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NEW INTERNATIONAL SOCIAL AND ENVIRONMENTAL RULES: PUTTING PEOPLE OVER PROFIT?

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MARÍA GÓMEZ OJEDA, NADINE REIS

USMCA Labour Provisions and Their Impact on Working Conditions in the Mexican Automotive Industry: An Initial Assessment

ABSTRACT *This article examines the impact of the United States-Mexico-Canada Agreement's (USMCA's) labour provisions, specifically the Rapid Response Labor Mechanism (RRLM), on union dynamics within Mexico's automotive sector. Through an analysis of two case studies—the General Motors plant and auto parts manufacturer Draxton, both located in Central Mexico—we explore how the RRLM functions in the context of local power structures, global economic pressures, and the asymmetrical trade relationship between the United States and Mexico. While the RRLM has facilitated advancements, such as the establishment of an independent union at GM and subsequent improvements in working conditions, its limitations are evident in cases such as Draxton, where corporate resistance and weak institutional frameworks undermined efforts to achieve substantive reform. Using a multiscale theoretical framework, we highlight the intersection of global governance mechanisms with local labour realities, revealing tensions between democratising union practices and the structural pressures to maintain economic competitiveness. The findings emphasise that, although the RRLM enhances the visibility of labour violations, its transformative potential is constrained by structural inequalities and localised resistance. We argue that sustainable labour reform in Mexico's automotive industry requires bridging global frameworks with robust local strategies to strengthen workers' capacities to challenge entrenched power asymmetries.*

KEYWORDS *Mexico, USMCA, Labour Rights, Automotive Industry, Union Representation. Multiscale Governance*

I. Introduction

After 25 years in force, the North American Free Trade Agreement (NAFTA) was renegotiated to establish the United States-Mexico-Canada Agreement (USMCA), which came into force on July 1, 2020. The main objective of the agreement was not greater economic liberalisation, but the further protection of the U.S. auto industry based on rules of origin, and in particular to prevent any of the three countries from negotiating a trade agreement with a “non-democratic” country, namely China (Dussel Peters/Gallagher 2013; Leal/Dabat 2019). Among these provisions, the Rapid Response Labor Mechanism (RRLM) was established to address labour disputes by allowing Mexican workers to report corporate interference in union life, providing a framework to hold companies accountable and ensuring compliance with labour standards in the export sector, aiming to improve working conditions, particularly in the export sector. This would in turn lead to better collective wage bargaining and thus avoid “the downward competition in wages and working conditions that NAFTA created” (Shaiken 2014) in Canadian and U.S. labour markets.

After nearly four years of USMCA implementation and the operation of its labour chapter in addressing workplace disputes and enforcing labour standards, this study aims to analyse how the RRLM shapes union dynamics within Mexico’s automotive industry, focusing on two contrasting cases. Beyond analysing the actors operating at the transnational scale, we examined the functioning of the RRLM’s operation at the local level through ethnographic field research. This first-hand perspective allowed us to integrate empirical insights that deepen the understanding of its practical implementation and limitations.

One case represents a well-documented instance where the mechanism facilitated the formation of independent unions and improvements in working conditions through collective bargaining. The second case, while sharing similar contextual factors and territorial space, did not lead to significant outcomes, thus highlighting the challenges and limitations of the mechanism. This study explores how regional tensions — which arise from the ongoing interactions between local labour dynamics, domestic actors, and foreign pressures — shape the challenges of implementing the RRLM in Mexico.

It critically assesses whether the RRLM can lead to meaningful changes in labour relations, given the tension between the global objectives of the USMCA and the local conditions shaped by economic dependency.

Our study finds that, in some cases, the RRLM has served to change the union representations of exporting companies and to achieve the reinstatement of workers who have been unjustifiably dismissed. It has also been a way for Mexico's alternative trade unionism in the automotive and auto parts industry to obtain union representation through a "personal, free and secret vote" (Chapter 23, USMCA 2020).

However, the RRLM is an instrument with only limited potential for bringing about change in labour relations in Mexico, a country which takes on a dependent role in the international division of labour. Workers who demand labour rights face several obstacles, amongst others, serious legal gaps in the Mexican legislation, which permit the sham registration of companies, and an enormous vulnerability to the often-violent repressions of employers in a context of scarce opportunities. These adverse labour conditions cannot be remedied by an instrument such as the RRLM.

In the first section, we establish the theoretical framework, positioning trade agreements such as the USMCA as governance mechanisms shaped by multiscalar dynamics, where global economic pressures intersect with local labour realities. Drawing on concepts such as 'scalar structuration' (Brenner 2001) and 'glocalization' (Swyngedouw 2004), we explore how power is unevenly distributed across scales, often favouring global actors over local needs. Labour agency, constrained by structural inequalities (Coe/Jordhus-Lier 2011), operates within these frameworks, enabling workers to challenge violations while remaining limited in addressing systemic imbalances. Labour regimes within global production networks further highlight these tensions, balancing labour rights with the pressures of economic competitiveness. Subsequently, we analyse the consequences of NAFTA on labour dynamics across borders and examine the context of the USMCA's negotiation. This includes a detailed review of the Rapid Response Labor Mechanism (RRLM) and its connection to the 2018 reform of Mexico's Federal Labor Law.

To illustrate the RRLM's functionality, we present two contrasting cases from the automotive sector: General Motors and Draxton. In the

GM case, the RRLM supported the creation of an independent union which would lead to improved working conditions through collective bargaining. In contrast, Draxton workers initially achieved union representation, the company together with the union employed legal tactics to reverse this outcome, highlighting the RRLM's limitations when faced with entrenched corporate power and local resistance.

