

Negotiating the Margins: The Trajectories of Subcontracting in the Chilean and Peruvian Mining Industry.

Omar Manky
wm264@cornell.edu

The last three decades have been characterized by the casualization of employment relations. As Wills states, if “the paradigmatic form of employment during the middle years of the twentieth century was the factory”, today “subcontracted capitalism is becoming the new model” (Wills, 2009) . The increasing number of subcontracted employees around the world and across all industries is rapidly changing the conditions, experiences and politics in the workplace (Castells, 1996; Kalleberg, 2000; Von Holdt & Webster, 2008) . With this popularization of ‘triangular’ employment relations, the Industrial Relations field has started to re-think its basic paradigms (Gallagher & Sverke, 2005) ¹.

How are workers contesting some of the negative effects of subcontracting? So far, scholars have focused on workers’ mobilizations in the “new economy”, such as the high-tech industry (Van Jaarsveld, 2004) or low-wage services (Gautié, 2010); as well as on the global strategies used in the manufacturing sector (Anner, Greer, Hauptmeier, Lillie, & Winchester, 2006; Anner, 2012; Hammer, 2005) . Although these efforts are valuable—and relevant given the role these industries have in many countries—, is less what we know about more traditional sectors.

In this paper, I focus on the subcontracted workers in the Chilean and Peruvian mining industry to provide new insights about the trajectories of subcontracting and how workers shape them. The strikes organized by mine workers were the longest, and the most contentious ones since the eighties, and produced key changes in these countries’ legislations. Through this study of workers’ mobilizations and their outcomes, I present two analytical arguments. First, that it is necessary to move beyond the study of workers’

¹ Some examples are the debates around the notion of an industrial relations system centered on the nation state (Humphrey & Schmitz, 2000; Kochan, Katz, & McKersie, 1986) ; the emergence of the ‘network organization’ and the ‘global value chain’ framework (Harrison, 1997; Lakhani, Kuruville, & Avgar, 2013) and the innovations in the responses of labor unions to the new model (Anner, 2012; Fantasia & Voss, 2004; Waterman, 2004) .

organizing efforts, and to read them within the context of the industry in which they occur. Second, that it is also important to shift from distinctions between “new” and “old” unions’ strategies, towards a careful use of this distinction within the social context of workers’ actions.

The paper is divided in four sections. First, I briefly contextualize the discussion about subcontracting and workers’ mobilizations. Second, I show the particularities of subcontracting in the Peruvian and Chilean case, and I illustrate how it has been contested over the last decade through two case studies. Third, I compare and analyze these cases through the concepts of structural and associational bargaining power. Finally, some further questions are suggested.

(Contesting) Subcontracting

In this paper I use Holmes’ definition of subcontracting as “*a situation where the firm offering the subcontract requests another independent enterprise to undertake the production or carry out the processing of a material, component, part or subassembly for it, according to specifications or plans provided by the firm offering the subcontract*” (Holmes, 1986) . Its popularization is related both to the technological and institutional structures that make it possible but also to the desire of employers to reduce labor costs (Kalleberg, 2011; Mosley & Uno, 2007) .

Subcontracting affects workers’ abilities to organize, to strike and to bargaining in at least three ways. First, there is a “quantitative effect”, created by the reduction of the core workforce, which usually lose its power to negotiate with the company. This was clear in the case of the American and Japanese automobile industries, for example (Silver, 2003; Smitka, 1991). Moreover, subcontracting companies are usually so small that workers face problems to communicate and to coordinate their actions (Van Jaarsveld, 2004; Von Holdt & Webster, 2008) . Second, triangular employment relationships tend to hide the “real employer”, which affects the ability of workers to negotiate with the actor that has the power to improve their working conditions. Thus, the attempts to negotiate with, or to organize strikes against, the

real employer are harder (International Labour Organization, 2006). Finally, the consolidation of a “community of interests” between workers is more difficult as the internal labor market becomes segmented. Some studies have shown how subcontracted workers do the same job as the core workers but without the same rights, making potential alliances weak (Barrientos, 2013; Von Holdt & Webster, 2008; Weller, 2004) .

Although these conditions have debilitated the labor movement, scholars have also shown that workers can actually organize, strike and bargain. So far, most of the literature has remarked the importance of new organizing strategies, arguing that a new model of unionism is necessary (Fairbrother, 2008; Fantasia & Voss, 2004; Waterman, 2004) . Thus, strategies focusing on the creation of local alliances (Holmes, 2004; Turner & Cornfield, 2007) ; the consolidation of international framework agreements (Anner et al., 2006; Hammer, 2005); the development of mutual aid organizations (Nissen & Jarley, 2005; Van Jaarsveld, 2004) ; and the use of “comprehensive campaigns” in order to pressure the employer (Bronfenbrenner, 2007) are usually mentioned as examples of how to build a successful subcontracted workers’ movement.

Though these studies provide valuable insights about how workers organize in different contexts, there are two gaps in this literature. First, although most of these studies have focused on why and how workers organize, not many have analyzed the results of their contention. In other cases, the focus on the immediate results of the mobilizations (e.g. a collective agreement), overlook the mid term outcomes (e.g. new legislation or the new patterns of collective bargaining). Summing up, it is important to not just focus on the workers willingness, but also on the structural conditions that make their demands more or less difficult to reject by the state and private companies.

In the second place, most of the previous research has focused either on the “new economy” or on traditional manufacturing sectors, such as the automobile or the textile industry. Although this is not a problem in it self, the potential danger is to forget that some of the findings might be only applicable to these sectors. Even when they were key for the world

economy or for specific regions, to argue that their dynamics are valid in general might hide important variations. Therefore, it is necessary to include other industries in the analysis. Moreover, even though mining and other resource-oriented industries are not the biggest employers from a global perspective, forestry, agriculture and mining are still key for many countries' economies, and they have been also affected by the globalization and the flexibilization of the labor regulations. Understanding how they have changed in the last decades is crucial both from an empirical and theoretical standpoint.

To fill these gaps, in this paper I analyze the mobilizations of subcontracted workers in mining, the most important economic sector for Chile and Peru. The research questions are: *How were subcontracted workers able to change the legislation and labor practices in two of the most "neoliberal" Latin American countries? And how did workers' organizations affect the dynamics through which the new laws were applied?*

To answer these questions, I use Wright's distinction between working class *associational* and *structural* power (Wright, 2000). For this author, the former is related with the power that results "*from the formation of collective organizations of workers*" (Wright 2000:962), such as unions and parties. The later, in contrast, results from "*the location of workers within the economic system*" (Idem.). Building on this distinction, Silver (2003) distinguishes between two types of structural power. For her, there is a *marketplace bargaining power*, derived from conditions such as the possession of scarce skills that are in demand by employers; and a *workplace bargaining power*, which results "from the strategic location of a particular group of workers within a key industrial sector." (Silver, 2003)

The advantage of this distinction consists in its analytical power to understand the particularities of specific industries. The comparison in Silver's work between the auto and textile industries (Silver 2003), as well as the research conducted on the horticulture (Selwyn, 2012), or the airline (Harvey & Turnbull, 2012) industries are good examples of this. In this case, I attempt to develop this approach to understand how the specificities of the mining industry and of workers' organizing efforts produced specific outcomes. I will show that the

structural power of mine workers is key to understand the success of their mobilizations, but that there were important divergences depending on the organizations they created.

