

**INSTITUTE OF  
EMPLOYMENT  
RIGHTS**  
COMPARATIVE  
NOTES 9



# workers in Cuba: unions and labour relations

a 2011 update

**DEBRA EVENSON  
AND STEVE LUDLAM**

# about the authors

---

Debra Evenson is an attorney and president of the Latin American Institute for Legal Services. She is a well known expert on Cuba and author of the book *Revolution in the Balance: law and society in contemporary Cuba* as well as numerous articles on Cuban law and society.

Dr Steve Ludlam is Senior Lecturer in Politics, University of Sheffield. For some years he has been studying Cuba's reform of labour relations, and has frequently interviewed officers of Cuban trade unions and staff in the Ministry of Labour and Social Security, whom he thanks for their time and help. His early work was supported by the Nuffield Foundation.

This publication, like all publications of the Institute, represents not the collective views of the Institute but only the views of the authors. The responsibility of the Institute is limited to approving its publication as worthy of consideration within the labour movement.

For further information about Cuba, Cuban trade unions and links between UK and Cuban trade unions contact Cuba Solidarity Campaign  
[www.cuba-solidarity.org.uk](http://www.cuba-solidarity.org.uk)



# workers in Cuba: unions and labour relations

a 2011 update

---

**DEBRA EVENSON  
AND STEVE LUDLAM**



Institute of Employment  
Rights *and*  
UNITE the Union.

**Comparative notes**

ISBN  
978 1 906703 12 7

February 2011

4th Floor  
Jack Jones House  
1 Islington  
Liverpool L3 8EG  
0151 207 5265  
[www.ier.org.uk](http://www.ier.org.uk)

printed by Upstream  
(TU) 020 7207 1560  
[www.upstream.coop](http://www.upstream.coop)

£6.50 for trade unions  
and students  
£15 others

# foreword

---



*Len McCluskey*  
Unite General Secretary



I am very pleased to be asked to contribute a foreword to the second edition of this booklet, first published in the mid 2000s as an initiative of Unite's London & Eastern Region.

The headline issues about Cuba, the continuing illegal blockade and the plight of the Miami 5, on whose behalf I have made representations at the US Embassy in London, are perhaps well known and receive some degree of media coverage.

Much less well known, even among activists, is an understanding of Cuba's system of industrial relations and the role and structure of the Cuban trade union movement. This is what made Debra Evenson's report so important.

The longevity of the Cuban Revolution, and its place as an inspirational role model, must be, and is, based on more than revolutionary posing and leftist rhetoric.

The collapse of the Soviet Union and Cuba's major trading partners in Eastern Europe and the resultant triumph of neo-liberal economic forces across the globe presented Cuba, its workers and trade unions with major challenges from the 1990s through to this century. Faced with these global events, the system of distribution of national salaries devised by Che Guevara in the early 1960s needed major overhaul. Evenson's original work, which is still the bulk of the booklet, details how the CTC, the Cuban trade union confederation, recognised the need to improve the system of shop floor representation both in representing individual workers and with collective bargaining.

Steve Ludlum's annex is an excellent rebuttal of the Jeremiahs forecasting the end of socialism that was confidently expected with the labour market reforms introduced during 2010. These reforms were the result of a long period of consultation that involved workers and unions stretching back to the early years of the decade. Of interest to workplace reps will be Ludlum's discussion of major union led improvements to health and safety at work leading to a major decline in workplace fatalities during the 2000s.

Finally, Ludlum bursts the bubble of the so-called 'independent' trade unions exposing them as little more than a front for often foreign based interests, with few if any members in Cuba and with little inclination for engaging in representing workers or collective bargaining.

Unite is pleased to be associated with this booklet and recommends it as a contribution to understanding the underpinning of the left advance in Latin America, a participatory democracy from the grassroots up!

# introduction update

---

For trade union and other activists, Debra Evenson's excellent pamphlet opened a wide window onto the world of trade union and worker rights in Cuba. Meticulous and balanced, it contrasted starkly with the output of the US 'regime change' machine and its media and academic spokespersons, with their focus on disinformation such as the much-repeated lie that strikes are illegal in Cuba. It is particularly clear on the dynamic relationship between unions and the country's political leadership, revealing a far more interactive role in the policy-making process, and far more worker participation, than is to be found in the pictures painted by Cold War critiques of 'transmission belt' trade unionism in a one-party state.

The pamphlet mentions that Cuba had begun a process of updating its 1985 Labour Code, its core employment legislation. This process is still incomplete (at the end of 2010), but a great deal has been changing in Cuba's world of work and labour relations law, since the turn of the new century. The purpose of the new Annex (see pages 30-44) is to update the pamphlet. Since 2000, Cuba's economy has continued to recover from the crisis of the post-Soviet Special Period, growing rapidly for several years up to 2008, helped by links with Latin America's new leftwing presidencies and increased investment from new trade partners like China. In this period, as the economy became more varied in form, a modernisation of labour relations was also taking place, along with attempts to address the problems of national productivity and income distribution.

The massive hurricane damage in 2008, and the world capitalist crisis, gave new urgency to Cuba's strategic development, and accelerated change in ways that put Cuba's labour relations in the headlines in the autumn of 2010, when a programme was announced to redeploy 500,000 workers from inefficient areas of the state sector. The annex argues that the changes of the past decade, and the processes of restoring stability and growth to the post-Special Period economy, have been characterised by an extension of gen-

uine participation by unions in employment policy development, by mass policy consultations with workers, and by serious union efforts to strengthen worker participation in workplaces.

Those who sympathise with the Cuban unions' perspective – which in the UK today includes the TUC and all the major unions – can help by countering the media war against Cuba, and above all by redoubling the campaign to end the US blockade, and enable Cubans to trade freely and develop their society according to their own social values. Cuban unions welcome collaboration with their counterparts at national and at sectoral level, in policy, research and campaigning. Debra Evenson's pamphlet remains a vital resource in basing such solidarity and collaboration in an understanding that goes beyond Cold War stereotypes, and this annexed update should also, hopefully, be useful.

Dr Steve Ludlam

# introduction<sup>1</sup>

---

1 This article is adapted from a 92-page report published by the Guild Law Center for Social and Economic Justice in Detroit, Michigan. The primary research for this study was conducted between May 2000 and May 2001. The methodology consisted of a comprehensive survey of Cuban labour legislation and regulations, published literature, interviews and direct observation of the labour relations process on the shop floor and in workers' meetings, and attendance at municipal conferences and national union congresses. A panel of United States labour law and union experts provided ongoing consultation and advice throughout the project. This report was made possible by the generous support of the Arca Foundation, The Christopher Reynolds Foundation and the General Service Foundation.

One cannot write about labour policy and labour relations in Cuba without a keen awareness of the polemic surrounding the issue of labour rights in a one party system such as Cuba's. The close relationship between the Cuban Workers Central (CTC), the unions and the Communist Party of Cuba has caused some outside observers to dismiss Cuba's trade unions as nothing more than state or "company unions" fronting for a non-existent labour movement. Such labelling, however, imposes severe limitations on serious exploration of the complexity of labour rights in the Cuban context and consideration of the potential in such a system for unions to give independent voice to workers' interests. Narrowing the frame of reference to a free-market, multi-party system not only poses the theoretical dilemma of presuming no other possibilities; as a methodology, it also lends itself to false comparisons and conclusions that impede rather than engender more profound examination. What's more, we are cautioned by ample evidence that workers and unions have suffered substantially in various multi-party settings, suggesting that the political system is not *per se* a determinant in the equation of workers' rights and participation in decision-making.

# background

---

Today, as in the 1960s, transforming the economy is considered the most pressing task of Cuba's socialist government. The collapse of the Soviet Union in 1990 coupled with measures tightening the United States embargo against Cuba precipitated a profound economic crisis that threatened the survival of Cuban socialism. As a result of these external factors as well as internal deficiencies, the Cuban economy shrank by more than 40 per cent in just four years between 1989 and 1993, creating severe shortages of materials and goods. The standard of living of Cubans plummeted. Yet, against all odds, Cuba survived and in 1994 began a modest, but sustained recovery.

The Cuban government maintains its resolve to develop a sustainable socialist model as the best means to improve conditions for workers and the population as a whole. There is no plan to introduce a market economy based on private enterprise, and any suggestions that Cuba should move in that direction are rejected. Forced to make substantial reforms since 1990, Cuban socialism has undergone a transition from a highly centralised economic model, patterned after that of the former Soviet Union, to one which maintains but moderates national government control of macro economic policy while introducing decentralised decision-making and management at the micro or enterprise level. Although the effects of the economic decline are still acutely felt, the reform process and the new measures being instituted have begun to improve the circumstances and prospects for Cuban workers.

It may seem axiomatic, but it bears stating that when the revolutionary government of Cuba nationalised virtually all private enterprises in 1960, it inevitably altered labour relations by establishing a socialist system that presumed the disappearance of contradictions between employer and employee. The principle of equitable distribution of resources replaced the motivation of private profit. Sweeping reforms yielded Cuban workers broad universal rights and guarantees not previously enjoyed, including the right to employment, equal pay for equal work, universal social security, a month's paid vacation, sick and maternity leave and free health care and education.

However, the bureaucratic nature of the centralised planning and administrative institutions modelled after those of the Soviet Union did not create conditions for active participation by workers and unions in policy development or workplace management. Highly centralised decision-making left little discretion to local enterprise management; government not only determined prices, allocation of resources and production plans, it also established salary ranges and regulated most aspects of work and labour-management relations.

