

Inside this number:

We are still fighting	01
Unions join forces against McDonald's	02
National Fight Day	02
Minister supports right to strike	03
In defense of the right to strike	03
Commerce workers: Patah is reelected	04
Brazil and Argentina organize Meeting	04
More Justice in the IRS	04

## We are still fighting

On February 25, **União Geral dos Trabalhadores - UGT** attended marathon meetings in Brasilia in search of changes in the Provisional measures 664 and 665, which disrespect workers rights, and in search of advancing in the labour agenda. **UGT** does not accept a setback in workers rights.

This meeting was attended by representatives from the federal government, from UGT - which was represented **by Roberto Santiago, its vice-president** - and from trade union centrals. It was the third set of negotiations, but it did not represent advances. It lasted three hours and the only discussion involved the way the changes should be made, mitigating the attacks against workers rights. In consensus.

To UGT and to other trade union centrals that attended the meeting, modifications must be made through new initiatives and the current Provisional Measures must be repealed. In order for the repeal of these measures to take place, it only takes not examining it under the Congress until April 2. To UGT the simple fact that there are 741 parliamentary amendments to Provisional Measures shows the need to write a new text, one that would reflect a consensus between trade union centrals, government and parliamentarians.



The **DIEESE (Inter-Union Department of Statistics and Socio-Economic Studies) study** on the sharp turnover in employment was presented at the meeting. This study proposes a fine for companies that are experiencing turnover above the average of their sector. These fines would improve the government's cash without disrespecting labor rights.

Carlos Gabas, minister of Welfare; Manoel Dias, minister of Labour and Employment; and Nelson Barbosa, minister of Planning, attended the meeting with UGT and the trade union centrals CUT, Força, New Central, CGTB and CTB.

Prior to the meeting with federal representatives, which took place in the afternoon, there was a breakfast with Eduardo Cunha, president of the Chamber of Deputies, who argued with the unions that the country needs a fiscal adjustment and urged leaders not to fight against the rejection of the measures, but only fight for its improvement.

Cunha announced at the meeting that he will lead a vote in 30 days on the bill (PL) 4330, related to the regulation of outsourcing activities. Eduardo Cunha said that regardless of agreeing with the text content, he considers necessary to proceed with the project.

**Ricardo Patah, president of UGT**, said that we can not close our eyes to outsourcing, which is present in Brazilian companies. "It is essential that the regulation of outsourcing does not bring precarious employment and labor relations. Take the example of street sweepers who are outsourced throughout Brazil, they have one of the highest wage floors of the country, at R\$ 1,300 and with meal vouchers".

To UGT, Brazil is going through a difficult situation, with the weakening of the economy and of growth, with the regrowth of inflation and with political problems arising from the fight against corruption. Brazilians are pessimistic and expect more inflation and unemployment.

The attack on social rights is unacceptable. To UGT, only a great mobilization of the workers can stop the attack on the rights and advance the labor agenda.



## Trade union join forces against McDonald's

With the support of **União Geral dos Trabalhadores (UGT)** and CUT, a group of trade union centrals registered at the Labour Court, in Brasilia, a public civil lawsuit against the fast food chain Mc Donald's Brazil for violation of labour rights.

Unionists accuse the company Arcos Dorados, largest franchiser of Mc Donald's in Latin America, of practicing 'social dumping' for they are disrespecting the labour legislation with the goal of reducing expenses and offering more competitive prices than those of competitors. And they request this chain to be prohibited from opening new franchises in case they continue to commit irregularities.

**The attack of Brazilian trade unions takes place in a moment in which the American head office is being pressured by activists into increasing the wages of its employees and follow the example of major retail traders, such as Walmart, by increasing salaries higher than the current minimum wage in the United States.**



With the informal support of **SEIU (Service Employees International Union)**, the lawsuit against the fast food chain, which employs nearly 48 thousand people in Brazil, goes beyond the wage issue and included accusations of extra duties; fraud in the time clocking machine; disrespect towards the collection of the Severance Indemnity Fund for Employees (FGTS) and practice of changing working hours, in which the employee remains more than eight hours at the disposal of the company. Through a note, McDonald's advising office only informed that the company still wasn't given notice.