Subcontracting in the mining industry. The cases of Peru and Chile

Peru and Chile have several elements in common. From an economic perspective, both are among the most market-oriented economies in South America (Bronstein, 2010; Cook, 2010), and, during the last decade, they experienced the strongest economic development, with an average GDP growth of 6% per year (World Bank, 2013). Moreover, in both cases this economic growth was based on the export sector, and, within it, on the mineral resources. Whereas in Chile they represented around 59% of the exports in 2012 (Cochilco, 2013), in Peru they were about 58% (Banco Central de Reserva, 2013).

From a political perspective, these two countries are governed by democratic regimes. Chile returned to democracy in 1989, when A. Pinochet left the power after more than 15 years of dictatorship. Peru, on the other side, returned to democracy in 2000, when A. Fujimori presented his resignation letter from Japan after 10 years of being president. Both Fujimori and Pinochet lead rightist authoritarian regimes, imposing a radical set of structural reforms (Roberts, 1995). Several years later, and in spite of the different parties that have assumed the control of government, neither of these countries experienced radical changes in terms of the economic or labor policies. In contrast with countries such as Argentina, Bolivia or Venezuela, the basic rules of the neoliberal model have persisted.

Regarding their labor laws, these two countries also followed a parallel pattern. In both cases protectionist systems of industrial relations emerged in the mid twentieth century (Bergquist, 1986; Sulmont, 1984), and were eliminated with the liberalizing reforms (Cook, 2010; Etchemendy, 2004). As a consequence, a new pattern of labor relations emerged. Among other elements, it is worth mentioning the popularization of a decentralized bargaining model; the restrictions imposed on striking; and the legal difficulties for those workers that attempted to organize in new industries, such as call centers or finance. Additionally, new employment practices, such as temporal, subcontracted and par-time jobs, emerged. As in other

countries, the consequence was that labor unions lost members and their chances to influence the public agenda (Roberts, 1995).

Mining has been one of the industries most affected by these changes. The once militant mining unions that shaped the political arena in both countries during the twentieth century (Bergquist, 1986; Flores Galindo, 1974; Klubock, 1998; Kruijt & Vellinga, 1979) were unable to face the labor reforms effectively, losing members and bargaining power (Durán-Palma & López, 2009; Klubock, 2004; Singh, 2012; Zapata, 2012) .

Three specific causes can be mentioned. First, the 1979 Chilean Labor Code, and the 1993 Peruvian one allowed the use of subcontracting workers even for core activities. In 2012, around 66% of the mineworkers were subcontracted in Chile (Hughes, 2013; Leiva & Campos, 2013) and that number rose to 68% in Peru (Minem, 2013). The general effects of this have been mentioned above, and in the next section some specific consequences are discussed².

Secondly, mining companies started using “atypical” working hours, which were also permitted in the new Labor Codes. Although in Chile mining unions have acquired more power regarding this policy, “long distance commuting” (LDC) systems are widely used in both cases³. If the subcontracting system tends to segment those working directly for a company and those working through intermediaries, the LDC system divides workers geographically. Instead of living in a single mining town with their families, workers commute from different cities to the workplace every fixed number of days⁴.

Finally, the unions’ lost of power was also related to the difficulties of bargaining in an industry level. Although this is not forbidden, in order to negotiate at this level, both unions’

² Recent studies in both countries show that subcontracted mineworkers usually get salaries that are 30% less than those of direct workers in similar jobs, and that their probabilities of suffering a fatal accident are about twice of those directly employed by the mining company.

³ LDC is a system in which “*the work is so isolated from the workers’ homes that food and lodging accommodations are provided for them at the work site, and schedules are established whereby employees spend a fixed number of days working at the site, followed by a fixed number of days at home*” (Shrimpton & Storey, 1992)

⁴ Although there are not systematic studies about the effects of this system on labor unions, one could suspect about an additional division, between the mining workers and the local communities: in an industry that needs a well-trained workforce, most jobs are given to the workers coming from the biggest cities of these countries.

and employers' national representatives must agree to do it. Given the strong rejection of employers to this type of negotiation, nearly all unions bargain at the company level. In the mining industry, when leftist governments nationalized most companies in the seventies, the unions were able to coordinate their actions at a national level. However, this situation changed after the Pinochet and Fujimori governments decided to privatize those mines. Although this occurred in different degrees—all the companies in Peru, and half of them in Chile, where the Corporación Nacional del Cobre (Codelco) still is the most important mining company— in both cases these decisions make unions weaker, and obligated them to negotiate at the company level. This fact, combined with subcontracting practices, was particularly negative in the case of the mining industry, where the principal company (the *user*) usually employs more than 15 subcontracting companies, each of which (by law) should negotiate with the union (when it exists) separately.

In spite of all these limitations, the most contentious labor mobilizations in Peru and Chile during the last two decades occurred in this sector. Although different movements in both countries have contested the neoliberal reforms since 2000 (Silva, 2009) labor unions were among the weakest actors in the public space. Except for the subcontracted workers. In Peru, the mining industry employs less than 4% of the formal workforce, but 50% of the strikes occurred in it between 2005 and 2012. Of them, around 75% were organized by unions of subcontracted workers. According to Chilean newspapers, the subcontracted mining workers' strikes were the biggest since the return to democracy (EMOL, 2011). Moreover, these mobilizations initiated similar processes of law reforms in both cases, even when employers opposed to them.

Methodology. The cases

The features presented above make a comparative study about the subcontracted workers mobilizations and their outcomes feasible and appealing. The decentralized system of industrial relations allows comparisons between different unions operating under similar

legal, political and economic conditions. In what follows, I focus on the trajectories of one union in each country to present a detailed narrative⁵.

In the case of Chile, I focus on the Codelco workers mobilizations. Two reasons justify this decision. First, this is the world's most important copper company in terms of production size, profits, and workforce. Second, there are several studies about the mobilizations that subcontracted workers organized since 2002 (Echeverría, 2010; Jornada & Torres, 2009; Nuñez, 2009; Singh, 2012) . Although these studies give valuable empirical data, none of them has attempted to analyze the effects of these mobilizations, or to compare this case with other similar cases, either within Chile or in Perú. I rely mostly on secondary sources, and on the interviews I conducted in the summer of 2013 with Chilean union leaders.

On the other hand, I focus on Casapalca, a Peruvian medium size company. I expect that studying a small company might make a stronger argument regarding the similar mechanism that took place in these cases. Although both Codelco and Casapalca operated under similar conditions, some of their organizational characteristics—particularly regarding their size—are very different. Finding similar trajectories indicates the need of theorize the general mechanisms of the mining industry. However, the contrast between these two cases also permits me to illuminate some key particularities that also affected the trajectories of subcontracting. For this case I rely on the more than 25 interviews, non-participant observations and the archival work I conducted on site between 2010 and 2012.