Recent reforms have reorganised the Cuban economy, transitioning from a highly centralised economic model to one that maintains but moderates national government control of macroeconomic policy while introducing decentralised decision-making and management at the micro or enterprise level. In addition, Cuba has courted limited foreign investment, expanded the tourism industry and reformed its fiscal and banking systems. Although some reforms have produced inequalities, these and other measures have laid the basis for a modest, but steady, recovery since 1994 enabling Cuba to maintain and improve its national health care and educational systems and to improve social services.

Both the economic crisis and ensuing transformations define the context for labour relations and worker rights as they unfold in Cuba today. Without doubt, the restructuring of the economy has placed new demands on the labour unions, obligating them to shed the passivity of the 1980s and assume an increasingly active role as advisor and protagonist in both the development and implementation of policy. In the workplace, the decentralisation of the economy and centres of decision-making have introduced a new and unfamiliar environment for both labour and management requiring a significant change in the dynamic of labour-management relations. Solutions to problems are no longer handed down from higher up requiring greater initiative and creativity if the CTC, the unions and workers are to be true partners with management in the process of increasing productivity and improving salaries and working conditions.



# trade unions in Cuba

---

Since its founding in 1939, the Cuban Workers Central (CTC) has been the only national organisation representing unions in Cuba.<sup>2</sup> Historically, the union movement has strongly defended unity in its ranks: the CTC rejected fierce pressures in the 1940s to purge it of communists and splinter its membership. Thus, the consolidation of that unity under a one-party system after 1959 does not represent a break from the tradition of a single national labour organisation that began with the founding of the CTC.

Nevertheless, both the function of the CTC and that of its 19 member unions have changed dramatically over the course of the past four decades. Today, the CTC and the unions take on a dual role in Cuba's socialist system: 1) to further the economic, political and social interests of the country as a whole; and 2) to protect the rights and advance the standard of living of Cuban workers. As articulated by the CTC, "[t]his double role is grounded in the concept that workers are both employees and owners."

Union membership is voluntary; but all workers have the right to join. There are approximately four million workers in Cuba; about 98 per cent are members of one of the national unions. The unions and the CTC are totally self-financed from monthly dues paid by their members and receive no subsidy or other material assistance from the government or the Party. Dues, averaging less than one per cent of salary, are personally paid to a local union official, not automatically deducted from salaries. The specific union representing a worker depends on the industry or sector of his or her workplace.

All workers, whether members of the union or not, have the right to participate in monthly worker assemblies, discussions and approval of the collective bargaining agreement, election of worker representatives to the workplace grievance panel and other activities not dependent on union membership.

<sup>2</sup> Until 1992, the CTC was recognised in the Cuban Constitution as the representative of Cuban workers. The explicit reference to the CTC was eliminated in amendments adopted in July of 1992.

# relationship of the unions to the Communist Party and government

---

Fundamental to the Cuban socialist system is the concept of a collective social/economic project. Pursuant to Cuban socialist theory, workers are to be the direct beneficiaries of economic development in terms of both individual income and enjoyment of universal social services, thus creating a framework for management-labour relations in which both management and labour share a commitment to the same objective: a more efficient, productive economy that provides the economic basis for individual and collective security and benefits. It is this unity of purpose and exercise of power that provokes some observers to conclude that Cuban unions have no autonomy or independent capacity to represent Cuban workers.

The Cuban Communist Party determines the broad outlines of economic, political and social policy. As expressed in the Constitution of the Republic of Cuba, the Communist Party “is the highest guiding force of the society and the State, which organises and guides common efforts toward the goal of constructing socialism and the advance towards a communist society”.<sup>3</sup> The CTC and the national unions adhere to the policies of the Communist Party of Cuba, which the CTC explicitly recognises in its statutes as the supreme political and ideological force in Cuban society. Thus, there is a close and interdependent relationship between the unions, the government and the Party.

Closer examination reveals, however, that the CTC, the Party and the government are not synonymous. As a legal matter, the CTC and the unions are “autonomous” organisations. Although the strong interrelationship between the unions, the Party and the government may temper traditional notions of autonomy, it also provides channels for union influence in the formulation of national policy, giving voice to workers’ interests.

In practice, union influence manifests itself in multiple ways: the unions initiate regulatory proposals; they are consulted by both the Party and the government agencies on all matters concerning labour policy; there is ample union rep-

---

<sup>3</sup> Constitution of the Republic of Cuba (1992), Article 5.

resentation at all levels of the Party itself; and union officials are elected members of the national parliament, the National Assembly. In several instances, union input has led to significant changes in legislative proposals. For example:

- A proposed provision in the 1995 Foreign Investment law that would have permitted direct hiring of Cuban workers by joint ventures was scuttled in response to CTC opposition. The unions argued that direct hiring could leave workers disadvantaged by the potentially divergent practices of foreign management, and supported instead hiring through a state entity obligated to assure application of Cuban labour law.
- Proposed legislation altering the social security system has been returned to the drawing boards over objections raised by the CTC.
- The unions obtained suspension of implementation of a provision of the 1994 tax law requiring social security contributions by workers. The unions argued that salaries were still too low to bear this cost and recommended postponing implementation until wages had risen enough to make the contribution affordable.
- A new Labour Code is currently being drafted through the joint collaboration of the CTC and the Ministry of Labour and Social Security (MTSS); an early draft, submitted to review at the 2001 Congress of the CTC, continues to undergo modification based on active CTC participation.

In addition to its participation in the legislative process, the CTC and the unions engage in continuous dialogue with government agencies at all levels which both keeps them informed of current developments and also provides official channels to press initiatives and to react to government proposals. Union leadership maintains close communication with the ministries that direct the enterprises in their sphere of activity, participating in the weekly and monthly meetings of ministry department heads. MTSS officials report that the CTC has input at all levels of decision-making in the MTSS, which regulate employment policy, salaries and social security.

In order to increase its expertise and, hence, its capacity to influence policy and represent workers' interests, the CTC has strengthened its infrastructure. In the mid-1990s, it created specialised departments including its own research department, a group specialising in collective bargaining and an expanded legal department.

# the role of the unions in the workplace

---

Reorganisation of the state enterprise, in particular implementation of the new Decentralised Management System,<sup>4</sup> confers broader authority and discretion on management and creates greater differentiation in the roles of management and labour, introducing new subjects for discussion and negotiation. Guidelines adopted in 1998 for the implementation of the decentralised management system specifically provide a prominent role for workers and unions in the development of the business plan as well as staffing and allocation of workers. The preliminary phase in the preparatory process is the development of a diagnostic report on the strengths and assets of the enterprise as well as the problems which must be resolved before it can enter the system. Workers, through union-organised assemblies, participate in this detailed evaluation.

The Decentralised Management System also stipulates that unions take a role in the development of all aspects of the business plan which must demonstrate, among other things, that the enterprise has a market for its goods or services, a sound projected cash flow and an efficient allocation of its workforce, including management personnel. National union leadership urge local unions to be particularly involved in the design of the workforce and salary scales. The latter is obviously important since in many instances profitability may mean cutting or adding to the workforce in a given department. Moreover, workers in all enterprises have the right to participate in management meetings through their union representatives, and managers are required to make periodic reports on financial and other productivity issues at monthly worker assemblies.

This new context challenges the unions to become effective counterparts, representing workers' interests not only with respect to improved salaries, incentives and work conditions, but also with respect to increasing efficiency, productivity and profitability. National union leadership has focussed efforts on expanding the capacity of shop level union leaders to be more dynamic and assertive in their representation of workers as well as meaningful participants in management decision-making. The development of local

<sup>4</sup> The system is known in Cuba as "perfeccionamiento empresarial" or "enterprise perfection". It has its origins in experiments in decentralised management begun in the 1980s in commercial enterprises run by the armed forces.

leadership responsive to workers' needs is often expressed as an ideological necessity as much as a practical matter of better representing workers. Yet, the unions are dissatisfied with the pace of progress in this direction. Many local leaders continue to lack the knowledge, skill and confidence to be assertive and effective advocates.

## trade union structure and internal regulations

---

The CTC, like other social organisations in Cuba, has a vertical structure consisting of a national office, provincial organisations in all 14 provinces and organisations in large municipalities. The 19 national unions have a similar national and provincial structure.

The lowest level of trade union organisation is the union section (*sección sindical*), the departmental or shop level union organisation. The trend has been to reduce the size of the union sections in order to create a closer relationship between the union leaders and the workers enabling the leadership to better represent the workers. Union section elections take place every two and a half years. Candidates for office are nominated by the workers and elected by secret ballot at the worker assembly. Generally, there is more than one candidate nominated for each office making elections contested.

The level of union organisation above the union section is the union bureau (*buró sindical*). The union bureau is similar to the "local union" in the US. A single workplace with more than one union section may have its own bureau or even two or more if there are several large plants. The bureau represents the workers before management in negotiations of the collective bargaining agreement, in disciplinary matters and other issues of concern to the workers. The members of the bureau are nominated and elected by the members of the union sections every two and a half years, but unlike the leadership of the union section, bureau officers are professional union workers paid by the provincial unions and generally do not hold jobs in the enterprise.

# development of internal policy: the CTC Congress

---

Each national union as well as the CTC holds a congress every five years at which recent developments are analysed, issues of importance discussed, leadership elected and resolutions guiding activities for the next period adopted. In the interim between congresses, the unions organise municipal and provincial conferences as well as meetings of the national leadership. The CTC held its 18th Congress at the end of April 2001. The year-long preparations begun in April 2000 entailed a broad process of discussion and consultation at all levels of the union structure.