Finally, we examine the factors contributing to these divergent outcomes, emphasizing the interplay between local power dynamics, corporate unionism, and global mechanisms. The findings underscore the need to bridge global initiatives with robust local strategies to foster meaningful and sustainable labour reforms in Mexico, particularly in contexts where legal and corporate interests dominate.

2. Theoretical framework: Multi-scalar governance, labour agency, and the structuration of labour regimes

This section develops a theoretical foundation by integrating three interconnected concepts: multi-scalar governance, labour agency, and labour regimes. Together, these concepts reveal the complex interplay of power, regulation, and agency in structuring labour governance within global trade.

2.1 Multi-scalar governance: Power and regulation across scales

Trade agreements like the United States-Mexico-Canada Agreement (USMCA) are not merely economic arrangements; they are governance frameworks that mediate tensions between global economic imperatives and local labour realities. To comprehend the broader implications of trade agreements like the USMCA, it is essential to move beyond viewing them solely as economic frameworks. Instead, they should be understood as instruments of governance that operate across spatial scales, intertwining global, national, and local dimensions.

Governance operates across spatial scales—local, national, and global—creating a complex web of interactions where power is unevenly distributed and contested. As Brenner (2001) emphasises, spatial scales

are not pre-existing categories but are socially constructed and constantly reshaped through political and economic processes. This concept of scalar structuration helps to understand how governance mechanisms emerge and reconfigure themselves to prioritise certain objectives while marginalising others.

In the context of trade agreements, multi-scalar governance highlights the layered and often fragmented nature of regulatory frameworks. Jessop's (2002) notion of scalar dominance is particularly relevant: it explains how global actors, such as multinational corporations and trade institutions, exert disproportionate influence over decision-making processes, often bypassing or subordinating national and local actors. This dynamic reflects the tension between the centralisation of economic control at the global scale and the fragmentation of regulatory responsibilities at the local level (Swyngedouw 2004).

These scalar dynamics are not neutral but are deeply political, reflecting struggles over whose interests are represented and prioritised. For example, the mechanisms within the USMCA, such as the Rapid Response Labor Mechanism (RRLM), exemplify how governance frameworks can prioritise compliance with global economic standards while putting aside local needs and capacities. This dynamic demonstrates the trade-offs inherent in multi-scalar governance: while global oversight can enhance enforcement, it often reinforces asymmetrical power relations that constrain local autonomy.

2.2 Power, regulation and governance of labour

The regulation of labour within trade agreements operates not only as a mechanism of enforcement, but also as a means of control. Smith et al. (2020) distinguish between hard law and soft law approaches in global labour governance. Hard law mechanisms, such as the RRLM, rely on formal sanctions and binding enforcement, reflecting the increasing 'juridification' of labour relations within trade agreements. However, this approach often neglects the collaborative and capacity-building dimensions associated with soft law, limiting its potential to address systemic inequalities.

Governance within trade agreements also involve a dual movement of power across scales. While economic decision-making is often concentrated

in global actors, regulatory responsibilities are frequently delegated to local institutions. These fragmentations create governance landscapes where local actors, including workers and unions, must navigate overlapping and sometimes conflicting regulatory frameworks. These dynamics highlight the tension between the regulatory aspirations of trade agreements and the structural realities of global production networks, where entrenched power imbalances constrain efforts to achieve meaningful reforms.

2.3 Labour agency: Constraints and possibilities

Labour agency, as defined by Herod (1997), refers to the ability of workers to navigate and manipulate socio-spatial structures through both collective and individual actions. However, this capacity is deeply conditioned by the structural constraints of global capitalism, including competition, institutional weaknesses, and socio-economic inequalities (Coe/Jordhus-Lier 2011). Labour agency operates across multiple scales, reflecting the interconnected nature of labour struggles in the context of globalisation.

While mechanisms like the RRLM provide avenues for local grievances to gain visibility within global governance frameworks, they also illustrate the limitations of labour agency. As Coe and Jordhus-Lier (2023) argue, labour agency is fundamentally constrained by structural inequalities that limit workers' capacity to challenge systemic power imbalances. However, these constraints are not absolute. Workers can leverage opportunities within governance frameworks to contest violations and advocate for their rights. For instance, in high-value production sectors, workers may use their strategic position to negotiate better conditions, while those in lower-value sectors face greater barriers to mobilisation (Bieler/Lee 2017).

2.4 Labour regimes and the structuration of trade-based integration

Labour regimes are the socio-spatial arrangements that structure labour relations within global production networks (Campling et al. 2022). These regimes are shaped by the competitive pressures of global markets, where lead firms dictate conditions through cost pressures, compliance standards, and delivery schedules. Trade agreements, such as the USMCA,

embed labour provisions within these regimes, reflecting attempts to regulate labour practices while maintaining economic competitiveness. However, labour regimes are not static; they are continuously reshaped through socio-political struggles and scalar reconfigurations. Campling et al. (2022) highlight how trade liberalisation reshapes labour regimes in divergent ways, with workers in high-value sectors often benefiting from improved conditions, while those in lower-value sectors experience intensified exploitation. These dynamics underscore the contradictions inherent in labour regimes, where efforts to protect labour rights coexist with structural pressures that perpetuate inequality. The concept of scalar structuration is critical to understanding how labour regimes are integrated into trade-based governance frameworks. Mechanisms like the RRLM attempt to bridge global standards and local labour relations, but they often prioritise the demands of lead firms over the substantive protections of workers. This tension reflects the broader challenges of balancing labour rights with the imperatives of global economic integration.