Chile: Codelco

Codelco is the world's biggest copper company, created in 1976 with the responsibility of managing the recently nationalized mines. In spite of the privatization process imposed by Pinochet, this company has remained being state-owned. At the present the company has 6 operations, and it employs around 63311 workers, of which 45064 (around 71%) are subcontracted (Fernandez & Benerra, 2012) . In order to face the militant tradition of the

⁵ However, based on my fieldwork research in Peru, and on the revision of secondary sources in Chile, it is possible that the dynamics I found might be similar to other cases.

Chilean mining unions, the company institutionalized a system of labor disputes resolution in the early eighties. Today, this system involves the core workers in many of the company's decisions. As a consequence, in spite the potential conflicts between unions and management, after the return of democracy these actors have been more allies than adversaries.

As in other companies in Chile and Peru, Codelco used subcontracted workers since the beginning of its operations. This workforce, however, traditionally had a marginal position in the productive chain, since it mostly was in charge of the camps' construction, as well as of the cleaning and supply services(Arcienaga, 1986; Nuñez, 2009). However, this situation changed after the 1979 Labor Code, which allowed the use of subcontracted workers in activities related to the company's main operations⁶.

The first attempts at organizing Codelco's subcontracted workforce occurred in the late eighties, when the Sindicato Nacional de Montaje Industrial (SINAMI) and the Sindicato Interempresas de Trabajadores Contratistas (SITECO) were organized in El Teniente, one of the company's oldest operation sites(Echeverría, 1997). In spite of the references to a national scale in these unions' names, their activities tended to focus exclusively on El Teniente operations. Since these unions were organized before the dictatorship left power, workers' demands were usually informal and whenever workers mobilized they took the form of wildcat strikes. Even during the nineties, unions developed forms of direct action and mutual aid that, although illegal, were effective in getting some of their demands accomplished (Agacino, González, & Flores, 1998; Echeverría, 1997) . Most of the testimonies of people working for Codelco's subcontractors at that time reveal that strikes were the product of the workers' indignation because of the economic gaps with the direct workers, and they usually ended with the expulsion of workers.

⁶ Nowadays, mining companies use subcontracted workers for many core activities: building of the camp, offices, mining installations and treatment plants before the production begins; equipment maintenance, operations security and vigilance, explosive management, and industrial cleaning during the operations; and plant closure activities once the production finishes. In all these cases, there is a need of specialized knowledge on the field, which mining companies subcontract.

Cristian Cuevas, President of the Confederacion de Trabajadores del Cobre (CTC) for the last 5 years, exemplifies these contingent dynamics. He started working at Sodexo, a multinational subcontractor that managed Codelco's dining halls, in 1997, and after organizing a union he was fired, and the union busted, in 2003.

In 2003 SITECO presented its first official act of petitions, attempting to negotiate with all the subcontracting companies in El Teniente and Andina. The immediate reaction from these companies was to fire the leaders of the organization, although workers managed to keep small organizing efforts in different locations (Jornada & Torres, 2009) . A few months later the first strike that got into the national media took place at Andina. It lasted for 11 days, and more than 100 workers were arrested because they occupied the mine camp, whereas around 200 workers were fired. As a response, workers organized an even bigger strike, making the company to hire many of the workers back. These actions were outside the legal channels, but they resulted effective.

In this moment, workers noticed that, given the lack of results of these efforts, a national coordination was necessary. Thus, in 2004 the Coordinadora Nacional de Trabajadores Contratistas (CNTC) was created as an umbrella organization that represented all the subcontracted workers' unions of Codelco⁷.

It is worth mentioning that according to a survey conducted by the Chilean Labor Directorate, most of the leaders of this movement were young people, with no previous experience participating in unions (Echeverría, 2010) . Moreover, several studies have shown that workers were not actually interested in working with the traditional union, formed by Codelco's direct workers, because they felt that it was not interested in defending subcontracted workers demands, that would affect their share of the company's profits (Baltera & Pablo, 2010; Echeverría, 2010; Jornada & Torres, 2009; Leiva & Campos, 2013) .

⁷ It is remarkable that most of these unions were not formal, since companies did not accept any type of negotiation with them.

The CNTC started organizing workers in all the Codelco operations, and in January of 2006 it presented a new document with their demands to Codelco and the subcontracting companies. According to most leaders, the main request was to obtain a bonus similar to the one Codelco paid to its direct workers as a result of the high prices of copper. After this document was presented, companies started firing unions' leaders. But workers were prepared for this, so the Andina, El Teniente, Norte and Ventana operations went on a strike that lasted more than one month. This made Codelco and the CNTC agree to create a working group to improve the working conditions of subcontracted workers, as well as to discuss a possible bonus for them. Although this was a tripartite group, in which the subcontracting companies were formally involved, they did not play a key role in it (Jornada & Torres, 2009) . Additionally, a subcontracting law was discussed and rapidly passed in the Chilean Congress as a response to these strikes.

However, because of the lack of results of the tripartite group some months later, in June of 2007, the workers decided to create the Confederación de Trabajadores del Cobre (CTC), an umbrella organization representing all the subcontracted workers in the industry, including those working for private companies. The name change was key, since this confederation of unions replaced the 'Coordinadora' with a more formalized organization. It is remarkable that C. Cueva, the leader of this organization, had not worked for Codelco since 2003. Although this would be an unlawful situation in a regular company level union, the CTC was able to negotiate this.

The first action of the CTC was a strike that last for more than one month and affected not just Codelco, but the world price of copper. As in the previous strikes, workers also used a contentious strategy, such as blocking roads, occupying the company's buildings and setting the company's buses on fire. The basic claim of workers was for access to a special bonus and an improvement of their working conditions. By late July, all the parties signed the first agreement, giving workers a bonus of 450000 pesos (\$850.00), the payment of 8 of the days

of strike and promising them that some of the workers fired during the protests would be hired again.

All parties signed the agreement, called the “Acuerdo Marco”, in August of 2007. Among other issues, the document stated that Codelco had the main responsibility, as the user company, to control and to improve the employment relations between subcontracting companies and their employees. It is worth noting that even though this was not a formal collective bargaining agreement, it actually worked as one⁸.

Although the demands were not new in the context of subcontracting, the remarkable element is that workers got them accomplished less than three years after direct organizing, and using both legal and not legal mechanisms. The legal requirements to negotiate with several companies were not satisfied, but the *coordinadora*, first, and the *confederación* latter, –as well as the strikes they organized– were powerful enough to make companies sit and negotiate⁹.

On the other hand, it is also remarkable that the repertoires used by workers were not new. In fact, they used similar strategies to those used by mining unions before the institutionalization of the Chilean labor code in the thirties: strikes, blocking highways, and contentious mobilizations.

In addition to the agreement with Codelco and the subcontracting companies, the workers mobilizations created the conditions for the subcontracting law, passed in 2006. Since the mobilizations occurred in the middle of the Presidential elections, Codelco’s workers were able to call politicians’ attention. The violence of these strikes, and the way they affected the

⁸ Through a review of the demands of the workers’ organizations between 2006 and 2008, Jordana and Torres found that they focused on wages increases and on the extraordinary bonus (Jordana & Torres, 2009) . Additionally, the subcontracted workers’ organizations demanded the internalization of some of the workers, especially in those cases in which they were involved in the key parts of the copper production. In different interviews with these workers, researchers have found that they asked for getting the same rights than their coworkers directly employed by the company. Since all of them were in the same workplace, it was easy to contrast the differences between the two groups in spite they were doing similar jobs (Baltera & Pablo, 2010, Echeverría, 2010) .