Early on in the process, the CTC commissioned a survey of worker opinions. More than 60,000 union sections participated. Results indicated that the majority of workers (53.9 per cent) felt that preservation of labour unity was the most important achievement of the union movement since 1996. Not unexpectedly, the greatest dissatisfaction (39.5 per cent) concerned salaries. Among the top issues proposed for discussion at the Congress was that related to “attention to workers,” a broad concept that includes work conditions, transportation, meal services and other needs of workers and their families such as housing. This survey as well as conferences and workshops organised throughout the year shaped the discussions held at the Congress.

The major themes of the Congress focused on 1) economic policy, including productivity, employment and compensation issues; and 2) union organisation and work, primarily effectiveness of union representation and participation in collective bargaining and workplace decisions. In addition to the 1,600 elected delegates, ministers and high level government and Party leadership attended the Congress. Since solutions to many concerns required government action, officials present were called upon to respond to issues raised. The Congress adopted resolutions concerning a wide range of subjects, including collective bargaining, the role of the unions in the state enterprise, salaries and incentive systems.

# compliance with ILO Conventions on Freedom of Association

---

Although the minutes of the discussions in the ILO Commission of Experts are replete with the polemic and rhetoric that has characterised the polarised debate over Cuba for many years, the issue of Cuba's compliance with Convention 87 on the "Freedom of Association and Protection of the Right to Organise" comes down to two fundamental issues: 1) does Cuba's legislation confer a monopoly on a single trade union organisation; and 2) do workers have the freedom to organise trade union organisations of their choosing? With respect to the first, since 1992 a series of modifications to Cuba's Constitution and legislation have eliminated references to the Central of Cuban Workers (CTC) as the national organisation of Cuban workers substituting instead references to "trade union organisations" in general thus opening the way as a legal matter to the emergence of another national trade union organisation. With respect to the second, Cuban law permits workers to freely form trade union organisations and does not require such organisations to register with any state agency in order to function or to have legal personality.

Thus, in response to the specific observations of the Commission, the Cuban representatives have pointed out repeatedly that Decree-Law 67 of 1983 which required state administrative bodies to consult with the CTC on labour issues was repealed in 1994 and the current legislation does not specify the CTC or any other as the trade union organisation to be consulted on issues related to labour policy. The Cuban Labour Code in force since 1985 also makes specific reference to the CTC although it does not state that it is the only recognised national federation of trade unions. Cuban government officials have also reported to the Commission since 2001 that the Labour Code is being revised and further assured the Commission that the new Code will adopt the necessary revisions to eliminate specific mention of the CTC. The reason it has taken so long to adopt a new Labour Code has nothing to do with the complaints of the ILO. The process involves very broad, continuous consultation and review of

drafts, including review by all of the unions and their members.

With these legislative and constitutional changes, Cuba has eliminated the legal barriers for the formation of a national trade union organisation parallel to the Central of Cuban Workers. As noted, Cuban law has never conferred or recognised the exclusive right of any particular union organisation to represent workers at an enterprise or other work centre. Further, as described elsewhere in this paper, elections of union officers at work centres is open and competitive.

Despite these affirmations by the Cuban representatives, the Commission continues to issue harsh statements, including a call to send a delegation to Cuba for “direct contact,” a measure not always undertaken in cases of more serious violations of ILO conventions. So, why is the Cuban case so polemic?

As with many aspects of Cuban society, the question of union organisation is not simply one of internal politics but involves the actions of outside actors whose express objective is to foment, if not force, changes in Cuba’s economic and political system.<sup>5</sup> Since at least the early 1990s, it has been the express objective of the US government to promote and assist in the formation of so-called “independent” trade union organisations in Cuba and to use the alleged lack of union freedom as the basis for continuing an aggressive policy designed to undermine the current government. US State Department reports on worker rights in Cuba exclusively focus on the issue of “independent” unions and ignore all of the other substantial rights and gains obtained by Cuban workers as well as their influence in both the workplace and on national policy exercised through their existing union organisations.<sup>6</sup> Sadly, the same is true of reports of other human rights organisations such as Human Rights Watch.

Between 1992 and 1998, complaints presented by the International Confederation of Free Trade Unions (ICFTU) against Cuba with the ILO for violations of Convention 87 on the “Freedom of Association and Protection of the Right to Organise” and Convention 98 on “collective bargaining” alleged that Cuba prohibited or impeded the free formation of trade union organisations by denying registration to a hand full of groups alleging themselves to be trade union organisations. Although each refers to both Convention 87

5 Since 1963 the United States has imposed an extensive economic embargo on Cuba which affects not only bilateral trade but also Cuba's ability to trade with third countries. Additional sanctions were adopted in 1992 and 1996 with the express objective of destabilising the Cuban government. The Helms-Burton Act passed in 1996, is explicit in furthering US policy of support to internal groups seeking to abolish Cuba's socialist system.

6 These rights and functions are described elsewhere in this paper.



and Convention 98 (the Right to Organise and Collective Bargaining), none of the complaints allege any restriction of the right to collective bargaining. As described in this report, Cuban law both protects and promotes the negotiation of collective agreements between the unions and employers.

The Cuban government responded to each of the complaints, stating that 1) trade union organisation is statutorily protected in Cuba and registration is not required for the formation of a trade union organisation with legal personality; and 2) it could not identify or had no knowledge of the existence of the alleged organisations. Indeed, the organisations were quite small generally having from two to five members although size does not impact in any way on the right to organise. It seems apparent from the information supplied both by the complainants and the Cuban government that none of the groups claiming interference with their organisation had any base of support however small at any workplace in Cuba. Rather, they are composed of a small group of individuals whose only labour relationship with each other was the formation of the trade union organisation.

Since Cuban law explicitly states that no prior authorisation is required for the formation of a trade union organisation, it is not clear from the ILO Commission reports why the various complainant organisations insist that their right to organise is violated by failure to permit them to register with the Ministry of Justice. A political or social organisation would be required to register to obtain legal personality, but not a trade union organisation. None of the local or national union organisations active in Cuba are so registered. The leadership has legal authority to represent the workers before management by virtue of having been elected by the workers to do so.

As far as this researcher has established, it is not official practice or policy to fire workers on the basis of membership in one of the complainant trade union organisations. Cuban law is quite specific on the permissible reasons for firing employees, and union or political activities or political views are not among them. Moreover, as evidence that Cuba does protect a worker's right not to be penalised for union or political activities, workers have been reinstated or benefits restored when this principle is violated. In a case before the ILO in the late 1990s involving a university professor found no longer qualified for his position because of his political activities, the Cuban authorities, after investigating the situa-

tion, ordered his reinstatement.

The fundamental impediment to the creation of a national trade union organisation parallel to the CTC or the creation of a union to represent workers in a particular work place or trade is not legal but practical. The unions that represent workers in the work place are becoming stronger and more pro-active in their role as defenders of workers' interests, negotiating the collective agreement and participating in management decisions. At the same time, the CTC promotes greater activism among the work place unions and itself wields increasing influence over national labour policy. On the other hand, the complainant organisations do not profess to represent any unions or even have a base of workers at any work centres. Without a base of support among workers, the prospects of building a new organisation to represent workers' interests before management are negligible and achievement of any influence on national labour policy will be frustrated as a practical matter.

Moreover, the apparent ties that these groups have with outside organisations and governments whose policies toward Cuba are hostile to the socialist government create an additional impediment as they are perceived as representing outside interests, not Cuban workers. Whether this characterisation is fair in all cases or not, it is undeniable that the economic sanctions imposed by the US government to force Cuba to renounce socialism in favour of a free enterprise system have increased dramatically in the last decade, making economic recovery and satisfaction of worker needs all that more difficult. Statements of two of the more prominent "dissident" groups in the last several years, call not for further democratisation of socialism, but for the establishment of a free enterprise, capitalist system.<sup>7</sup> It should not be surprising that the affiliation of the so-called "independent" unions with that agenda is met with resistance by Cuba's unions who approach even foreign investment with caution to assure maintenance of the labour protections gained under the current socialist system.

As a theoretical matter, socialism does not require for its survival that there be a single labour organisation. However, given the historical development of a single unified labour federation in Cuba since 1939 and taking into account the enormous efforts by the United States to destabilise its socialist system, the call for unity is strong and, thus, there is

7 The two proposals referred to are the petition for a referendum known as "Project Varela", and "Letter of Fundamental Rights and Responsibilities of Cubans" promoted by the Moderate Opposition's Reflection Group.

little space for the insertion of new organisations whose agenda is perceived to undermine Cuban socialism and independence. Yet, even the *de facto* existence of a single national labour federation does not *per se* mean that Cuba's unions lack the independence necessary to defend and represent workers' interests. As noted earlier in this paper, the strong relationship between the CTC, the national unions and the Party in Cuba does not undermine the unions ability to act autonomously as the counterpart to management and to represent labour's interests in the development of national policy.

## labour bar in Cuba

---

Until fairly recently, the CTC and the unions did not have their own legal counsel. In early 1994, the CTC retained the services of the National Organisation of Law Collectives, Cuba's legal services organisation, to provide specialised legal assistance to the national unions. A team of young, dedicated specialists formed in response to this request provides advice to the unions on legislative and regulatory proposals, collective bargaining issues and grievance procedures. They also provide training in labour law and regulations to local union activists so that they can better represent workers. The initiative of the unions to develop this legal resource is indicative of the general strengthening of their capacity to represent worker interests and to assume a more active role in policy making. Financial limitations, however, have prevented the unions from contracting enough lawyers to meet their needs.

# employment and hiring policies

---

One of the basic tenets of the Cuban system is that every person has the right to a job and that the state has an obligation to provide jobs for everyone who is able and wants to work. Employment is not left to market dynamics. Rather, the development of strategies to deal with unemployment and idled workers is a collective effort involving several governmental entities in consultation with the unions. Policies to make investments in areas hard hit by the economic crisis have helped to reduce unemployment from a national average of eight per cent in the mid-1990s to about five per cent in 2001. Special programs enhance opportunities for women, disabled workers and other disadvantaged workers, such as those recently released from prison.