In the following section, we explore how these dynamics have been reinforced by the legacy of NAFTA, which continues to shape labour relations in Mexico, particularly within the export-driven sector.

3. From NAFTA to USMCA: Labour dynamics and structural inequalities

The legacy of NAFTA looms large over the current labour framework in Mexico, particularly in the export-driven automotive sector. Implemented in 1994, NAFTA facilitated Mexico's transformation into a 'maquiladora' hub for the U.S. manufacturing industry (Delgado Wise/Cypher 2007), leveraging low wages and flexible labour practices to attract investment (Ruiz Nápoles 2021). However, this model entrenched structural inequalities.

Practices such as the widespread use of 'protection unions' ensured a superficial labour peace, suppressing worker mobilisation and maintaining stagnant wages (Quintero 1990). These unions, aligned with employer interests, negotiated contracts without meaningful worker input, prior-

itisising stability for capital over labour rights (Cypher/Crossa 2021). Central federations such as the Confederation of Mexican Workers (Confederación de Trabajadores de México in Spanish, CTM) ensured a fictitious labour peace suppressing worker mobilisation through contracts negotiated between union leaders and employers, while benefits and wages remained low (Cypher/Crossa 2021; Delgado Wise/Cypher 2007). These practices were not only designed to keep wages stagnant but also entrenched a system of control that marginalised worker agency.

The automobile sector became emblematic of NAFTA's labour asymmetries: manual, low-wage tasks were outsourced to Mexico, while high-value processes such as design and engineering remained concentrated in the United States, and value added were captured by transnational corporations (Gallagher/Zarsky 2007).

Although productivity levels in Mexican plants rivalled those of their U.S. counterparts, the wage gap between workers in the two countries has widened significantly. In 2018, Mexican terminal sector workers produced an average of 47 cars annually, compared to 48 by U.S. workers, demonstrating near-parity in productivity (Covarrubias 2020).

However, this small difference starkly contrasts with a wage differential that expanded from six-to-one to eight-to-one over the same period (Bensusán/Florez 2020), underscoring the fact that productivity alone cannot justify the persistent and growing wage inequities in the sector. This unequal framework came under intense scrutiny in the lead-up renegotiation of NAFTA. In mid-2015, the International Trade Union Confederation and IndustriALL Global Union denounced the Mexican government for "practices against freedom of association and collective bargaining" (Covarrubias 2019: 107). The issue of 'social dumping' became a prominent point of contention during the 2016 U.S. presidential elections, with candidate Donald Trump accusing Mexico of keeping wages artificially low to attract the relocation of U.S. companies to Mexican territory. Once elected, Trump's administration made labour issues a cornerstone of the renegotiation process. U.S. Trade Representative (USTR) Robert Lighthizer emphasized the importance of addressing labour disparities, commending Mexico's historic labour reforms as part of the USMCA (USTR 2019).

At this point it is important to note that beyond the discussions around certain origin clauses and Trump's accusations against the Mexican

government, some observers conceived the USMCA as a containment dam against the increased presence of products and investments from China in the region (Meltzer 2024). Conversely, trade relations between Mexico and China involved a confrontation between the U.S. and China when they began to compete for the Mexican market (Dussel Peters/Gallagher 2013).

In response to these entrenched inequities, the USMCA introduced labour provisions aimed at addressing NAFTA's shortcomings, particularly the Rapid Response Labor Mechanism (RRLM). By enabling labour violations to be escalated to an international forum, the RRLM seeks to challenge the dominance of protection unions and enforce democratic labour practices (Bensusán/Middlebrook 2020). However, as we will demonstrate below, the mechanism's transformative potential is constrained by factors inherited from the NAFTA era, including a fragmented regulatory landscape, weak local institutions, and global trade imperatives that often subordinate labour rights to economic goals (Dussel Peters 2018; Smith et al. 2020).

Concurrent with the approval of the USMCA, Mexico underwent a significant labour reform in 2019. This reform, aligned with the trade agreement's labour chapter, aimed at democratising union representation and enhancing worker agency. The reform introduced the requirement for secret ballot voting in union elections and mandated the review of all existing collective bargaining agreements by 2023 to ensure worker awareness and consent (Bensusán/Middlebrook 2020). The creation of the Federal Center for Union and Collective Bargaining Agreement (CFCRL) marked another critical reform mandated by the USMCA, as it was a key demand from the United States during the negotiation process.

Established as part of the 2019 labour reform, the CFCRL replaced the Conciliation Boards, with a focus on overseeing union elections, resolving disputes, and ensuring transparency in collective bargaining processes. This institutional overhaul sought to address the deep-rooted issues of labour representation that had characterised the NAFTA era.

These structural and institutional legacies set the stage for understanding how the USMCA's labour provisions would unfold in practice. In this context, the RRLM represents a direct challenge to the entrenched power of protection unions, instead aiming to democratise union representation and enforce labour rights. The automotive sector, as one of Mexico's most significant export industries, serves as an illustrative case for exam-

ining these dynamics. In 2022, the sector accounted for over one-third of Mexico's total exports, highlighting its centrality to the national economy and its deep integration with U.S. markets (Banxico 2023). However, this economic prominence has historically been built on labour practices that reinforce the power asymmetries embedded in NAFTA-era policies, complicating efforts to establish substantive labour rights under the new trade framework.