From 2012 and August 2014, trade union institutions filed nearly 400 labour lawsuits against the multinational company all over Brazil. This research was made through sampling, which means that this number could be even higher. From then to now, McDonald's even signed a conduct adjustment agreement with workers, with the Labour Public Prosecutor and with the court but, based on this research, unionists affirm that irregularities were not corrected.

This is the first national mobilization against the fast food chain in Brazil, but, regionally, this company has already faced some lawsuits. The most emblematic ended in March 2013 with the decision of the Court of Pernambuco which compelled the chain to pay R\$ 7,5 million on compensation for collective moral damage. This lawsuit was filed due to the fact that McDonald's obliged employees to work on variable hours and consume only the McDonald's food during their meals.

Now, trade unions request the court to establish a deadline for the chain to correct such irregularities under the penalty of being prohibited from opening new franchises in Brazil. In the collective lawsuit that accuses McDonald's of "social dumping", workers also asked for compensation on moral damage and payment of reparation in values that may vary from 1% to 30% of the company's income.

**Against provisional measures 664 and 665**

## National Fight Day

Trade union centrals organize act on March 2 in the Regional Labour Superintendences and on March 18 in Brasilia

On February 12, Francisco Pereira, aka Chiquinho, secretary of UGT's department of Trade Union Organization, had a meeting with officers from other trade union centrals at the head office of Dieese, in Sao Paulo, and he is summoning the working class to hold a National Fight Day that should start on March 2 with an act in front of the Regional Labour Superintendences in the main State capitals of Brazil.

"This protest will have the purpose of raising awareness on the population concerning the provisional measures 664 and 665 which remove workers rights", Chiquinho said. Trade union officers also decided that on March 18 there will be a mobilization in Brasilia, in the National Congress.

The provisional measures were edited by the federal government when 2014 was almost over and they remove workers rights and social security benefits, among them: death pension, bonus payment and unemployment insurance.

Officers from Força Sindical, CSB, CTB, CUT, Nova Central and UGT attended the meeting.



**Considerações  
sobre as MPS  
664 e 665**

## Minister of Labour supports right to strike

On February 18, Manoel Dias, Minister of Labour and Employment, ratified, in Brasilia, the Brazilian government support to the workers' struggle for recognition of the right to strike.

He had a meeting with trade unions centrals that are linked to the **International Trade Union Confederation (ITUC)** and are involved in the recognition of the right to strike as an institute of international law, under the ongoing debate in the **International Labour Organization (ILO)**. On behalf of **UGT, Lourenço Prado, its vice president**, attended the meeting.



The workers are in favor of taking the matter to the International Court in The Hague if consensus is not reached at the ILO. The question raised by the employer bench in 2012 is that the right to strike would not be supported by the ILO Convention 87, which deals with freedom of trade union organization. The impasse in the Standards Committee has lasted two years.

To Manoel Dias, the Brazilian government recognizes the right to strike as part of international law. "In many cases, the strike is the only weapon left to the worker to assert their rights. The defense of this right has our full support," the minister explained.

He recalled that, in the midst of the international crisis established since 2008, the class struggle has gained strength and led to this kind of debate that threatens achieved rights.

Antonio Lisboa, workers' representative on the Board of the ILO and Secretary of International Relations of CUT, attended the meeting as well as Nilton Souza Silva, secretary of international relations of Força Sindical, Carlos Alberto Azevedo, president of the National Confederation of Liberal Professionals and Ruth Monteiro, secretary of civic rights of Força Sindical.

## In defense of the right to strike

**Víctor Báez, secretary general of the Trade Union Confederation of the Americas**

Employers are performing an aggressive global crusade against the Convention 87 and the right to strike, and against the legitimacy of interpretations made by supervision organs of ILO on such matter.