During the first half of the decade, tens of thousands of Cuban workers were idled as factories were paralysed by lack of fuel, spare parts and raw materials. All idled workers maintained their link to their workplace and received a subsidy from the state until they found new jobs. In recent years, as the economy begins to recover, the employment problem is shifting from being one of long-term interruptions to that of displacement of workers resulting from the reorganisation of the state enterprises. Such displaced workers receive assistance in finding new employment and a subsidy for up to four and a half years.

In an historic decision, the Cuban government announced in summer 2002 that it was closing a large portion of its sugar mills and reducing the land allocated to sugar production. Sugar has long been the mainstay of the Cuban economy but extremely low market prices and the need for substantial modernisation of aging mills forced Cuba to confront the reality that its sugar industry was a drain on rather than an asset to the economy. The implications for the workforce are dramatic and difficult. Not only will more than 200,000 workers need to find work in other industries, but the deci-

sion will disrupt the lives of whole communities that for more than a century revolved around the local sugar harvest and the mills. The government has committed to retraining more than 100,000 workers to work in new fields, from construction to computer science, etc. A substantial portion of the remaining workers have been offered new jobs in agriculture; a number are of retirement age and will receive their pensions and those who are idled will receive 100 per cent of their former salaries until they have found placement in new employment.

This ambitious plan to absorb the enormous impact of closing the mills and reducing sugar production all at once is fraught with difficulties, both for the unions and the government. Meetings were held with the workers at every work centre to explain the rationale for the decision and to seek suggestions from workers as to how best to implement the decision. Both psychologists and sociologists have been assigned to assist in the changes needed and to assess the social impact. In addition, the government will have to invest efforts to help communities tied to the sugar industry to find a new identity.

## employment contract

---

The minimum work age in Cuba is 17. Almost all Cubans working in state owned enterprises apply to and are hired directly by the entities that employ them. All employees are covered by an individual work contract as well as a collective bargaining agreement that specify employment qualifications, work rules and the reasons and procedures for termination. In order to dismiss a worker, management must show cause as provided by law and the employment contract. Employees may terminate a work contract upon giving the requisite notice.

In state enterprises, unions and workers participate in the hiring and promotional decisions. Although the new decentralised management system grants sole discretion to management to make such decisions, legislation permits the creation of an advisory body called the "commission of experts" comprised of union, worker and management representatives. Once constituted, management must consult with this commission on hiring and promotional decisions.

Pressures for greater efficiency have resulted in the intro-

duction of new employment requisites as “idoneidad demostrada” or “demonstrated qualifications”, eliminating the absolute privileges of seniority. Workers, who once were secure in their positions as long as they showed up most of the time and complied with work rules, now must strive to meet performance requirements. These requirements and procedures for measuring them are increasingly incorporated into the collective bargaining agreement.

Cuban workers have considerable mobility, particularly at positions lower than management, although transferring from one city to another is generally difficult because of the difficulty of obtaining housing unless the new work centre supplies it. In some work centres, worker stability is a problem, and management together with the union seek ways of making work conditions attractive to keep the workforce steady.

## technical training and retraining

---

Cuba has a highly educated work force in comparison with other countries in the region. Almost every worker has completed at least nine years of primary and secondary school education and most have graduated from secondary school or have advanced degrees. In the effort to elevate the qualifications of the Cuban work force to keep the economy competitive, the ministries offer training in new technologies. Such courses are free and workers are given paid time off to take them.

## occupational health and safety

---

Although regulations protecting workers from workplace hazards have existed for many years, the measures and inspection procedures were frequently not implemented adequately by either management or the workers. The economic crisis only exacerbated the situation, making it increasingly difficult for Cuba to obtain protective clothing, masks, helmets, goggles and other items. A new campaign initiated in the late 1990s by the unions and the Ministry of Labour and Social Security calls for stronger regulations,

strict implementation and increased awareness of workers and management of the need to reduce risks.

Cuban workers have the right to refuse to work in situations that place their life and health at risk. Workers and union officials report having exercised this right in instances where protective gear was not available or where conditions were unsafe. Disciplinary measures may be imposed on managers who fail to implement health and safety measures, and even criminal penalties may be invoked in cases of gross negligence.

# salary and other remuneration

---

The struggle to make ends meet is the number one issue for most Cubans today, making worker income a primary concern of the CTC. This was not always the case. Prior to the 1990s, most Cubans had excess income and workers had confidence that their salaries or pensions would be adequate to assure a decent standard of living. However, the disappearance of the socialist market in Eastern Europe deprived Cuba of food products as well as consumer goods which it could previously sell to the population at affordable prices in pesos. Now that these goods must be imported for hard currency or produced in Cuba at substantially greater cost than those previously supplied by Eastern Europe, the buying power of the Cuban peso has sharply diminished to the point that ordinary workers struggle to make ends meet on their peso salaries alone

The government and Party alike are well aware that the system must be able to provide a higher standard of living to workers if socialism is to survive in Cuba in the long run. As one researcher put it, Cuba has to demonstrate that “socialism does not mean being poor”.<sup>8</sup> While free market economists argue that the only way to increase wealth is through private enterprise, Cuba’s strategy is to increase the effi-

<sup>8</sup> Interview with Hiram Marquetti Nodarse, researcher at the Center for the Study of the Cuban Economy, Havana. 10 May 2001.

ciency of its state enterprise system as the means to improving the standard of living of the general population and maintaining social guarantees.

## salary scales and systems

The foreign press habitually reports that the average Cuban worker's base salary translates into a relatively few US dollars at current exchange rates.<sup>9</sup> However, such calculations lead to a false comparison that ignores essential factors such as the minimal amount Cubans spend on housing (no more than 10 per cent of salary) as well as the wide range of benefits, including free health care and education as well as subsidised goods and services at minimal cost available to all Cubans. Although the standard of living for Cubans has fallen dramatically since 1990 in terms of access to consumer goods, Cubans fare well under indices of human development and equity established by the United Nations Development Program, ranking among the top three countries in Latin America in 1999.<sup>10</sup> Nevertheless, although Cuban workers are far better off than workers in maquiladoras<sup>11</sup> in other parts of the region like Mexico and El Salvador, the struggle to make ends meet is the number one issue for most Cubans.

Base salary ranges are still regulated by the MTSS, and the range of salary differential remains low: the salary of the average production worker was 249 pesos in 2000 compared to 550 pesos paid to the heads of ministries. However, new programs permit higher remuneration for workers in profitable enterprises. Under these systems, workers receive a fixed base salary plus payments of monthly incentives that are pegged to productivity, efficiency or improved quality; what is called "salary based on results of work". About one third of Cuban workers now receive such incentives either in hard currency or its equivalent posted to a debit card or in Cuban pesos. Such incentives may more than double a worker's monthly income. Consistent with the national policy of decentralisation, such programs shift control over worker income from being the exclusive domain of the MTSS to being determined at the enterprise level, directly dependent on the ability of management and labour to increase efficiency. This shift compels the unions to equip their shop level leadership to participate effectively in workplace decisions.

The same flexibility, however, is not present in sectors

9 By such calculations a salary of 260 pesos in 2003 translates into about \$10 at the prevailing exchange rate at Cuba's currency houses.

10 Investigación sobre desarrollo humano y equidad en Cuba 1999, Centro de Investigaciones de la Economía Mundial (UNDP: Havana, Cuba 2000).

11 Maquiladoras is a term used to refer to assembly plants established with foreign capital (mostly US) in Mexico and Central America. Most parts are imported, the products assembled and then exported. The fundamental (and well documented) characteristics of these plants are the severe conditions of work and intense exploitation of the marginalised workforce.



financed by the national budget or in those institutions which are self-financed like the unions themselves. Although workers in public service jobs are often given rewards in the form of appliances and other goods, their salaries continue to lag behind the income of production workers or those in the tourism industry who receive tips in addition to their base salaries.

# collective bargaining

---

Collective bargaining in Cuba is very different from that in capitalist countries. All Cuban employees are covered by a collective agreement at their work centre: not only are the workers at every workplace unionised, but a collective agreement between the union and management in every enterprise or employment entity is obligatory under Cuban law. Since a broad array of rights in Cuba are protected by national legislation,<sup>12</sup> the areas of bargaining are more limited than in free market economies and for many years the collective agreement was of little practical significance.

However, as the enterprise has become the arena of decision-making affecting its profitability and the prosperity of its workers, the collective agreement is no longer a redundant formalism but an important, if not the primary, instrument governing essential aspects of labour-management relations. The policy of creating incentives based on efficiency and earnings opens new areas for worker participation and bargaining. Although the upward limits on salary incentives is established by the government in most state enterprises, the unions may negotiate guidelines for implementation in the work centre, including the basis for calculation, requisites for entitlement, evaluation of eligibility, etc. Base salary, itself, is subject to negotiation within specified ranges in the enterprises entering the new Decentralised Management System. Other subjects not dictated by legislation must be bargained for with management, such as transportation services, work clothes, worker training, etc.

The challenge for the unions has been to develop the

12 For a list of essential rights protected under Cuban law, see the section of this report entitled "Background".

capacity of workers and unions to perceive, express and obtain necessary provisions with sufficient clarity to effectuate compliance. At the beginning of the decade, Cuban unions had no experience in drafting and negotiating collective bargaining agreements in the context of local management discretion. A number of European and Canadian unions as well as the International Labour Organisation have provided assistance to train Cuban labour leaders. From all accounts, there is a long way to go to bring local leadership up to speed on drafting and negotiating. With the collaboration of Danish unions, the CTC published a manual on collective bargaining to train local union officials. Provincial and national leadership, as well as labour lawyers, continue to provide consultation to the local unions and review drafts before they are finalised.