4. The Rapid Response Labor Mechanism

The Rapid Response Labor Mechanism (RRLM), as outlined in Annexes 3I-A and 3I-B of the USMCA, serves as a targeted tool for addressing violations of labour rights, particularly freedom of association and collective bargaining, within specific Mexican facilities. Restricted to 'covered facilities,' the mechanism applies to workplaces engaged in export production, competing in international markets or operating within priority sectors such as manufacturing and services. Its primary objective is to provide a mechanism through which systemic labour rights violations can be escalated to an international forum (Bown/Claussen 2024), challenging entrenched practices and structures of Mexican corporatist unions.

Under the RRLM, facilities accused of denying workers their rights face immediate reputational costs and financial consequences, such as frozen tariff benefits on exported goods. These penalties are intended to compel facilities to implement expeditious remedial actions, often within weeks of the U.S. government initiating an RRLM case. However, the rapid timeline has sometimes placed pressure on workers to participate in new legitimisation votes or union elections without having adequate time to understand the implications of these processes, raising concerns about the thoroughness of labour law implementation and worker awareness (LeClercq et al. 2024).

The mechanism's activation begins with a petition submitted by workers, labour organisations, or governmental bodies, to the United States. The Interagency Labor Committee for Monitoring and Enforcement, co-chaired by the U.S. Trade Representative (USTR) and the

Mexican Secretary of Labor, reviews these petitions. Upon finding sufficient evidence of a violation, the committee may initiate consultations with the Mexican government and, as an interim measure, recommend freezing the import tariff benefits of goods produced at the implicated facility. This move effectively disrupts the supply chain and creates financial uncertainty for the facility until the matter is resolved (Bown/Claussen 2024).

Of the approximately 20 RRLM cases filed to date as of May 2024, almost all have targeted facilities in the automotive sector, with only one in the services sector (LeClercq et al. 2024). These disputes have predominantly involved manufacturing facilities located in Guanajuato, Coahuila, and San Luis Potosí—key regions for Mexico’s export economy (LeClercq et al. 2024).

Only one case has been initiated by Canada, reflecting the limited use of the mechanism outside the U.S.-Mexico context (Casa Obrera del Bajío, personal communication, December 2023). Despite its potential, testimonies from labour advisors highlight significant barriers to accessibility. Workers often struggle with the digital and bureaucratic processes required to activate the RRLM, further complicating its implementation in contexts where knowledge of labour rights and resources are scarce (LSOM, personal communication, July 2023, LeClercq et al. 2024). If Mexican authorities confirm the violation, the two governments collaborate on a remediation plan aimed at rectifying the identified issues. Remedial actions often include measures like holding new union elections under the oversight of independent observers such as the ILO. However, the Annexes 31-A and 31-B of USMCA does not specify uniform requirements for these plans, leaving substantial flexibility for negotiation. If remediation efforts are unsuccessful, the U.S. retains the option to impose penalties on the company, such as suspending tariff preferences or restricting the facility’s goods and services. In cases where the two governments disagree on the facts or outcomes, a labour panel may be convened to provide an independent assessment and to issue binding resolutions (Bown/Claussen 2024).

Our interviews further suggest that the outcomes of the RRLM often reflect the inherent complexity of state-level disputes. Negotiating parties must evaluate the risks of escalating a case to the Labor Panel, given the

random selection of its third-party ‘neutral’ member, whose decisions may not align with either country’s preferences.

Advisors have noted that, while the RRLM has effectively curbed harassment against labour unions, it remains disconnected from the realities of the Mexican working class due to its procedural demands and limited outreach (Casa Obrera del Bajío, personal communication, March 2024).

Despite its reciprocal commitments, the RRLM has primarily been applied to Mexican facilities, largely due to restrictive eligibility criteria that shield U.S. and Canadian facilities from equivalent scrutiny. This asymmetry has sparked criticisms regarding the mechanism’s fairness and its ability to address labour inequities comprehensively (Héctor de la Cueva, personal communication, September 2024, Cypher/Crossa 2021).

Moreover, significant financial resources have been allocated to support the mechanism —such as \$30 million USD for monitoring compliance and \$180 million USD for capacity-building initiatives. These funds have been directed primarily towards operationalising the RRLM in Mexico rather than addressing systemic inequalities within Mexico’s labour landscape.

Ultimately, while the RRLM signifies an important advancement in cross-border labour governance, its application is limited in scope. The vast majority of workers remain outside their protections, due to the narrow focus on specific facilities and sectors.

This selective application underscores the structural barriers to achieving widespread labour reform. Furthermore, the mechanism’s reliance on international cooperation and the potential economic penalties it imposes highlight the enduring tension between enforcing labour rights and maintaining economic competitiveness under the USMCA framework.

5. Regional dynamics and the RRLM: Case studies from Guanajuato’s automotive sector

The analysis focuses on two RRLM cases in Guanajuato, one of Mexico’s key automotive production hubs. Each case offers unique insights but allows for comparative analysis due to their shared regional context, repre-

sentation by the same grassroots union, and support from both national and international organisations. These findings stem from ethnographic fieldwork, participant observations, and interviews conducted between July 2023 and July 2024. This methodology included engagement with the first independent auto union in the region, SINTTIA, participation in informal campaigns, and direct observation during union elections. Guanajuato, situated in central Mexico, has emerged as a node in the automotive industry, driven by institutional strategies aimed at attracting foreign investment. The region's institutional framework promotes tax incentives and infrastructure development tailored to corporate needs, while local governments adopt a facilitative role in suppressing labour unrest and maintaining control over worker mobilisation. This approach often involves aligning with corporatist unions that prioritise employer stability over worker demands. Such an environment fosters low wages below the national average in the automotive sector and reinforces the perception of unchecked corporate authority (Sánchez González 2022). These structural characteristics create significant challenges for workers pursuing improved conditions and democratic representation.