⁹ Moreover, it is worth mentioning that workers demands were strong enough to make employers organizing as well. In 2007 was created the “Asociación Gremial de Empresas para la Minería y Rubros Asociados” (AGEMA), formed at first by thirteen of the Coldeco’s subcontracting companies. (<http://www.agema.cl/>)

Chilean production of copper, on the other side, made the process of approving this law very fast. (Rosado Marzán, 2009) .

There are four elements worth mentioning in this law. First, it makes the principal company responsible for subcontracted workers health and safety when the subcontracted workers operate in the users' place of operations—which is the typical case in the mining industry—. Second, it prohibits companies from subcontracting functions that are not core business activities. Third, it states that the user companies have a “subsidiary” responsibility, which makes them responsible if a subcontracted company does not complete their labor or provisional obligations with respect to their workers. Finally, the most important change was that “if a contract worker is neither dependent on nor subordinated to the provider they must be understood as employed directly by the user enterprise” (Duran Palma and Lopez 2006 p.249).

After the law passed, the Chilean Labor Directorate started a process of inspections in different industries, particularly in the mining sector. These inspections were aimed to avoid the “contract simulation” (the use of subcontracted workers that must be employed directly by a company). In the case of Codelco, the Labor Director mandated the company to internalize nearly 5000 contract workers. However, “*in an unprecedented move for a state-owned company, CODELCO decided to challenge the bureau's competence in court in the same way as most private sector employers*” (Duran Palma and Lopez p.253). The negotiation of the subcontracting rules was not just between workers, companies and state, but also took place inside the later.

The company's rejection opened a new episode of workers' mobilizations. Since December 2007, when Codelco presented its case before the Appellations Court, some unions started isolated protests, but they converged on April 2008 in a national mobilization. As in the previous years, these mobilizations were also characterized by their radicalism. After 20 days of strikes, Codelco finally agreed to accept the new law —except for the fourth point, the internalization process, which was at the courts— and to give an additional bonus to the

subcontracted workers. The internalization debate ended once the court decided that Codelco was not obligated to internalize the workers, in spite of miners' protests.

In spite of this process, the CTC have constantly mobilized in the last two years. For example, in 2011 they mobilized against a delay in the annual bonus payments, and, in 2013, a new negotiation started. After new mobilizations, Codelco rapidly agreed on many of the workers demands, signing a new "Acuerdo Marco" that improved by 40% workers' social benefits, and increased the annual bonus by over 100% in comparison to the one of 2007. At this moment, the CTC represents more than 40000 workers in Chile, both from Codelco and private companies. Finally, and in relation with this, the subcontracted workers have also supported the employees of the private companies, and have tried to create a "common national floor" in terms of the subcontracting working conditions (Leiva & Campos, 2013).

Peru: Casapalca

In contrast with Codelco, Casapalca is a medium size Peruvian private company that produces different types of metals, such as copper, zinc, and silver. Although its profits have constantly increased over the last ten years, its production is not comparable with companies such as Antamina or Barrick, two of the biggest producers in Peru. The only Casapalca's operation is an underground mine, and its workforce—about 2000 workers— usually do not receive special training—needed in open-pit mines—before starting the job. In fact, most of its workforce has not finished high school, and many of the workers I interviewed were illiterates. Casapalca started its operations in 1987, after the mine was bought from the state. At that time, the economic crisis stopped the owner's plans of changing the operations' practices. After Fujimori's neoliberal reforms, however, the company managed to change its labor and employment policies. For example, it decided to use subcontracted workers massively, and to destroy the old camps in which workers and their families lived, building dorms for single workers instead.

It is worth mentioning that this is one of the companies with more environmental and labor complaints in Peru. In fact, this company's behavior has been penalized not just by the state,

but also by the national association of mining companies, which expelled Casapalca in 2007 (Cardenas, 2007). Moreover, in terms of public opinion, the company is not as recognizable as the Canadian or Chinese companies that, because of the size of their investments, are constantly scrutinized both at the national and international level.

The Casapalca union was created in April of 2007. However, as in Codelco, previous attempts of organizing had taken place before. In the late nineties subcontracted workers organized a wildcat strike that lasted for two days, after which all the participants were fired. A similar situation occurred in 2002, when employees demanded the improvement of their working conditions and were also rapidly threatened or fired. Because of these experiences, and due to the hard working conditions the operation has, most of the workforce is relatively new. For example, almost all the members of the union—which represent around 60% of the workforce—have been working for less than 10 years for Casapalca, and just two of the twelve members of the union's Executive Board have worked there for more than 8 years.

In 2007 a group of workers decided to organize a union. Although workplace security and health issues were important motivations, the main reason was economic. As in Codelco, workers felt that they deserved a bonus, even when they were not employed directly by the mining company¹⁰. As in Chile, Peruvian law does not allow direct and subcontracted workers to be part of the same union and, in the case of Casapalca, the direct workers were a small group of white-collar workers (around 200 in contrast with the more than 1800 subcontracted workers), and they were not interested in organizing a union. As a result, the union was formed exclusively by members of the subcontracting companies. Its name, “*Sindicato Unitario de Trabajadores Mineros y Metalúrgicos de las Empresas Especializadas que Prestan Servicios a la Empresa Compañía Minera Casapalca Unidad Americana S.A*”¹¹

¹⁰ In Peru, the law mandates that every private company must share its profits with all the employees, whom receive up to 14 monthly salaries in bonus payment every year. Although this situation is not typical, in the last 10 years the prices of minerals make most mining companies extremely profitable, for which direct workers received bonuses that sometimes surpassed their annual payment.

¹¹ This can be translated as “Union of Mining and Metal Workers of the Specialized Companies that Give Services to the Casapalca Mining Company”.

reflects well its sui generis nature, which, in spite of the Peruvian legislation, was beyond the company level.

Four days after the union announced to Casapalca that the Ministry of Labor had recognized it¹², the subcontracted companies coordinated the dismissal of 35 union leaders, as well of many rank-and-file workers. Since this was an illegal action –the Peruvian labor law has specific clauses regarding the “fair dismissal”– workers knew that they could get their jobs back through the labor courts. However, these claims usually take between two and three years to be solved, so, instead of that they decided to strike and to occupy strategic parts of the operation. This strike was illegal, but since many of the workers were already fired, they managed to keep the occupation for around two weeks, when the police intervened and made the workers abandon the company’s property.

To control this situation, the Ministry of Labor called the three parties–the union, the user and the subcontracting companies–to a meeting in which it attempted to mediate the dispute. However, Casapalca decided not to go to this meeting, arguing that the workers should negotiate with their direct employers, and not with the user company. Additionally, some subcontracting companies did not attend the government’s call either, because they declared bankruptcy, arguing that that was why they fired their employees¹³.