The initial stage of the drafting and bargaining process may take different routes. Frequently, there are industry-wide issues which are discussed by provincial or national union leaders with the pertinent ministry, the result of which may be an agreement on general measures to be included in the agreement of every enterprise in the sector. In some enterprises, the process is primarily undertaken by local union leaders, but generally the provincial union works with the local union in the final drafting of the agreement to be negotiated with management. In most cases, the local union or the provincial union consults with the national office when there is a dispute with management over a clause which they are not able to resolve. Regardless of where the process starts, workers (both union and non-union members) are consulted both before and during negotiations.

Most places of employment sign a new collective agreement annually or bi-annually. By law, the process of drafting and approval requires the participation and collaboration of the workers, the union representatives and management.

In 2001, the CTC obtained changes in legislation regulating collective bargaining to permit greater flexibility so that the agreement may be better tailored to the circumstances of each workplace. Thus, the regulations no longer list all the specific items which must appear in the agreement, but rather outline general topics for negotiation, leaving it up to the parties to negotiate the content. In addition, the unions have sought mechanisms such as an independent arbitration process to compel agreement and assure compliance when differences cannot be settled by less formal means.

There is nothing in Cuban law that prohibits unions from striking; nor is there any provision of law that implicitly or explicitly supports the right to strike. However, union officials insist that the commonality of interest between management and labour, as well as the extent of union participation in management and policy decisions and the legal obligation to negotiate, eliminates the premises that underlie the exercise of this important right in capitalist systems. Yet, as noted above the unions now recognise the potential for conflict and the need for a mechanism to resolve differences that cannot be settled through negotiation.

# grievance procedures

---

Since 1959, Cuba has experimented with a variety of grievance procedures. The current system combines elements introduced in the 1960s and 1970s such as worker representation on the hearing boards and the right to appeal decisions to the courts. This new system implemented in 1998 provides for worker and union participation on workplace grievance panels. All worker appeals of management decisions, whether they be of a disciplinary nature or denial of a benefit such as promotion or leave, are resolved in the workplace by the Base Organ of Labour Justice (OJLB), a three-member panel composed of a representative of the workers, the unions and management. Either party may appeal to the local municipal court as of right to review the OJLB decision in instances of dismissal or permanent transfer of the worker or in any case concerning rights or benefits. In addition there may be a final appeal to the Supreme Court on grounds of misapplication of law or an arbitrary decision.

It is the policy of the unions to encourage local union leaders to intervene with management to seek modification or elimination of disciplinary measures considered unfair in order to avoid utilising the grievance procedures. Union representatives might also advise a worker to accept measures if appeal would have little chance of success, but the decision whether to appeal is left entirely to the worker. Although the

parties may not be represented by lawyers before the OJLB, workers often obtain the assistance of union officials, lawyers or co-workers in the preparation of their case. In the event of appeal to the court, the parties may engage lawyers to represent them. Hearings are open to other workers to attend.

Statistics show that workers have more than an even chance of prevailing in the OJLB and in the courts. Workers and unions applaud the new system because it is more direct and efficient than previous procedures. In cases of disciplinary measures other than dismissal or permanent transfer, the worker may have his or her employment file expunged of disciplinary charges after a requisite period of time.

# social security and benefits

---

The achievement of universal social security and welfare benefits was one of the first priorities of the Cuban government after 1959. By late 1962, social security coverage extended to all Cuban workers, including 250,000 agricultural workers. Special programs cover artists, musicians and other independent workers. Benefits may take three forms: 1) monetary compensation for lost income due to illness, accident or retirement; 2) hospital, medical and rehabilitation services available free of charge to all Cuban citizens; and 3) medication and food assistance. The government funds social security from the national budget although employers contribute the equivalent of 14 per cent of a worker's base annual salary.

Retirement age in Cuba is fairly low: 60 for men and 55 for woman. Benefits equal to 50 per cent of salary are calculated on the basis of the highest salary earned in five of the 10 years prior to retirement. However, in practice, the average retirement pension is 70 per cent of salary because additional credit is given for length of employment or working beyond the age of retirement eligibility. Yet, life on a pension today is

extremely difficult as no indexing has been done to adjust pensions to the dramatic drop in the purchasing power of the peso since 1990.

Changes in Cuba's demographics pose an enormous challenge to the system: the population is aging rapidly as a result of low birth rates and a life expectancy of 75, one of the longest in Latin America. At a time when the economy is struggling to employ those who are able to work and to increase wages, there are no easy solutions to funding and maintaining the system. A new social security law is currently being drafted, but no consensus has yet emerged on an approach to the problem.

Cuba does not have a workman's compensation system; rather, workers are automatically entitled to both short-term and long-term disability benefits for both work and non-work related illness and accidents. Health care and rehabilitation services are free.

Reflecting both concern for the health of pregnant women and their babies as well as the goal of achieving equality in the workplace, Cuba not only provides comprehensive prenatal and postpartum care but also has one of the most advanced maternity leave laws in the world. Current law guarantees fully paid leave of 18 weeks (six before birth), plus the option of an extended leave at 60 per cent pay until the child is one year old, with the right to return to the same job at the end of the leave.

# foreign investment

---

The CTC and the unions became involved in the early stages of the drafting of the 1995 foreign investment law. Specifically, the CTC sought guarantees that no concessions be made to foreign investors with respect to compliance with Cuban labour laws and insisted that all hiring of Cuban workers be done through a Cuban employment agency that would protect Cuban workers in the event of lay offs or dismissal. Accommodating these concerns, the law compels full compliance with all Cuban labour legislation, including

union representation and collective bargaining.

Currently, only about five per cent of the Cuban workforce is employed by foreign investment enterprises. There are no separate unions for workers in foreign investment enterprises; rather, workers may belong to the same national union that represents state enterprise workers in that economic sector. The union maintains the same activities and structure within the foreign investment enterprise as it does in the state enterprise. With experience, the unions appear to have become more assertive and, in at least one case, obtained the removal of management personnel who violated Cuba's labour norms.

Workers in foreign investment enterprises are hired through a state run employment agency (*Empresa Empleadora*) which screens and selects the applicants it refers to the enterprise. In most cases, the enterprise makes the hiring decision, but the employee enters into a contract with the employment agency. The enterprise pays the salaries of the Cuban workers to the employment agency in hard currency on the basis of a ratio determined by the MTSS during the negotiation process; the employment agency, in turn, pays the workers in Cuban pesos according to established pay scales.

That the employer pays the salaries in hard currency and the worker receives his or her pay in Cuban pesos is not perceived by the unions as unfair since the policy serves to maintain a degree of parity among all Cuban workers who do the same or similar job. The differential value between what the enterprise pays and the worker receives goes to fund universal social services such as health care and education. Despite receiving base salaries in Cuban pesos, many Cuban workers seek work in foreign investment enterprises for the other perks and benefits they offer, such as tips in the tourist industry, hard currency incentives in production and service enterprises, transportation to and from work and improved work conditions.

Although legally contracted by the employment agency, a worker is for most effects an employee of the enterprise that supervises and evaluates his or her work. The same probationary and grievance procedures are implemented in foreign investment enterprises as exist in the state owned sector. These enterprises must also follow the same promotion practices of state enterprises.

The introduction of foreign partners with their essentially capitalist philosophy and management techniques has presented a different scenario for collective bargaining agreements, requiring the unions to sharpen negotiating skills. As in state enterprises, the primary concerns of the union are the provisions dealing with job qualifications, work regulations, hours, incentives, promotion processes, occupational health and safety rules and other conditions of work. The process of negotiation and acceptance is the same as that which governs collective agreements in state enterprises. Further, workers through the union, have the right to enforce the agreement against both the enterprise and the employment agency.

Rather than an antagonistic relationship, the union response to foreign investment may be described as one of both acceptance and vigilance. Discussions with union officials revealed awareness of the responsibility of both the unions and the government to guarantee the protection of Cuban workers and to assure that foreign investors comply with Cuban labour legislation. At the same time, there is recognition of the importance of the profitability of these enterprises for the national economy. Thus, while workers have an interest in improving both work conditions and benefits, it is in everyone's interest that these enterprises be efficient, well run and profitable.

Since the thrust of economic policy is to recover and develop the Cuban state owned enterprises, Cuba has become increasingly cautious in approving foreign investments. Although new investments continue to be approved, and foreign investment will remain an important long term aspect of Cuban economic policy, the primary goal of the economic strategy is the recovery and growth of the state enterprises, not the expansion of foreign investment.

# conclusion

---

The challenges and transformations of the last decade have created a new dynamic in labour relations in Cuba. The reorganisation and decentralisation of the Cuban socialist system initiated in the 1990s obligates the unions to shed the passivity of the 1980s and assume an increasingly active role in the development and implementation of policy. The process of reforming Cuba's socialist system is ongoing and today the unions are key participants in the drafting of a new Labour Code and Social Security Law. The major task in the work place in the context of continuing decentralisation, increasing management discretion and pressure to make enterprises more profitable and efficient is to elevate the capacity of shop level leaders to better represent workers and to be full participants in enterprise decision-making.