In this regional context, the RRLM has provided workers with a mechanism to bypass entrenched local power dynamics and engage external actors to exert pressure on companies. The selected cases exemplify these dynamics from contrasting perspectives. The first case considered a 'model case', gained significant media attention and received robust support from international unions and the U.S. Department of Labor. In contrast, the second case underscores the structural limitations of the RRLM, as it unfolded in a less strategically significant company, where local resistance and institutional barriers led to less favourable outcomes for workers.

In both cases, companies actively intervened to obstruct workers' democratic participation, preventing the establishment of a new union organisation. Tactics included dismissals of employees, alliances between corporatist unions and company management, and the continuous intimidation of workers advocating for change. Despite these challenges, workers maintained their resolve, building alliances at both national and international levels. These efforts were particularly prominent in the first case, where workers received international attention and support from the outset.

Comparing these cases highlights the limitations of transnational mechanisms such as the RRLM when applied to deeply entrenched regional

contexts. While the mechanism offers a pathway to address systemic violations of labour rights, its success depends heavily on the interplay between transnational enforcement and domestic legal systems.

5.1 General Motors Silao: A model case for the RRLM

The relocation of General Motors' (GM) plant from Mexico City to Silao, Guanajuato, in 1995 marked a significant shift in the region's economic trajectory. Traditionally centered on agriculture and light industry, Silao became a focal point for Mexico's automotive sector. Local authorities and business leaders facilitated this relocation by acquiring communal farming land at undervalued prices, under promises of employment for locals. Although GM's arrival was initially framed as a pathway to improving economic conditions, the dominance of the Confederation of Mexican Workers (CTM) limited these benefits. Negotiations led by the CTM consistently resulted in low wages, keeping GM Silao's workers at a disadvantage compared to their counterparts in similar firms nationwide (Sánchez González 2022).

Over time, labour conditions in the plant further deteriorated. Since 2012, GM has been implementing a work system that included 12-hour shifts over four consecutive days, accompanied by a 'bank of hours' policy. This arrangement allowed the company to reassign or withhold hours worked without proper compensation, frequently violating labour regulations (Personal communication, CILAS advisor, October 2024). These practices, supported by the CTM, benefitted the company by maintaining continuous production and optimising operations while disregarding Mexico's National Labor Law. During the COVID-19 pandemic, the situation worsened: workers were required to continue working despite illness, and production slowdowns caused by supply chain disruptions directly impacted their already diminished wages. This operational framework, focused on uninterrupted production, intensified workers' dissatisfaction and became a catalyst for mobilisation.

In response, a group of workers formed "Generando Movimiento" (Generating Movement), a collective aiming to challenge the CTM's representation and advocate for improved labour conditions. Their primary goal was to contest the CTM's collective bargaining agreement, leveraging the opportunities provided by Mexico's labour reform and the labour chapter of the USMCA.

Recognising the challenges of confronting an entrenched corporatist union, Generando Movimiento sought alliances with international solidarity networks, including unions from Brazil, Canada, and the United States (Hobson 2022). The support from these networks, both strategic and financial, enabled Generando Movimiento to counteract disinformation campaigns orchestrated by the CTM and GM management. This assistance was critical in organising an information campaign to educate workers about their rights and counter the CTM's narrative. Workers documented irregularities during a CTM-led legitimisation vote for the collective bargaining agreement, reporting management interference, intimidation, and procedural manipulations. These findings, supported by audio and video evidence, formed the basis for a formal RRLM complaint.

The process of activating the Rapid Response Labor Mechanism (RRLM) became a turning point in their efforts. Given the novelty of the mechanism and the lack of familiarity among workers, the U.S. Department of Labor played an important role in guiding them through this process, providing close support to ensure its effective implementation (Casa Obrera del Bajío, personal communication, July 2023).

Mexican authorities, following consultations with U.S. counterparts, acknowledged the irregularities in the legitimisation process. The resulting remediation plan included a second vote under stricter oversight (U.S.T.R., 2021). Additional measures aimed at ensuring transparency included disseminating informational materials to workers and establishing channels for reporting irregularities. GM was also required to issue a public statement of neutrality as part of the remediation measures.

The second vote, held in August 2021, resulted in the rejection of the CTM's collective bargaining agreement and opened the path for the Independent National Union of Autoworkers (SINTTIA in Spanish) formed by members of Generando Movimiento.

In February 2022, SINTTIA won union representation elections with 76% of the vote, defeating CTM-affiliated unions. It later negotiated a 10% wage increase, improved profit-sharing, and mandatory rest days—the first time GM workers directly participated in a collective bargaining process. Over two years later, SINTTIA continues to represent workers, achieving key milestones such as securing higher wages, additional holidays, and better benefits compared to the CTM era. Although the improvements made at the GM plant represent a significant step toward addressing the

structural inequities that have historically defined the labour conditions of Mexican workers in contrast to their counterparts in neighbouring countries, the scope of these advancements remains constrained. The wage gap with relative to GM workers in the United States and Canada remains substantial, and labour conditions continue to be precarious.

