita, and John Gutierrez, workers who were signed from Delphi's Plant 3 in Reynosa.

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