



CAFTA Facts

Office of the United States Trade Representative
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Labor Laws in Central America/Dominican Republic and Morocco Similar Laws, In Line With ILO Core Labor Standards

Labor Protections in Constitution and Laws of Morocco	Key Labor Protections (As outlined by ILO)	Labor Protections in Constitutions and Laws of Central America and the Dominican Republic
Seven.	ILO Core Conventions <i>How many of the eight ILO core conventions have been ratified?</i>	Eight (Costa Rica, Dominican Republic, Guatemala, Honduras, Nicaragua). Six in El Salvador.
Yes. Yes. Yes. No. Yes.	Freedom of Association <i>Guaranteed by constitution?</i> <i>Are there legal procedures for registration of labor unions?</i> <i>Is the organizational autonomy of unions over administrative and financial matters guaranteed by law?</i> <i>May foreign nationals lead or administer local labor unions?</i> <i>Does law prohibit unfair labor practices and discrimination on the grounds of trade union activity?</i>	Yes. Yes. Honduras requires a minimum of 30 workers to form a union and permits only one union to form at each enterprise. Yes. No, except Nicaragua. Yes. The ILO recommended that penalties be raised in Costa Rica, El Salvador, Guatemala, and Nicaragua.
No. Must be the “most representative union” (at least 35% in a particular enterprise).	Right to Collective Bargaining, <i>Is the right to collective bargaining recognized in constitution?</i> <i>What percentage of workers must a union represent to engage in collective bargaining?</i>	Yes, in all but the Dominican Republic. Costa Rica: 34% El Salvador: 51% Guatemala: 25% Honduras: no minimum Nicaragua: no minimum Dominican Republic: 51%
Yes. Yes. Yes.	Right to Strike <i>Guaranteed by constitution?</i> <i>Are there legal procedural requirements that must be met in order to strike?</i> <i>Are there restrictions on strikes by public sector employees?</i>	Yes. Yes. Yes.

Labor Laws of the Kingdom of Morocco	Key Labor Issues (As outlined by ILO)	Labor Laws of Central America and the Dominican Republic
Yes.	<p align="center">Discrimination</p> <p align="center"><i>Do laws provide for: Equality of remuneration? Equality of opportunity in employment and for pregnant women? No discrimination based on sex, nationality, disability, or HIV/AIDS?</i></p>	Yes. Further improvements in gender discrimination laws are pending in Guatemala's Congress.
<p>15.</p> <p>16.</p> <p>44 hours per week.</p> <p>Morocco is addressing child labor through an active ILO-sponsored program.</p>	<p align="center">Child Labor</p> <p align="center"><i>What is the minimum age for employment?</i></p> <p align="center"><i>What is the minimum age for hazardous or potentially unhealthy work?</i></p> <p align="center"><i>What is the legal maximum hours of work per week by minors?</i></p> <p align="center"><i>Special enforcement programs focused on child labor?</i></p>	<p>16 (Honduras. 14 if continue schooling) 15 (Costa Rica) 14 (Dominican Republic/El Salvador/Guatemala, Nicaragua).</p> <p>18 (16 in Dominican Republic and Honduras).</p> <p>30 hours per week (Dominican Republic, Honduras, Nicaragua); 34 hours per week (El Salvador); 36 hours (Costa Rica); 42 hours per week (Guatemala)</p> <p>Costa Rica, the Dominican Republic, Honduras and Nicaragua have designated inspectors and/or directorates to focus on child labor issues. Guatemala has several active ILO-sponsored programs to eradicate child labor in agriculture and manufacturing.</p>
<p>No.</p> <p>Yes. Law prohibits ordering workers to perform work against their will.</p> <p>Yes.</p> <p>Yes, as long as they comply with notice period requirements.</p>	<p align="center">Forced Labor</p> <p align="center"><i>Constitutional provisions on freedom to choose employment freely?</i></p> <p align="center"><i>Legal right to freely chose employment?</i></p> <p align="center"><i>Legal protections against abusive language or actions?</i></p> <p align="center"><i>May workers "give notice" at any time?</i></p>	<p>Yes in all five Central American countries. Dominican Republic constitution recognizes freedom of work.</p> <p>Yes. Law prohibits ordering workers to perform work against their will.</p> <p>Yes.</p> <p>Yes.</p>

Note: The U.S.-Morocco Free Trade Agreement was approved by the House of Representatives on July 22, 2004 by a vote of 323-to-99 and by the Senate on July 21, 2004 by a vote of 85-to-13.