In this context, initiatives such as the Casa Obrera del Bajío have played a significant role. Founded by members of Generando Movimiento with support from a Canadian union, the Casa Obrera serves as a space for advising workers on both legal and strategic labour issues. This centre has contributed to the organisation of the local workforce, supporting workers not only in the manufacturing sector but also in areas not covered by the USMCA. These efforts highlight the potential of local and international alliances to address entrenched labour challenges.

The Rapid Response Labor Mechanism facilitates access to democratic processes and union representation but fails to address the exclusion of workers sidelined for their collective action. By focusing on successes within the system, it overlooks the struggles of those excluded, underscoring that access to democracy alone does not guarantee improved labour conditions.

5.2 Draxton Irapuato:

Challenges in independent union representation

The Draxton plant case in Guanajuato highlights the inherent tensions within the Mexican labour system in a strategic sector like automotive manufacturing. Unlike other companies subject to the Rapid Response Labor Mechanism (RRLM), Draxton is a Mexican-owned company, part of Grupo Industrial Saltillo (GIS), with transnational operations specialising in the casting of automotive components. This facility supplies critical components such as brakes and transmissions to international assemblers, including the nearby GM plant in the region.

Regional labour dynamics in Guanajuato, characterised by a high density of corporatist unions and employer-driven labour models, present unique challenges for independent union movements. This context magnifies the barriers faced by workers attempting to assert their rights under the RRLM framework. By 2022, Draxton's workers were represented by the Conasim, a 'white union', known for its alignment with management and lack of advocacy for labour.

White unions are a weaker and more dependent subtype of corporate unions, which, while potentially more organised, both serve the interests of employers and suppress true worker representation by prioritising fictitious labour peace over meaningful improvements in labour conditions (Freeman/Medoff 1984).

According to testimonies (Casa Obrera del Bajío, interview, July 2023), collective bargaining negotiations were perceived as mere formalities, yielding contracts without significant improvements for the workforce. This structure, described as “an extension of corporate interests,” minimised labour expectations and reinforced a model that prioritised corporate stability over worker needs.

A turning point came in 2022 when three workers were dismissed, including a union delegate, identified here as M.L., who refused his severance pay. M.L. documented his unjustified dismissal with recordings that evidenced the company’s direct interference in union matters. With support from Casa Obrera del Bajío and SINTTIA, M.L. spearheaded a campaign to expose irregularities, organise workers, and affiliate them with SINTTIA. These campaigns highlighted Conasim’s financial mismanagement and emphasised the need for independent union representation (M.L., interview, July 2023).

In May 2023, the United States Trade Representative (USTR) independently initiated a review under the RRLM, marking the ninth invocation of the mechanism and the second self-initiated request under the United States-Mexico-Canada Agreement (USMCA) framework. The USTR called on Mexico to assess whether workers at the Draxton plant were being denied their rights to freedom of association and collective bargaining (USTR 2023). This request was grounded in allegations of unjustified dismissals, employer interference in union activities, and failures to provide workers with their collective bargaining agreement prior to a vote.

Investigations conducted by U.S. labor attachés were noted for their rigor, standing in stark contrast to the limited resources available to Mexican authorities (M.L., interview, July 2023). Draxton management escalated its tactics during this period, engaging in worker intimidation and surveillance. While the RRLM succeeded in surfacing these irregularities, its resolution highlighted the persistent challenges faced by independent unions.

Following the joint investigation, the U.S.-Mexico binational commission issued a remediation plan that mandated M.L.'s reinstatement and required the facilitation of free and fair union elections (USTR 2023).

In November 2023, the union consultation awarded representation to SINTTIA, having secured approximately 60 percent of the votes cast by the workforce (SINTTIA, personal communication, December 2023).

The process faced renewed challenges when Conasim escalated the case to labour justice authorities, alleging irregularities during the consultation. Despite filing the appeal beyond the established timelines, it was accepted, allowing Conasim to retain control of the collective bargaining agreement and negotiate it with Draxton, effectively delaying SINTTIA's efforts to improve working conditions (SINTTIA, personal communication, September 2024).

The Draxton case illustrates the entrenched nature of corporatist labour relations in Mexico, which align with historical patterns of state-labour-business collaboration as described in the literature on labour regimes in peripheral economies (Baglioni/Coe 2022). Although the RRLM provided a platform to address systemic violations, its efficacy was limited by the interplay between transnational mechanisms and domestic legal frameworks.

While the RRLM offers a pathway to address systemic labour rights violations, the Draxton case reveals its dependency on the interplay between transnational mechanisms and domestic legal frameworks.

6. Outcomes of worker mobilisation under the RRLM

The Draxton case further illustrates the significant role of local power structures in shaping labour relations, even in the absence of substantial international support. This observation provides a nuanced perspective on Jessop's (2002) theory of scalar dominance. While Jessop's framework suggests that global actors often subordinate local forces, the Draxton case challenges this view by showing that entrenched local power structures can continue to dominate labour relations despite limited global intervention. This highlights the complexity of global-local interactions in labour governance, since local power structures persist as primary forces in

shaping labour struggles, thereby complicating the effectiveness of global interventions such as the RRLM.

Moreover, the creation of alternative unions, like SINTTIA, faces serious difficulties due to local power structures that favour multinational companies, which wield significant influence at the local level, alongside the support of corporate unions and local authorities. While GM achieved some international visibility, the pressures from corporate unions and local state interventions continue to be significant barriers.