## annex

---

### the 2000s: a decade of change

---

Working life in Cuba was changed forever by the crises of the 1990s. The model of full-time employment for life in a ministry-controlled enterprise broke down, as Cuba lost 80% of its trade and about 40% of its income. This resulted in colossal disruption in industry, and a strategic turn to new enterprises like international tourism, and 'knowledge economy' sectors, notably bio-technology and medical services. Today, over ninety per cent of workers remain union members, but often with new types of employer: state firms in the more autonomous Sistema de Perfeccionamiento Empresarial 'business improvement system', in mixed enterprises involving foreign capital, in worker co-operatives especially in agriculture, in self-employment (significantly expanded first in farming and then more generally from 2010), and in the much expanded bio-technology and med-



ical services sectors. A process has been going on of recasting employment relations to reflect such changes. The continuing changes have delayed the reform of the 1985 national Labour Code, but – in contrast to the impact of crisis and restructuring elsewhere – new labour legislation has incorporated a strengthening of worker protection and an embedding of union influence.

Health and safety at work, that suffered in the chaos of the Special Period, has been a union priority and subject of important legislation. Legislation in 2002 obliged management to integrate health and safety protection into all work processes. Unions launched a national programme to train health and safety representatives for every workplace. Other new laws required written policies and health and safety manuals in all workplaces, identified hundreds of specific hazards to be addressed, restated the role of unions in all aspects of health and safety policy, and introduced heavy fines on managers for safety offences. In 2007, the government underwrote all safety equipment costs. All this had an effect: recorded workplace accidents fell by a quarter, from 8280 to 6015, between 2002 and 2007; fatal accidents fell by more than half, from 111 to 47.

Enhanced protection in restructuring and redeployment situations, based on the radical 2002 restructuring of the sugar industry, was set out in a new general law on employment relations. Resolution No.8/2005 required that restructuring must be negotiated with the unions. Displaced workers were guaranteed 100% of salary for 30 days, then 60% until an alternative was agreed. This might be another job, or, for the first time, ‘study as a form of work’ with retention of salary and employment rights. For purposes such as calculating lay-off pay, the law redefined ‘salary’ to include bonus and other local pay supplements, a longstanding union demand. Disciplinary offences were re-categorised to permit dismissal only for very serious offences. And Resolution No.8/2005 explicitly included workers on newer forms of contract such as part-time, multiple-employer (more than one legal employment contract), home working, and fixed-term.

The old model of work organisation also declined in the Special Period, and Cuba began universalising a different model of employment relations. Resolution No.8/2005 thus provided for annual performance and promotion reviews, and introduced the concept of *idoneidad demostrada* –

roughly 'demonstrated suitability'. This concept, based on analysis of a worker's productivity, qualifications and disciplinary record, was to determine appointment, promotion and access to training on a more objective and equitable basis, displacing seniority-based and other local practices. In 2006, a follow-up law established workplace committees of management, unions, and elected workers, to control the application of the new national salary grading scheme and job descriptions, the use of *idoneidad demostrada*, and training requirements. The head of labour and social security affairs of the Cuban union federation, the Central de Trabajadores de Cuba (CTC), described Resolution No. 8/2005 as the unions' 'great achievement', as it changed attitudes in workplaces over the unions' role, embedding it across the full range of employment relations functions.

Crucially, the implementation of all the key aspects of labour relations legislation has been incorporated into the workplace *Convenio Colectivo de Trabajo*, the collective bargaining agreement. This agreement is a legal requirement in Cuba's workplaces, and also covers implementation of national pay grades and local productivity bonus schemes. The law also requires union and worker participation at all stages of development and implementation of payment systems, stating that without workers' agreement, 'the system cannot be applied'. The collective bargaining agreement is produced by management and unions, and then has to be approved by the monthly workplace workers' assembly: a fundamental guarantee of worker participation and control. This assembly, the *asamblea*, is a longstanding feature of workers' participation. A majority vote in the *asamblea*, with a 75% attendance, is required by law for the implementation of the collective bargaining agreement. Management presents its economic plan for the year ahead to the *asamblea*, reports on progress, and hears workers' grievances, among other things.

The monthly *asamblea* system was hollowed out by the mayhem of the Special Period, but in recent years has become the focus of a political drive to reinforce a sense of common ownership of the economy among workers. The CTC 19th Congress in 2006 initiated national programmes to refocus union resources on the workplace, and to revive the *asambleas* by ensuring that adequate and clear information is available to workers, and that a clear monthly cycle of dis-

discussion and reports is promoted. Strengthening worker participation is seen as crucial to economic recuperation, and to giving more life to the constitutional assertion that that workers are the owners in Cuba. The lead CTC officer in this area reported that over 80,000 assemblies (near the maximum possible) met in June 2008 to discuss preliminary production and service plans and company budgets for 2009, and that the assemblies had, 'the cardinal objective of strengthening the participation of workers in the management of the economy and planning'.

An example that demonstrates the countervailing power of collective bargaining rights occurred in August 2006, when new legislation was introduced as part of the drive to restore normality to the working day, and raise productivity. Two laws addressed timekeeping and discipline, in the latter case making leaving work without permission a 'grave' offence. There had been consultation with the unions. 'You must remember' the Ministry of Labour's Legal Director pointed out, 'that we do nothing, absolutely nothing, until we reach agreement with our comrades in the unions'. Workers soon complained that unreliable public transport made bad timekeeping unavoidable; and that shops, services and municipal offices kept the same hours as other workplaces, so workers could only access them during their working day. The government delayed implementation, announced measures to improve transport, and began negotiating changes in opening hours in key services. The bottom line was that implementation was subject to collective bargaining legislation, giving workers' assemblies, at least in theory, a veto. So, as the CTC provincial secretary for the City of Havana commented, 'Unless the conditions exist, we cannot apply the Resolutions mechanically. ... Like everything else in Cuba, we discuss with the workers.'

## The policy process in the 'socialist state of workers'

---

Seeking consensus in labour relations reflects, of course, the fact that Cuba's Constitution declares the country to be a 'socialist state of workers'. Cuba has many avenues for participation in political life, but workers as workers have influence principally through their unions and the CTC, which has

a constitutional right to propose relevant legislation and to be consulted over any employment law proposals. Unions are legally autonomous and financially independent, and not subject to legal controls on their activities, unlike unions in most states today. Politically, the unions support the Revolution, accept the Constitution (adopted in 1976 following a 97% yes vote on a 90% referendum turnout), and therefore accept the leadership role of Communist Party. The dual union role of defending the Revolution and defending workers interests, that Evenson's pamphlet discusses, is openly promoted, and based on the claim that workers are both employees and owners. The close policymaking relationship between government, Party and unions gives rise to criticism that the unions are mere transmitters of government policy. This is a clumsy charge: unions everywhere have political allegiances and more often than not direct alliances with parties. Such relationships involve two-way traffic. The meaningful question is whether Cuban unions 'transmit' in the other direction.

Evenson gave significant examples of mass consultation and union reaction changing key policies, and the past decade offers further instances. A national consultation exercise on economic and social recovery was launched by (then) interim President Raúl Castro in 2007, in which the CTC organised a national programme of meetings, from which over 1,500,000 individual responses were marshalled by the CTC and were submitted to the National Assembly and the government, which has since brought forward measures in response, for example on income distribution, the dual currency, petty regulations and obstructive bureaucracy. In 2008, another mass consultation exercise was launched to discuss changing the age of retirement and raising pensions. Retirement ages of 55 for women and 60 for men had been fixed in 1963, when life expectancy was 62: by 2007 it was 77. With such longevity and first-world birth rates, by 2025 there would be 770,000 fewer Cubans of working age, and workers would be less than half the population. Higher pensions were introduced, and the retirement age would be raised, over a seven year period, to 60 for women and 65 for men. The CTC general secretary reported to Cuba's National Assembly that in all 3,085,798 workers had met in 85,301 workplace assemblies to discuss the proposals. The consultation again produced policy modifications, for example in the 'best years'

income' calculation of pension value.

These processes of *consulta publica*, public consultation are the tip of an iceberg of participative processes in which workers and unions are active. Two further examples will suffice here. The radical restructuring during 2002 of Cuba's biggest employer, the ailing sugar industry, was preceded by multi-level negotiations with unions, and meetings with all 900,000 workers in the sector. At the end of the process, 207,000 went to new jobs, 'study as a form of work', or early retirement with enhanced pensions. No-one, the unions insist, was discarded. Secondly, the unions have been the Ministry of Labour's major partner in the ongoing reform of the Labour Code. The CTC archives demonstrate line-by-line engagement in the content and precise wording of drafts of a reformed Code, extensive consultation among individual unions throughout the process, and grassroots consultation on key draft versions. There is evidence of successful union rejection of proposals, such as suggestions that union involvement in company management boards should be limited to employment relations issues, or that unions should lose the right to stop work in dangerous working conditions (as opposed to limiting the right to individual workers, who of course might feel under greater pressure to avoid disrupting production).

An issue addressed by Evenson in relation to formation and recognition of unions has become an object of intensified US diplomatic campaigns since she wrote, and deserves comment here. With increased intensity under US President George W. Bush, active US strategy for 'regime change' in Cuba has for many years focused on financing and co-ordinating an oppositional 'civil society', to create conditions for 'regime change' and a pretext for external intervention. Alternative, 'independent' trade unions inside Cuba, and international labour movement organisations, are at the heart of this strategy. As Secretary of State Colin Powell's Commission for Assistance to a Free Cuba Report to the President put it in 2004 in a colossal 458 page blueprint for a capitalist Cuba,

'.... encouraging multilateral diplomatic efforts to challenge the regime in international organizations and to strengthen policies of proactive support for prodemocracy groups in Cuba should form a cornerstone of our policy to hasten an end to the Castro regime. The International Labor Organization and the Inter-American Commission on Human

Rights, amongst other international organizations, are natural fora for highlighting the conditions under which groups in Cuba should form a cornerstone of our policy to hasten an end to the Castro regime.'