In this context, the union called a new strike, in which around 500 subcontracting workers participated. During its first 15 days, the strike was able to stop part of the company’s production, but it only made the company sit and negotiate after workers blocked the “Carretera Central”, one of the most important Peruvian highways, located around 400 hundred meters away from the company’s operations. Through this action, workers not only completely stopped the company’s sales–mineral could not get out from the mine– but also stopped the activities of other nearby mining companies. In its attempt to take the highway

¹² In Peru, this does not mean that they were a legal bargaining unit, but it is the first step to be one. Every labor union needs to fill additional requisites to get the formal authorization.

¹³ According to (Skogen, 2010), this was a strategy to get rid of the workers without paying for all the social benefits. In fact these companies continued giving services to Casapalca with the same workers–those that did not unionized–but under different names.

back, the police confront the workers, and as a result four people died. According to one of the union leaders, “we just couldn’t control the anger and desperation of the rank-and-file workers.” In spite of this tragedy, the result was positive for the union: it took five meetings after these events for Casapalca and the subcontracted companies to agree to give all the subcontracted workers an extraordinary bonus of \$300.

Although the union had finally got part of its demands satisfied, the situation changed abruptly a few days later, when the leaders that signed this agreement disappeared. According to the workers, the company helped them to go away in exchange of signing a five years agreement, that made impossible new negotiations during that time. A second group of workers was then elected, but a few months later four leaders of this group also disappeared, taking with them all the union’s internal documents and money.

In spite of this, the workers decided to keep organized, so a third group was elected, and it has led the organization since then. The new leaders decided that a new agreement was necessary, because the first one was the product of an illegitimate action. Since Casapalca and the subcontracting companies rejected this petition, workers organized a new strike in 2008. It lasted for more than one month, and, after a new confrontation between the police and the union –in which one policeman died– the first official collective agreement was settled with the participation of the Labor Ministry as a mediator.¹⁴

As mentioned, the Peruvian labor code doesn’t allow collective agreements between different companies and a single union, and, by 2007 there were not references of previous agreements between a company and its subcontracted workers. So what the companies and the union did, with the direct mediation of State officials, was to sign individual agreements between each subcontracting company and the union. Officially, the Peruvian government counted each of these 15 agreements as the product of a different collective bargaining. On the other side, the name of the user company did not appear in any of these agreements,

¹⁴ As with the previous two groups, the company also threatened the leaders of the third Executive Board, and money was offered to them according to some of its members. However, they decided that all the meetings with a company representative would have to be with all the other members of the Executive Board. Although this made the negotiations slower, it created a more transparent process for workers.

even when Casapalca coordinated the actions and decisions of the different subcontracting companies. One Ministry of Labor official that participated in this negotiation stated: *“this was not true, since the user company’s representatives were here all the time...but I think the managers didn’t want to legitimize this situation”*. Since then, the union has signed two collective agreements with the company, in a similar manner: after workers presented their demands some of them were fired, and then they struck until the user and subcontracting companies sat at the negotiation table.

Interestingly, similar dynamics took place not just in this company. In April of 2007 another union of subcontracted workers—this time of Shougang, the biggest Chinese company operating in Peru, which owns the only iron mine of the country—also struck for during more than one month. During those protests, workers set some of the company’s buildings on fire, and managed to stop the company’s production. According to my interviews at both mining camps, these two strikes were not coordinated, although in both cases subcontracted workers were able to organize and bargain with the user company after radical episodes of mobilization. It is worth mentioning that in none of these cases the leaders of the mobilizations received the direct support of the National Federation of Unions. The leaders of Casapalca and Shougang mentioned that although by 2009 they tried to create a national organization of subcontracted workers, at the end they decided to use the existing structures to gain a national voice. However, in neither of these cases leaders felt that the Federation was concerned about the subcontracted workers’ problems.

Given the violence of these mobilizations, the Peruvian government rapidly passed a law regarding the use of subcontracted workers in June of 2008. As in Chile, this law makes the user company responsible for the payments and social benefits of the workers when the subcontracting companies were unable take care of them. It also states that when workers were under the direct supervision of the company’s managers and using the company’s equipment (a common situation in the mining industry), they should be considered employers of the user. Finally, the law established that all the subcontracted employees that work in the

operations of the user company (again, something common in mining), will have the same remunerations and rights as the direct workers of that company.

As in Chile, this law was rapidly contested by employers' associations, which claimed that it would harm the industry badly. As a consequence, the law was changed few weeks after it was passed¹⁵. However, it represented a major change in terms of the employment relations system. But its effects vary across workplaces. Whereas in Casapalca workers are still organized through their union, in Shougang the subcontracted workers union was so effective that more than 400 workers were internalized between 2007 and 2008. In the mid term this debilitated the union—its members are now part of the direct workers union—, which disappeared in 2009.

3. Discussion: A comparative analysis.

These two cases have several characteristics in common. First, in both countries young workers, who did not have previous experiences within political parties or unions, organized the mobilizations. Moreover, these mobilizations were articulated by relatively young organizations, with less than a decade of 'formal' experience. Because of the anti-union responses from Casapalca and Codelco and their subcontracting companies, building on previous experiences resulted difficult.

Surprisingly, in spite of this lack of experience, in both cases workers were able to obtain important rights. As was mentioned above, this is even more interesting because these outcomes were obtained in countries that usually are considered pro-employer. First, workers obtained the right of organizing a union of subcontracted workers. Second, they were able to bargain at a level that went beyond their formal employers. They actually got collective agreements with more than one employer, and in both cases the user company took part in the bargaining process. Although this was a not-legal outcome—since the labor law does not permit these types of negotiations— workers, companies and state acted as this was

¹⁵ The major changes were (a) the additional time gave to subcontracting companies to adequate to the new law and (b) the flexibilization of the criteria used to decide if internalizations were necessary, which were posed on each labor inspector and not on universal definition.

legitimate. Finally, in both cases the state reacted quickly, passing laws that aimed to improve workers lives. Moreover, these laws were explicitly aimed to improve the situation of mining workers.

Finally, it is remarkable how “classic” the strategies these organizations used were. In none of these cases did unions build an international campaign—even when most of what these companies sell goes to the global market— or to associate with local communities. Moreover, they did not broaden their demands to include environmental issues, in spite of a current tendency within the industry(Dore, 2000; Ellem, 2003). These mobilizations could hardly be considered part of what scholars call a “*social movement unionism*” (Fairbrother, 2008; Fantasia & Voss, 2004) . Workers used strategies such as legal organizing, strikes and highways blockages to affect directly the mines’ production. Summing up, these acts resemble the early twentieth century miners’ mobilizations—grass rooted, militant and contentious— more than anything else (Bergquist, 1986; Sulmont, 1980).

These three characteristics can be put together once the *structural bargaining power* that the mineworkers had is noticed. First, even when these were subcontracted workers—formally not taking part in the core productive process—mining companies used some of them for key aspects of the production, which make them hard to replace. Moreover, even “secondary” services, such as working in the dining halls or as janitors, were crucial for the continuity of the production: the isolation of the mine camps make it difficult to replace these workers in the short term. Thus, workers had a *marketplace bargaining power*.