In Draxton, the lack of institutional support and the reality of company repression further hinders the creation of a strong alternative union. However, workers in both cases have demonstrated that, despite these limitations, they have managed to create spaces of resistance, highlighting the adaptability of labour strategies in response to structural constraints.

Although the RRLM has been useful in making labour demands visible and increasing pressure on companies, it lacks the capacity to generate profound structural change in local labour relations. Global mechanisms, while crucial for exposing labour violations, are conditioned by local power dynamics that continue to favour multinational corporations and corporate unions. Resistance to structural changes in labour relations represents an ongoing struggle against corporate pressures and local political interventions.

Ultimately, the cases of GM, Draxton, and SINTTIA illustrate that, while the RRLM can be effective in increasing visibility, true transformation in labour regimes will only occur when local power dynamics —i.e., power relations between transnational companies, national companies, local authorities, and the workforce— are challenged and reconfigured at both the workplace and the local level. The future of alternative unionism depends on workers' ability to build authentic, autonomous representation while confronting both global and local pressures.

Multiscalar governance should therefore be understood not merely as a form of international intervention but as a process that strengthens workers' capacity to exercise meaningful influence in collective bargaining.

Finally, the United States-Mexico-Canada Agreement (USMCA), and particularly its Rapid Response Labor Mechanism (RRLM), represent a significant advancement in terms of visibility and the exposure of labour

violations in Mexico, especially in strategic sectors such as the automotive industry. However, despite the declared intentions of this mechanism to democratise union practices and improve labour conditions, its transformative effects remain limited. The RRLM has succeeded in highlighting some violations, but its ability to alter local power structures remains constrained. Local resistance, fuelled by corporate interests and the persistence of state-controlled unions, continues to be a significant obstacle to the effective implementation of labour reforms. The case studies of GM, Draxton, and SINTTIA demonstrate that, even when international mechanisms are activated, pre-existing labour structures deeply embedded in corporate culture and local power dynamics continue to prevail.

The USMCA, although it has enabled the inclusion of labour clauses aimed at improving workers' rights, still faces considerable challenges related to the real and effective implementation of these norms within the Mexican context.

These challenges include the lack of institutional frameworks, the resistance of local actors, and the limited capacity for reforms to overcome the structural barriers inherited from the past. Consequently, while the USMCA introduces improvements in discourse and global visibility of labour conditions in Mexico, its transformative potential depends on a much deeper change in local power structures and the ability of social actors to influence national labour policies.

7. Labour agency and structural constraints: The role of the RRLM in Mexico's automotive sector

The cases of General Motors (GM), Draxton, and SINTTIA provide profound insights into labour agency and the complexities of labour struggles within Mexico's automotive sector, particularly in Guanajuato. These cases illustrate how local power dynamics, entrenched corporate unionism, and international mechanisms such as the RRLM interact, shaping both opportunities for and barriers to labour movements. While GM and Draxton share geographic and sectoral contexts, their differing trajectories reveal how local and global forces collide, underscoring the challenges faced by workers navigating these overlapping scales of governance.

The legacy of NAFTA looms large over Mexico's labour framework, especially in the automotive sector. By transforming Mexico into a maquiladora hub, NAFTA entrenched a labour model based on low wages and weak regulatory enforcement, which benefitted foreign investors while exacerbating structural inequalities (Cypher/Crossa 2021). Corporate unions like the CTM, exemplified in GM's case, maintained illusory labour peace by prioritising management interests over workers' rights. This dynamic persists under USMCA, as seen in Draxton, where Conasim operated as a 'white union,' effectively an arm of corporate management that hindered workers' collective action. These union structures, though differing in strategy—CTM exerting direct control and Conasim managing labour relations administratively share a common goal of maintaining a disciplined workforce within a globalised production network.

In both cases, the RRLM provided a platform for workers to amplify their demands and challenge labour violations. However, its ability to transform deeply embedded local power dynamics remained limited. In GM, robust international support—including solidarity from U.S. and Canadian unions—enabled workers to exert significant pressure, but local actors such as the CTM and regional authorities resisted transformative change, reflecting Jessop's (2002) theory of scalar dominance. Local institutions and corporate unions retained substantial control, mediating and, at times, undermining global interventions.

Conversely, in Draxton, inconsistent international backing and flaws in legal procedures weakened the MLRR's impact. Swyngedouw's (2004) critique of the ineffectiveness of global interventions under dominant local power structures is evident here, as Draxton's local actors successfully resisted external pressures to maintain the status quo.

The cases also emphasise how workers exercised agency despite structural constraints. In both GM and Draxton, workers had initiated organising efforts before the MLRR's involvement, underscoring that external mechanisms often catalyse rather than originate labour struggles. While the RRLM legitimised these efforts and provided critical visibility, the workers' agency was most evident in their strategic adaptations. At GM, clandestine organising led to the ousting of the CTM, while in Draxton, workers leveraged limited resources to challenge management and corporate unions, despite the significant repression they faced. These actions

illustrate how labour agency operates across scales, constrained by local dynamics yet capable of leveraging global mechanisms when opportunities arise.

The solidarity demonstrated by international unions and organisations was a pivotal yet limited factor. While U.S. and Canadian unions provided strategic resources and advocacy, these relationships were marked by hierarchical dynamics. Support often centered on critical junctures, such as elections or high-profile violations, but waned during protracted struggles over contract negotiations and day-to-day labour relations. This underscores the unequal power relations within transnational solidarity and the challenges of sustaining support for long-term institutional change.