Some of the elements of this US strategy became apparent in 2003 when dozens of Cubans were convicted of taking money and materials from the US and its agents as part of this 'regime change' strategy. The cause of these prisoners was taken up vigorously by the US, and by international human rights groups, and following intermediation in 2010 by the Catholic Church, they were released to live in Spain, or under parole in Cuba. In an interview published in 2006 in Cuba Sí, a Cuban labour lawyer who had infiltrated the 'independent' unions and given evidence in the 2003 trials outlined his experiences. In the face of the unrelenting media war against Cuba, it is worth quoting this lawyer at length on the subject of the 'independent' unions in his region of the island.

'They were not workers, they were not employed anywhere. They were small groups of 3, 4, 5 people who claim backing, but they were small groups of mercenaries with very well-defined interests: either to emigrate to the United States by getting visas as political refugees; or to obtain income from external counter-revolutionaries, in order to have an easy life, without contributing anything to society. ... The counter-revolution always tried to create alternative organisations to those of the Revolution. So they started to create independent libraries, independent doctors surgeries, independent pharmacies, independent trade unions, and others using the independent tag including farmers, stock-breeders and foresters. But the human component of these organisations was the same people. There were 4 or 5 people who were the independent doctor, the pharmacist, the union leader. ... Some of these people belonged to 3 or 4 different organisations, and were on the payroll of every group they belonged to. ...

'I was on as the United National Council of Cuban Workers, the Independent Libraries, the Independent Committee of Labour Law Advisors, the National Foundation of Independent Co-operative Farmers, and the Centre for Trade Union Studies. ... The Centre for Trade Union Studies, like all the other organisations, was a phantom whose existence we reported just for the purpose of getting more funding. ... Meetings were held and other activities that only served the purpose of justifying the funding. It was not geared towards training trade union leaders, rather it was geared to training so-called 'civil society' for the 'Transition Period' for a 'Free and Independent' Cuba. It was only urging these groups

towards subversion, including by violence. To destroy the system, that was the bottom line. ... They have never had a serious or defined purpose with any strong objectives of creating unions to represent interests in our society. It is not necessary because the workers are organised in unions already and they are not yellow unions. ...I was their lawyer and they never made a request, or even expressed a desire, to be legally recognised [as trade unions].

‘The only thing they did was to rely on counter-revolutionary organisations based overseas, some of them labeled as trade union organisations. But these organisations, in Spain, or the United States or any other country, were not even sending logistical support. The important thing was money. They spent the money as they wished. They had a source of income. For example one individual received money and bought faxes, set up a fax system, bought computers plus all the peripherals, tape recorders, cameras, video, electric fans, he bought a set of everything. And he resold them to make more money. There were some Texan radios given to him by the US Interests Section, and he sold them on the street. The leaders of the United National Council of Cuban Workers got sent a lot of material, and sold it on the black market.’

Powell’s report to George W. Bush openly boasts that ‘USAID and the National Endowment for Democracy (NED) are already providing support to Cuba’s incipient independent trade union movement through grants to U.S. NGOs.’ USAID and NED are funded by the US Government. It is not necessary to assume that every Cuban dissident is a mercenary, or that every Cuban critic of its trade unions is a US agent, in order to acknowledge that in the 50-year US dirty war against the Cuban people, ‘independent’ trade unionism in Cuba is hopelessly compromised by its paymasters in Washington and elsewhere.

## Income distribution

---

The ‘Special Period’ measures of the 1990s secured the Revolution’s survival, but at the cost of a proliferation of fiddle work, often based on pinching materials from work, illegality and corruption in both the formal and informal economies, and gross income inequalities. Basic national peso (CUP) salaries are set by the state not by local bargaining. They are insufficient to live on decently. The labour market that emerged in the Special Period contains some sectors with access to hard currency, convertible Cuban pesos (CUC), through bonuses in key sectors, or tips in the tourism

sector (The US dollar ceased to be legal tender again in 2004). One CUC is worth around 25 times one CUP. In hard currency CUC shops, Cuba's '*nuevos ricos*' (new rich) can be encountered, many of whom no longer work at all, having access to unearned CUC income from remittances, untaxed income in the informal sector, or corruption. The President of the Economic Commission of the National Assembly said in 2008 that only around half of Cuba's people have any access to hard currency. With US\$12 worth, in 2010, approximately the same as the minimum monthly CUP salary, and with the average salary worth around US\$17, this pattern of dysfunctional incentives has sustained serious labour market distortions. Professionals continue to quit for jobs in tourism and other CUC sectors, and many other workers pinch time and/or materials from the formal sector to be able to shop and trade in the informal sector.

In 2005 Fidel spoke publicly and dramatically about the extent of corruption and theft, and a national campaign, not least by unions, was launched to combat pilfering, but with limited effect. Then in 2007 Raúl Castro, then acting President, made a dramatic intervention in his keynote July 26 speech, acknowledging the link with the inadequacy of official salaries:

'We are equally aware that in the midst of the extreme objective difficulties that we face, salaries are still clearly insufficient for satisfying all necessities, so that in practice they do not perform their role of assuring the socialist principle that everyone contributes according to their capacity and receives according to their work. This has bred forms of social indiscipline and tolerance which, having taken root, prove difficult to eradicate, even after the objective causes behind them are eradicated'

The 'socialist principle of distribution', that 'everyone contributes according to their capacity and receives according to their work', incorporated in Cuba's Constitution, is derived from Marx's *Critique of the Gotha Programme*. Marx insisted that, in the socialist stage between capitalism and communism, material equality could not exist, so work would be rewarded as a 'bourgeois right', for time, effort and skill invested (only in the communist future, with scarcity a thing of past, could society eventually provide for its members to each 'according to need', in Marx's view). The centrality of this 'socialist principle of distribution' was restated by Raúl in his post-election Presidential acceptance speech in 2008:



'It is our strategic objective today to advance in an articulate, sound and considered manner, until wages recover their role and everyone's living standard corresponds directly with their legally earned incomes, that is, with the significance and quantity of their contribution to society'.

For most socialists and militant trade unionists in capitalist societies, the drive to productivity dealing has been regarded with hostility as intensifying exploitation. So it is worth noting here that in relation to socialist societies, and in socialist theory, this performance-related principle of distribution has rarely been controversial. Indeed, income *igualitarismo* (egalitarianism) has always been officially rejected in Cuba. In his National Assembly speech in July 2008, Raúl insisted that, 'Socialism means social justice and equality, but equality of rights, of opportunities, not of incomes. The latter, in the final instance, is also a form of exploitation: of the good workers by those who are not good, or even worse by the idle'. Nevertheless, Cuba has historically had a very flat distribution of basic salary incomes. When Che Guevara established the first post-revolutionary national salary scale in the early 1960s, the ratio of the lowest to the highest point on the basic scale was 1:3.1. After the 2005 national salary regrading exercise, the basic ratio was slightly lower at 1:2.89 (though official enhanced payments widened it to 1: 8.35).

Of course, the income differentials plaguing Cuba today are chiefly associated with the dual currency. A number of non-wage measures to reduce extreme income inequalities have been taken. After 'de-dollarization' in 2004, the 2005 revaluations of both the Cuban hard currency CUC and the national CUP peso, a *de facto* 18% tax on converting US dollars to CUC was imposed (a hefty indirect tax on unearned income from remittances). Value-added tax in CUC shops starts at a whopping 240%. In 2004, by which time some 1.5 million workers were receiving them, a cap was placed on workplace CUC bonuses, and no new CUC bonuses are being introduced except for strategic government objectives. A tax on CUC bonuses in mixed enterprises has been introduced. From 2009 a new national financial inspectorate began to make unannounced visits to companies, among other things to close down channels of corrupt transfers.

More universally, the government has begun to do away with costly 'gratuities' offered in workplaces, such as subsidised holidays. The 'socialist emulation' system of moral incentives is also being reformed, losing its national budget

allocation of 70 million CUP distributed by the unions, and will now be funded by workplace income. Most extensive is the programme since 2009 to close Cuba's 25,000 state canteens, said to cost US\$350 million a year, mostly in food imports. Canteen users are compensated with cash payments, made at the monthly equivalent of 300 CUP – more than the national minimum salary. The CTC's head of economic affairs elaborated on the general point shortly after Raúl's intervention:

'There are gratuities that will never be eliminated in Cuba, never: universal free health provision, universal free education provision will never be ended, social security and social assistance these will not be affected. And we have a lot of sport and cultural provision, we'll never give that up. These are basic conquests of socialism. But there are a lot of other gratuities, which people get whether or not they work, which are provoking the idea that today in Cuba work is not a necessity. But if there is no necessity to work, as Raúl says, if we don't create wealth, there's no wealth to share, and we'll be finished with socialism. We have to see work as necessary, because constitutionally we cannot make it an obligation'.

But if we eliminate 'gratuities', then we reinforce the necessity to work. Work is a right and a duty in the constitution, but not an obligation.

Other salary policy steps taken in recent years are consistent with a strategy of normalizing differentials and restoring the 'socialist principle of distribution'. Since 2005, there have been modest, across-the-board increases in salaries, initially benefiting the lowest paid and those in public services, although these increases have been offset by rising prices. Following stiff union resistance in the 1990s, noted by Evenson, the question of levying income tax has remained off the agenda. But progressive social insurance contributions, rising to 5% of income, have been levied for some time on earnings in the 'business improvement' sector, from 2009 on salaries incorporating new bonus schemes, and in all educational grades following substantial increases in their scales in 2009.