This spatial feature of the mining industry also gave workers *workplace bargaining power*. First, even when companies might managed to fire and replace part of the workforce, the union did not only organize strikes, but it also blocked the roads that companies needed to take the minerals out of the mine. Even when they could keep up with the production, it would have been hard to keep selling the minerals. This, of course, was not new, but in a context in which the prices of minerals were the highest in history, this created a critical conjuncture, in which each day of stoppage made companies lose millions of dollars.

Table 1: Historical Copper Prices 1989-2013



Source: Infomine.com

Just because of the strike at the El Teniente in 2007, Codelco lost approximately 10 million dollars, and it has been calculated that the 2008 strikes meant a lost of 4 million dollars per day. Even a small company like Casapalca was very affected by each strike in this context. It is clear that, in the case of Codelco, its losses also affected the Chilean state, which was very concerned because of the possible economic effects of the mobilizations. In Peru the situation was similar, because of the importance that mining has for the state's incomes. Therefore, its intervention was not just necessary to solve conflicts, but also because they were occurring in a key industry. Between 2007 and 2012, the Peruvian State doubled its interventions in labor disputes through mediation services. Not surprisingly, more than 80% of these interventions occurred in the mining industry, which employs less than 4% of the Peruvian formal workforce. According to the Ministry of Labor website, its interventions in mining labor disputes saved more than 180 million dollars just in 2008 (MTPE, 2009) . This helps explain the velocity with which the state passed the subcontracting laws and why not-legal organizations and negotiations were permitted. Symptomatically, this constant

intervention of the state in the mining industry is not new, but a dynamic that labor historian Ch. Bergquist also found in other Latin American export economies (Bergquist, 1986).

In spite of these similarities in terms of their structural power, subcontracted workers in Peru and Chile developed different organizational strategies. Whereas in Chile they created their own national organization, which groups workers from state and private companies, Peruvian workers decided to be part of the traditional federation of miners, in spite of the tensions that existed with it. Chilean workers built their connections at the national level using Codelco's structure—it has operations across Chile—which made it easier for workers to share their problems without the help of the core-workers union. In Peru, on the other side, the fully privatized system, and the lack of companies developing operations in more than two regions, made it harder to develop these bonds. Therefore, subcontracting unions articulated to the existing national network instead of creating a new one.

These different organizational arrangements gave Chilean workers a stronger *associational power*. In 2013, the CTC demanded to the Mining Council “the homologation of the working conditions of the subcontracted workers of the private mining with those of Codelco's”. This type of demands has not appeared in Peru, where although workers are part of a national organization, they have been unable to create a “national identity” as subcontracted workers. These different structures help explaining the variations in the outcomes obtained in each country. Regarding the organizing efforts, whereas in Chile most of the Codelco's operations and private companies have now subcontracted workers' unions, in Peru this has not occurred. Although the number of subcontracted worker's organizations has increased, in some of the most important companies the only union is that formed by core workers¹⁶.

In second place, there is variation in terms of the bargaining dynamics. In Chile, there are two different negotiation processes. First there is the “Acuerdo Marco”, which includes all the Codelco's subcontracted workers. And second, there are company-level agreements

¹⁶ Although this goes beyond the goals of this paper, it is worth noting that in Peru, most of the subcontracting unions have appeared in workplaces where there were no core workers unions before. On the other side, with the exception of Shougang, most big mining companies just have core-workers' unions, in spite of their substantial use of subcontracting.

between workers and the subcontracting companies. In Peru, the results of each negotiation depends more on the individual strategies of each union, as the contrast between Casapalca and Shougang shows.

Finally, although the subcontracting laws of both countries are very similar, their enforcement varies in relation to the workers' associational power. In Peru, the law has been used differently in each company: there were not internalizations in Casapalca, but they did occur in Shougang. Subcontracted workers have been able to negotiate, but in different conditions with each company. In Chile, the CTC was able to make the effects of this law more homogeneous, both in its positive (permitting workers' organizing) and negative (internalization process) aspects. Therefore, although there was a negotiation of the law and its application in both countries, in Chile it happened in a larger scale.

4. Final Remarks

This paper has shown that, at least in the Peruvian and Chilean mining industry, the most important improvements in the subcontracted workforce conditions were the result of strategies that hardly could be called "innovative". This does not mean that studies focusing on the new forms of collective action are not important, but that a more precise contextualization is necessary in at least two ways. First, it is key to understand what is going on in the case of industries within the primary sector: how is the changing face of industrial relations affecting industries such as forestry, mining or oil? In Latin America, as well as in other resource-oriented economies, this question becomes crucial. Even when most of the workforce is not employed in these sectors, they are strategic from a political and economic standpoint.

In the case of the mining industry, for example, it is remarkable that, between 2006 and 2012, big and contentious mobilizations of subcontracted workers took place in countries as different as Zambia (Fraser & Larmer, 2011; Hairong & Sautman, 2013) , South Africa (Frankel, 2013; Magaziner & Jacobs, 2013) , Indonesia (Bellman & Stynes, 2011) and Bolivia (Haarstad, 2010; Webber, 2011). In spite of the different institutional frames and

workers' motives, there seem to be global dynamics that are worth researching. Moreover, in a context of concentration of the production in just a few global companies, a study analyzing the workplace power of workers in these different cases would be valuable.

A second type of "contextualization" I have tried to use in this paper is related to the outcomes of workers' mobilizations. In contrast with previous studies about miners in Chile and Peru, which focused only on the workers' motives, culture and tactics, I tried to focus both on them and their mid-term outcomes. Methodologically, the comparison between Chile and Peru was useful to shed light on how structural and associational conditions produced different results. Recent studies focusing on migrant workers' movements (Gleeson, 2012; Tapia & Turner, 2013), unions' influence on political institutions (Agarwala, 2013; Amengual, 2013) and on workers reactions to HR practices (Ngai & Smith, 2007; Webster, Lambert, & Beziudenhout, 2011) show how valuable a comparative approach is to go beyond views that, overlooking the "agency" of workers, tend to forget that strategies are valuable depending of the context in which they occur.

Finally, an implicit argument throughout this study has been that spatial characteristics of mining are key to understand workers structural bargaining power: the isolation of the mining camps, the direct experience of inequality between core and subcontracted workers, as well as the industry's need of access to roads were crucial elements in both cases. Additionally, the scale in which workers organized—nationally in Chile, locally in Peru—was crucial for the outcomes they got. Although it is well known that mining is always spatially fixed, space is important for any human action. Following A. Herod's argument about the importance of thinking the "geographies of labor" (Herod, 2001), I have tried to show the importance of thinking the 'spatially' of mining, which builds on current efforts to understand the dynamics of dockworkers (Jaffee, 2010), care workers (Rhee & Zabin, 2009) and the automobile industry (Holmes, 2004).