The interplay between NAFTA, USMCA, and the RRLM further complicates the landscape. While USMCA's labour chapter and the RRLM represent progress in exposing labour violations, their transformative potential remains constrained. Both mechanisms assume that democratising union practices will inherently improve labour conditions, an assumption that is put in doubt by the cases of GM and Draxton.

Despite democratisation efforts, the structural inequalities entrenched under NAFTA persist, as Mexican workers continue to earn a fraction of their U.S. and Canadian counterparts for equivalent work and productivity. This reflects the ongoing role of Mexico as a provider of low-cost labour within the international division of labour, perpetuating economic asymmetries that the RRLM on its own cannot resolve.

Ultimately, these cases highlight the limitations of global mechanisms like the RRLM in addressing local power structures that favour corporate interests. True transformation requires confronting these entrenched dynamics through systemic reform, strengthening local institutions, and fostering a culture of compliance that prioritises workers' rights. While the RRLM can elevate specific labour struggles, its reliance on top-down governance limits its capacity to foster sustainable change. For alternative unions such as SINTTIA, success hinges on their ability to consolidate local legitimacy, build strategic alliances, and navigate the intersecting pressures of local and global labour politics.

The future of labour relations in Mexico will depend on integrating multiscale governance into a framework that prioritises workers' agency, while addressing power asymmetries at every level. While mechanisms like

the RRLM represent a step forward in exposing violations, the transformation of labour regimes requires an acknowledgment that structural change must originate from both global initiatives and local empowerment.

8. Conclusions

Only by bridging multiple scales can meaningful, long term improvements in labour conditions and representation be achieved. The cases of GM, Draxton, and SINTTIA underscore the enduring complexities of the Mexican labour system and the nuanced dynamics of global labour interventions under the USMCA framework.

While the RRLM catalysed significant advancements in visibility and mobilisation, its limitations reveal structural gaps that hinder its transformative potential. Theoretically, these cases align with Coe and Jordhus-Lier's (2023) framework of labour agency, which explores how workers navigate multi-scalar labour geographies shaped by structural conditioning, spatial imaginaries, and the outcomes of collective action. This framework highlights the interplay between entrenched power structures and workers' capacity to exploit opportunities for mobilization, even within restrictive environments. Yet, their efforts remain constrained by entrenched corporate unionism, procedural weaknesses in institutional protections, and selective international solidarity, underscoring the persistent barriers to achieving systemic change.

The RRLM's effectiveness varies according to context. In the first case, GM, the mechanism facilitated global visibility and leveraged international pressure to amplify worker demands. However, this success was tempered by persistent local resistance from entrenched corporate unions. In the second case, Draxton, the lack of consistent external support left workers exposed to local power structures aligned with corporate interests, highlighting the RRLM's dependency on the synergy between global mechanisms and local actors.

The USMCA labour chapter reflects a tension between its stated goals of democratising union practices and the economic imperatives of maintaining low-cost production for U.S. markets. By prioritising visibility over substantive reform, the RRLM risks perpetuating the inequalities it seeks

to address. For alternative unionism to thrive, it must transcend external frameworks and establish robust local strategies to challenge the structural inequalities embedded in Mexico's labour system.

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ABSTRACT Dieser Artikel untersucht die Auswirkungen der arbeitsrechtlichen Bestimmungen des Abkommens zwischen den Vereinigten Staaten, Mexiko und Kanada (USMCA), insbesondere des Rapid Response Labor Mechanism (RRLM), auf die Gewerkschaftsdynamik im mexikanischen Automobilsektor. Durch die Analyse von zwei Fallstudien – dem Werk von General Motors und dem Autoteilehersteller Draxton, beide in Zentralmexiko – wird untersucht, wie der RRLM im Kontext von lokalen Machtstrukturen, globalem wirtschaftlichem Druck und asymmetrischen Handelsbeziehungen zwischen den Vereinigten Staaten und Mexiko funktioniert. Während der RRLM Fortschritte wie die Gründung einer unabhängigen Gewerkschaft bei GM und die anschließende Verbesserung der Arbeitsbedingungen ermöglicht hat, zeigen sich seine Grenzen in Fällen wie Draxton, wo der Widerstand der Unternehmen und schwache institutionelle Rahmenbedingungen die Bemühungen um substanzielle Reformen untergruben. Unter Verwendung eines multiskalaren theoretischen Rahmens beleuchten wir die Überschneidung von globalen Governance-Mechanismen mit lokalen Arbeitsrealitäten und zeigen Spannungen zwischen der Demokratisierung gewerkschaftlicher Praktiken und dem strukturellen Druck zur Aufrechterhaltung der wirtschaftlichen Wettbewerbsfähigkeit auf. Die Ergebnisse unterstreichen, dass der RRLM zwar die Sichtbarkeit von Arbeitsrechtsverletzungen erhöht, sein transformatives Potenzial jedoch durch strukturelle Ungleichheiten und lokale

*Widerstände eingeschränkt wird. Wir argumentieren, dass eine nachhaltige Arbeitsreform in der mexikanischen Automobilindustrie eine Brücke zwischen globalen Rahmenbedingungen und robusten lokalen Strategien schlagen muss, um die Kapazitäten der Arbeiter*innen zu stärken, eingefahrene Machtasymmetrien in Frage zu stellen.*

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