**Employers intend to ignore the authority of international supervisory bodies to define the scope and extent of ILO Conventions, which calls into question the very existence of international law and leave the interpretation of the Convention to individual states.**

In the last International Labour Conferences employers caused a complete deadlock in the work of the Committee on the Application of Standards (CAS), which goes against decades of recognition of employers on advices of ILO. This has prevented the committee of dealing with a list of cases of serious violations of workers rights.

The human right to strike is a fundamental tool to affirm the dignity of the working class and to strengthen coherent political democracy and the principles of social justice and substantive equality.

Therefore, to the Trade Union Confederation of the Americas (CSA) and to all unions the mobilization of the working masses to defend this human right is a high priority. The fact that our Constitutions or laws already provide this possibility is not enough. If we lose this right under the ILO, the laws of the countries that favor us might continue to fall like the domino effect.

TUCA, ITUC and our affiliated unions continue vigilant in defense of this fundamental right.



Read the article of Wagner José de Souza on the Right to Strike



Hands Off Our Right To Strike



## Commerce workers: Patah is reelected

With 25,270 votes, commerce workers elected the Slate Projeto Avança, led by Ricardo Patah. Overall, 27,096 votes were registered, out of which 1,186 were left in blank and 640 were invalid votes.

"I would like to thank all of those who participated in this movement of democracy. Together, we will create a Brazil that respects commerce. The victory is ours! Our board is committed to fight bravely for the unified wage floor, for the national unified base date and to overcome the turnover and precariousness", Patah said.

"Congratulations to the committed board to the fact that they added so many unions. Undoubtedly, the winner is commerce," said Luis Carlos Motta, president of Fecomerciarioros and UGT Sao Paulo, who presided the table of verification



Patah heads the slate "Projeto Avança - for a national wage floor and for the regulation of working hours." This will be his fourth term, but the union is engaged in the fight of the category since 1972, when he had his first job in commerce. He also heads UGT, a trade union central to which the entity is affiliated with.

## Brazil and Argentina organize International Meeting

**Zé Carlos Neves, president of Sinecofi and city councilor**, accompanied by directors Edilson Vieira, Gineumar Gaedick (Manão) and Caetano Rizzi received the visit of **Avelino Garcia, vice-president of UGT; Leocides Fornazza vice-president of FECEP; Ruben Cortina director of FAECYS (Argentine Federation of Commerce and Services Workers) and Luis Alfredo Ojeda, director of the Commerce Workers Union of Misiones.**



The agenda included the organization of the International Meeting of leaders of the commerce class, which will deal with common actions aiming at implementing concrete actions and measures against slave work and against the exploration of workers.

Trade union institutions have been organizing themselves involving four priorities: more and better education; conciliation between study, work and family life; worthy and active insertion into the labour world and social dialogue

The Meeting is scheduled to take place on March 13 and 14, in Foz do Iguaçu.

## More Justice in the IRS

**Note number 144 - Natural persons IRS: proposals for a more just tax**

The annual inflation-adjusted items of the IRS table and the creation of a new tax structure are issues of this note (update of note 131). This topic refers to the requests of the trade union movement. Since 1996, the discrepancy of the table reached 64,37%.

The debate on the Natural Persons IRS, especially in terms of table adjustment, is a priority for the reorganization of the Brazilian tax system in more just grounds.

This happens because salaries are adjusted to the current inflation, the incidence table of the IRS is not, thus, a corrosion of workers income take place in real terms.



NT nº 144

The UGT Global is the Newsletter of International Information of the União Geral dos Trabalhadores do Brasil.

The UGT union is an organization formed to defend the Brazilian workers across a broad trade union movement, national, ethical, supportive, independent, democratic and innovative.

Communications Director: Marcos Afonso de Oliveira

Publisher: Mauro Ramos