References

- Agacino, A. R., González, G. S., & Flores, J. R. (1998). *Capital Transnacional Y Trabajo: El Desarrollo Minero En Chile* Lom Ediciones.
- Agarwala, R. (2013). *Informal Labor, Formal Politics, And Dignified Discontent In India* Cambridge University Press.
- Amengual, M. (2013). Pathways To Enforcement: Labor Inspectors Leveraging Linkages With Society In Argentina.
- Anner, M. (2012). Corporate Social Responsibility And Freedom Of Association Rights The Precarious Quest For Legitimacy And Control In Global Supply Chains. *Politics & Society*, 40(4), 609-644.
- Anner, M., Greer, I., Hauptmeier, M., Lillie, N., & Winchester, N. (2006). The Industrial Determinants Of Transnational Solidarity: Global Interunion Politics In Three Sectors. *European Journal Of Industrial Relations*, 12(1), 7-27.
- Arcienaga, R. (1986). *Los Mineros De La Southern Peru Copper Corporation, 1968-1981*. Lima: Pontificia Universidad Católica Del Perú.
- Baltera, P., & Pablo, D. J. (2010). Liderazgos Sindicales Emergentes: El Caso De Los Trabajadores Subcontratados De La Salmonicultura, Minería Del Cobre Y Forestales. *Cuadernos De Investigación*, 37
- Banco Central De Reserva. (2013). *Cuadros Anuales Historicos. Exportaciones Por Grupo De Productos Desde 1950*. Retrieved 12-1, 2013, From [Http://Www.Bcrp.Gob.Pe/Estadisticas/Cuadros-Anuales-Historicos.Html](http://www.bcrp.gob.pe/estadisticas/cuadros-anales-historicos.html)
- Barrientos, S. W. (2013). 'Labour Chains': Analysing The Role Of Labour Contractors In Global Production Networks. *The Journal Of Development Studies*, (Ahead-Of-Print), 1-14.
- Bellman, E., & Stynes, T. (2011). Freeport-Mcmoran Says Pact Ends Indonesia Strike. *Wall Street Journal*, December, 14
- Bergquist, C. (1986). *Labor In Latin America* Stanford University Press Palo Alto, CA.
- Bronfenbrenner, K. (2007). *Global Unions: Challenging Transnational Capital Through Cross-Border Campaigns* Cornell University Press.
- Bronstein, A. (2010). Labour Law In Latin America: Some Recent (And Not So Recent) Trends. *International Journal Of Comparative Labour Law And Industrial Relations*, 26(1), 17-41.
- Cardenas, J. (2007, 2007). Minera Casapalca En La Mira. *La Republica*,
- Castells, M. (1996). *The Rise Of The Network Society*. Malden, Mass.: Blackwell Publishers.
- Cochilco. (2013). *Anuario De Estadísticas Del Cobre Y Otros Minerales 1993-2012*. Santiago De Chile: Cochilco.
- Cook, M. L. (2010). *Politics Of Labor Reform In Latin America: Between Flexibility And Rights* Penn State Press.
- Dore, E. (2000). Environment And Society: Long-Term Trends In Latin American Mining. *Environment And History*, 6(1), 1-29.
- Durán-Palma, F., & López, D. (2009). Contract Labour Mobilisation In Chile's Copper Mining And Forestry Sectors. *Employee Relations*, 31(3), 245-263.

- Echeverría, M. (1997). Subcontratación De La Producción Y Subcontratación Del Trabajo. *Temas Laborales*, 3(7)
- Echeverría, M. (2010). *La Historia Inconclusa De La Subcontratación: Y El Relato De Los Trabajadores* División De Estudios, Dirección Del Trabajo.
- Ellem, B. (2003). New Unionism In The Old Economy: Community And Collectivism In The Pilbara's Mining Towns. *Journal Of Industrial Relations*, 45(4), 423-441.
- EMOL. (2011), Las Mayores Huelgas Mineras Desde El Regreso A La Democracia. *EMOL*
- Etchemendy, S. (2004). Repression, Exclusion, And Inclusion: Government-Union Relations And Patterns Of Labor Reform In Liberalizing Economies. *Comparative Politics*, , 273-290.
- Fairbrother, P. (2008). Social Movement Unionism Or Trade Unions As Social Movements. *Employee Responsibilities And Rights Journal*, 20(3), 213-220.
- Fantasia, R., & Voss, K. (2004). *Hard Work : Remaking The American Labor Movement*. Berkeley: University Of California Press.
- Fernandez, S., & Benerra, A. (2012). *Subcontratacion En Sectores Laborales Chilenos*. Santiago De Chile: CENDA.
- Flores Galindo, A. (1974). *Los Mineros De La Cerro De Pasco, 1900-1930 : Un Intento De Caracterización Social*. [Lima]: Pontificia Universidad Católica Del Perú Departamento Académico De Ciencias Sociales, Area De Sociología.
- Frankel, P. (2013). *Between The Rainbows And The Rain. Marikana, Migration, Mining And The Crisis Of Modern South Africa* African Books Collective.
- Fraser, A., & Larmer, M. (2011). *Zambia, Mining, And Neoliberalism: Boom And Bust On The Globalized Copperbelt* Palgrave Macmillan.
- Gallagher, D. G., & Sverke, M. (2005). Contingent Employment Contracts: Are Existing Employment Theories Still Relevant? *Economic And Industrial Democracy*, 26(2), 181-203.
- Gautié, J. (2010). *Low-Wage Work In The Wealthy World* Russell Sage Foundation.
- Gleeson, S. (2012). *Conflicting Commitments: The Politics Of Enforcing Immigrant Worker Rights In San Jose And Houston* Cornell University Press.
- Haarstad, H. (2010). Maneuvering The Spaces Of Globalization: The Rearticulation Of The Bolivian Labor Movement. *Norsk Geografisk Tidsskrift–Norwegian Journal Of Geography*, 64(1), 9-20.
- Hairong, Y., & Sautman, B. (2013). "The Beginning Of A World Empire"? Contesting The Discourse Of Chinese Copper Mining In Zambia. *Modern China*, 39(2), 131-164.
- Hammer, N. (2005). International Framework Agreements: Global Industrial Relations Between Rights And Bargaining. *Transfer: European Review Of Labour And Research*, 11(4), 511-530.
- Harvey, G., & Turnbull, P. (2012). Power In The Skies: Pilot Commitment And Trade Union Power In The Civil Aviation Industry. *Advances In Industrial & Labor Relations*, 20, 51-74.
- Herod, A. (2001). *Labor Geographies : Workers And The Landscapes Of Capitalism*. New York: Guilford Press.
- Holmes, J. (1986). The Organization And Locational Structure Of Production Subcontracting. *Production, Work, Territory: The Geographical Anatomy Of Industrial Capitalism*, , 80-106.
- Holmes, J. (2004). Re-Scaling Collective Bargaining: Union Responses To Restructuring In The North American Auto Industry. *Geoforum*, 35(1), 9-21.