It was against this background that, after the slow response to 2006 legislation on performance-related bonus schemes, that Resolution 9/2008 was enacted. The new law required all workplaces to implement performance-related bonus schemes, wherever possible linked directly to individual output (and, as noted above, with the agreement of unions and workers assemblies). It lifted the cap on bonus

payments for production workers, and offered support workers bonuses of up to 30% of basic salary. Cuba, the world's media declared had abandoned its 'egalitarian wages system', was ditching a 'pillar of socialism' (*Guardian*, 15 June 2008), and had abolished a 50-year rule 'that labourers and surgeons earn the same' (*Independent*, 15 June 2008). As noted above, Che Guevara, in spite of his misgivings about material incentives as 'the great Trojan horse of socialism, direct material interest as an economic lever', had introduced a differentiated national salary scale and productivity bonus schemes in the early 1960s. Cuba has had bonus schemes ever since, although in the 1990s they had become divorced from physical output, something the new law sought to rectify. The CTC's head of economic affairs makes the point,

'Systems of payments by direct results of work disappeared [in the economic crisis]. And unfortunately what began to be generalized were systems of payment linked to financial management, linked to prices: something very linked to the law of value, the fundamental economic law of capitalism, the law of mercantile, monetary relations. If there's no supply, but a lot of demand, prices go up. So pay was going up with prices, in spite of production not rising, even falling. And this was generalized until at one point in the 1990s, 86% of workers were getting payment by results based on such indicators. Only 14% of those receiving payment by results had earnings linked to quantity and quality of work.

'Now by 2000 we reached a stage not just of economic recovery, but of development in some sectors. The country was recovering bit by bit, and growing again. So we reached the stage where the CTC was discussing with the state rectifying these problems, discussions at the highest level on how to rectify these tendencies. ... Now it was necessary to rectify everything we're doing, trying to do, creating written regulations which express, in this policy, adapted to the principles that govern development in a socialist society. That you earn your income in relation to the quantity and quality, not the speculative value of work'.

This whole process will not resolve on its own the obstacles to the restoration of the 'socialist principle of distribution', but it has the potential to do so if real incomes can be restored to an adequate level in a single currency system, and unearned incomes reduced by effective taxation. And even where such bonus schemes cannot be easily applied to public services like health and education (though studies are underway), the intended effect on national productivity will permit increases in salary for such workers.

## the 2010 redeployment programme

---

On 13 September 2010, the CTC issued a statement announcing to Cubans that half a million state employees were to be redeployed by April 2011. The statement covered the selection of redundant workers, alternative work, and unemployment benefits. The majority of redeployed workers were expected to transfer into the non-state sector, into worker co-operatives or forms of self-employment, or (for the first time since the earliest years of the Revolution) into private employment in small businesses. Cubans who are not in formal employment or official retirement would now be permitted to become legal self-employed workers. This little-noticed measure was aimed at reintegrating Cubans who abandoned formal employment in the Special Period. Redeployment into other state employment would be limited to sectors with labour shortages, such as agriculture, construction, teaching, police, and some industrial work. This restructuring of the labour market was widely interpreted in the international media as a crisis measure by a government beating a rapid retreat from socialism and expelling ten per cent of the workforce from the state sector. *The Financial Times* remarked that the changes made Margaret Thatcher look like a leftist. Such crude characterisations ignore the fact that in Cuba such changes come about as a consequence of debate and negotiation in a society based on solidarity and collective responsibility and ownership, and not in a Thatcherite war on organised labour conducted by criminalising solidarity and defeating strikes with a militarised police force.

The announcement did not come out of the blue, but represented the latest stage of the process of policy debate and change noted above, encompassing the restoration of normality in the world of work, not least the 'socialist principle of distribution', the national drive to raise productivity and efficiency, and the general restructuring of the post-Soviet era economy. The unions, as usual, were closely involved. In July 2010, the government policy summit on restructuring the labour market included the CTC union leadership. The CTC statement announcing the proposals followed directly from this meeting, and made clear CTC endorsement of the

economic and social aims of the policy. The statement included the requirement that the selection of workers for redeployment would be on the basis of the principle of *idoneidad demostrada*, demonstrated suitability, introduced in the general employment law Resolution No. 8/2005 agreed with the unions, as noted above. The CTC called on the union movement to monitor the process carefully to ensure that the principle was properly applied as some guarantee of fairness. The legislation covering these changes required that selection of staff for redeployment would be recommended by a workplace 'Committee of Experts' of either 5 or 7 members, with one each from management and unions, and the rest, the majority, directly elected by the workers in their assembly. Workers selected have the right to appeal to the normal workplace grievance panel, and thereafter to the courts.

It is important to recognise that in some aspects of the redeployment programme, unions have agreed to some dilution of rights established in the 2005 legislation. The options of redeployed workers taking up 'study as a form of work' (established in the 2005 law), or of early retirement (as in the sugar restructuring in 2002), were withdrawn. Earnings-related unemployment benefit ('salary protection') established in Resolution No. 8/2005 would now be time-limited: paid at 100% of salary for the first month, at 60% for up to five further months for those with 10 to 30 years of service. Thereafter welfare benefits in cash and kind are available, subject to regular household income and availability to work assessments.

# conclusion

---

Unions know that they have to work hard to make union and worker rights and participation a reality. In recent years the unions have retrained representatives at all levels, right into the workplace, especially in health and safety, in collective bargaining, and making the workplace assemblies a real forum for participation and control. And the CTC has restructured itself to improve its performance. So, as a new world of work and employment law has emerged, Cuba's unions have been at the heart of the political process, with a central role in

developing and defending workers' rights.

It is easy to observe world market pressures, labour market restructuring, performance-related pay, and benefits conditional on availability to work, and declare that Cuba is surrendering to the logic of capitalist enterprise. But the key judgement must be about who benefits from the changes and who has power in the process. The purpose is to strengthen Cuba's sovereignty and its solidaristic socialist model, on the basis of overwhelming state ownership and regulation of the economy, with a stronger tax regime in the private and self-employed sectors. Higher incomes and a closer match between contribution and consumption should be the results. Cuba's leaders, including its union leaders, are engaged in a hard struggle to sustain and develop the Cuban Revolution. The CTC statement is blunt on the need to take the current measures to secure the economic and social future of the Revolution, but the CTC and the unions at all levels exercise real influence in the process. If the 2011 Congress of the Cuban Communist Party approves the policies presented for debate in November 2010, Cuba will also be opening Special Development Zones to attract joint projects with foreign capital. This will also present a challenge to Cuba's unions to maintain the universal application of the country's employment rights legislation.

Those who sympathise with the Cuban unions' perspective – and in the UK that includes the TUC and all the major unions – can help by resisting the media war against Cuba, and above all by redoubling the campaign to end the US blockade, and enable Cubans, not least its workers and its trade unions, to continue to build their society according to the principles of social solidarity that attract such admiration around the world.

# recent Institute publications

*complete publications list on our website: [www.ier.org.uk](http://www.ier.org.uk)  
£6.50 for trade unions, £20 others (unless otherwise stated)*

**Labour Law Review 2010** by Rebecca Tuck, Betsan Criddle  
and Claire Bowsher-Murray

**Public interest whistleblowing: 12 years of the Public Interest  
Disclosure Act 1998** by Catherine Hobby (£8/£30)

**Regulatory Surrender: death, injury and non enforcement of  
law** by Steve Tombs and David Whyte (£8/£30)

**Federation News: Trade union responses to Coalition cuts**  
edited by Roger Seifert (£8/£30)

**The Organising Agenda: Union Organising and the Health of  
the Union Movement in Britain** by Gregor Gall

**The Employment Act 2008: An IER critique and guide**  
by Georgina Hirsch, John Usher and Shubha Banerjee

**Ruined Lives: Blacklisting in the UK Construction Industry:  
A Report for UCATT** by Keith Ewing

**Labour Law Review 2009** by Jenny Eady, Rebecca Tuck and  
Betsan Criddle

**Federation News. Issues of Enforcement**  
Steve Gibbons and Carolyn Jones (£8/£30)

**Agency and Migrant Workers** by Sonia Mackay

**The New Spectre Haunting Europe - The ECJ, Trade Union  
Rights and the British Government**  
edited by KD Ewing and John Hendy QC (£8/£30)

**Federation News: Youth and Unions** edited by Doug Nichols  
(£8/£30)

**Twenty Years of Progress: A Report on IER's Contribution to  
Advancing Workers' Rights** (£5)

**How to make Corporations Accountable** by Dan Plesch and  
Stephanie Blankenburg

**Labour Law Review 2008** by Jenny Eady, Rebecca Tuck and  
Betsan Criddle (£5/£10)

**Federation News: Europe at a Crossroads**  
edited by Mark Bell (£8/£30)

**The Right to Strike: From the Trade Disputes Act 1906 to a  
Trade Union Freedom Bill 2006**  
edited by Keith Ewing (£15/£30)



*Workers in Cuba: union and labour relations: a 2011 update* is the ninth in a series of Comparative Notes published by the Institute. This edition updates the 2003 Comparative Notes 7 by adding an introduction and an annex by Steve Ludlam to the original text by Debra Evenson

The Institute was launched in February 1989. As a labour law “think tank”, supported by the trade union movement its purpose is to provide research, ideas and detailed argument.

This series of comparative notes was introduced in an attempt to offer an insight into how labour law is developing throughout the world and to provide UK unions with positive examples of how the law *can* operate to the benefit of workers and their unions.

The Institute does not assume that legal measures can offer ultimate solutions for political, economic and social problems. However, it recognises that law has a part to play in influencing the employment relationship, both individually and collectively.

Institute of Employment Rights  
4th Floor, Jack Jones House  
1 Islington, Liverpool L3 8EG

**£6.50 TRADE UNIONS  
AND STUDENTS  
£15 OTHERS**