- Hughes, M. F. (2013). Re-Estructuración Capitalista: Precariedad Laboral Y Resistencia. La Protesta De Los Mineros Del Cobre En Chile. *Horizontes Antropológicos*, 19(39), 99-124.
- International Labour Organization. (2006). *The Employment Relationship* No. V). Geneva: International Labour Conference.
- Jaffee, D. (2010). Labor And The Geographic Reorganization Of Container Shipping In The US. *Growth And Change*, 41(4), 520-539.
- Jornada, C., & Torres, J. (2009). Los Trabajadores Subcontratistas De Bosques Arauco Y CODELCO: ¿ Un Movimiento En Vías De Politización? *Revista Mad: Revista Del Magister En Análisis Sistemico Aplicado A La Sociedad*, (20), 3.
- Kalleberg, A. L. (2000). Nonstandard Employment Relations: Part-Time, Temporary And Contract Work. *Annual Review Of Sociology*, , 341-365.
- Kalleberg, A. L. (2011). *Good Jobs, Bad Jobs: The Rise Of Polarized And Precarious Employment Systems In The United States, 1970s-2000s* Russell Sage Foundation.
- Klubock, T. M. (1998). *Contested Communities: Class, Gender, And Politics In Chile's El Teniente Copper Mine, 1904-1948* Duke University Press.
- Klubock, T. M. (2004). Class, Community, And Neoliberalism In Chile: Copper Workers And The Labor Movement During The Military Dictatorship And The Restoration Of Democracy. *Victims Of The Chilean Miracle: Workers And Neoliberalism In The Pinochet Era, 1973-2002*, , 209-260.
- Kruijt, D., & Vellinga, M. (1979). *Labor Relations And Multinational Corporations: The Cerro De Pasco Corporation In Peru (1902-1974)*. Amsterdam: Van Gorcum.
- Leiva, S., & Campos, A. (2013). Movimiento Social De Trabajadores Subcontratados En La Minería Privada Del Cobre En Chile. *Psicoperspectivas*, 12(2), 51-61.
- Magaziner, D., & Jacobs, S. (2013). Notes From Marikana, South Africa: The Platinum Miners' Strike, The Massacre, And The Struggle For Equivalence. *International Labor And Working-Class History*, 83, 137-142.
- Minem. (2013). *Boletín Estadístico De Minería*. Lima: Ministerio De Energia Y Minas.
- Mosley, L., & Uno, S. (2007). Racing To The Bottom Or Climbing To The Top? Economic Globalization And Collective Labor Rights. *Comparative Political Studies*, 40(8), 923-948.
- MTPE. (2009). *Sistema De Prevención De Conflictos Del MTPE Evitó Perdidas Por US\$180 Millones En Minería*. Retrieved 12/12/2013, 2013, From [Http://Www.Mintra.Gob.Pe/Mostrarnoticias.Php?Codnoticia=1761](http://www.mintra.gob.pe/mostrarnoticias.php?codnoticia=1761)
- Ngai, P., & Smith, C. (2007). Putting Transnational Labour Process In Its Place The Dormitory Labour Regime In Post-Socialist China. *Work, Employment & Society*, 21(1), 27-45.
- Nissen, B., & Jarley, P. (2005). Unions As Social Capital: Renewal Through A Return To The Logic Of Mutual Aid? *Labor Studies Journal*, 29(4), 1-26.
- Núñez, D. (2009). El Movimiento De Los Trabajadores Contratistas De CODELCO: Una Experiencia Innovadora De Negociación Colectiva. In D. Núñez, & A. Aravena (Eds.), *El Renacer De La Huelga Obrera En Chile. El Movimiento Sindical En La Primera Década Del Siglo XXI* (Pp. 37-74). Santiago: LOM E Instituto De Ciencias Alejandro Lipschutz (ICAL).
- Rhee, N., & Zabin, C. (2009). Aggregating Dispersed Workers: Union Organizing In The "Care" Industries. *Geoforum*, 40(6), 969-979.

- Roberts, K. (1995). Neoliberalism And The Transformation Of Populism In Latin America. *World Politics*, 48(1), 82-116.
- Rosado Marzán, C. F. (2009). Of Labor Inspectors And Labors Judges: Chilean Labor Law Enforcement After Pinochet (And What The United States Can Do To Help). (*Symposium*), 54 *St. Louis U. L.J.* 497,
- Selwyn, B. (2012). *Workers, State And Development In Brazil* Manchester: Manchester University Press.
- Silva, E. (2009). *Challenging Neoliberalism In Latin America* Cambridge University Press.
- Silver, B. J. (2003). *Forces Of Labor: Workers' Movements And Globalization Since 1870* Cambridge University Press.
- Singh, J. T. N. (2012). Extraction As A Space Of Social Justice? Commodity Production And Labor Rights In Brazil And Chile. *New Political Spaces In Latin American Natural Resource Governance*, , 217.
- Smitka, M. (1991). *Competitive Ties: Subcontracting In The Japanese Automotive Industry* Columbia University Press.
- Sulmont, D. (1980). In Tarea (Ed.), *Historia Del Movimiento Obrero Minero Metalurgico (Hasta 1970)*. Lima: Tarea.
- Sulmont, D. (1984). *El Movimiento Obrero Peruano, 1890-1980: Reseña Histórica* Tarea.
- Tapia, M., & Turner, L. (2013). Union Campaigns As Countermovements: Mobilizing Immigrant Workers In France And The United Kingdom. *British Journal Of Industrial Relations*, 51(3), 601-622.
- Turner, L., & Cornfield, D. B. (2007). *Labor In The New Urban Battlegrounds : Local Solidarity In A Global Economy*. Ithaca: ILR Press/Cornell University Press.
- Van Jaarsveld, D. D. (2004). Collective Representation Among High-Tech Workers At Microsoft And Beyond: Lessons From Washtech/CWA. *IREL Industrial Relations: A Journal Of Economy And Society*, 43(2), 364-385.
- Von Holdt, K., & Webster, E. (2008). Organising On The Periphery: New Sources Of Power In The South African Workplace. *Employee Relations*, 30(4), 333-354.
- Waterman, P. (2004). Adventures Of Emancipatory Labour Strategy As The New Global Movement Challenges International Unionism. *Journal Of World-Systems Research*, 10(1), 217-253.
- Webber, J. (2011). *From Rebellion To Reform In Bolivia: Class Struggle, Indigenous Liberation, And The Politics Of Evo Morales* Haymarket Books.
- Webster, E., Lambert, R., & Beziudenhout, A. (2011). *Grounding Globalization: Labour In The Age Of Insecurity* Wiley. Com.
- Weller, J. (2004). El Empleo Terciario En América Latina: Entre La Modernidad Y La Sobrevivencia. *Revista De La CEPAL*, (84), 159-176.
- Wills, J. (2009). Subcontracted Employment And Its Challenge To Labor. *Labor Studies Journal*, 34(4), 441-460.
- World Bank. (2013). *The World Bank Databank*. Retrieved 12-1, 2013, From [Http://Data.Worldbank.Org/Indicator/NY.GDP.MKTP.KD.ZG/Countries](http://Data.Worldbank.Org/Indicator/NY.GDP.MKTP.KD.ZG/Countries)
- Wright, E. O. (2000). Working-Class Power, Capitalist-Class Interests, And Class Compromise. *American Journal Of Sociology*, , 957-1002.
- Zapata, F. (2012). La Huelga De Los Mineros De La Escondida De Agostode 2006. *Si Somos Americanos.Revista De Estudios Transfronterizos*, 10(2), 15-36.