

# Nicaraguan Solidarity Campaign Action Group

*Linking Nicaraguan and UK Trade Unions*



## Enforcing workers rights through legal action

### NSCAG inaugurated the UNE legal office on 4 August



From left to right: Javier Caballero and Emilio Irias (UNE legal advisors); Ignacio Silva (UNE international relations); Everth Chavarria (General Secretary of Managua Municipal Workers Federation); Heberto Ruiz, (UNE secretary of finances); Helen Yuill (NSCAG), Domingo Perez (UNE general secretary), Arely Lopez (UNE Youth Committee).

The creation of an office providing legal advice and training by qualified solicitors has been a priority for the Public Sector Union in Nicaragua (UNE) for a number of years.

Thanks to the support of the **UNISON International Development Fund**, and in partnership with the Nicaragua Solidarity Campaign Action Group, £20,000 were granted to set up the first legal office for public sector workers in Nicaragua.

When the idea for the Legal Office first took shape it was under a right wing government and the trade unions were literally struggling for survival.

Now that there is a government in power which is more supportive of trade unions things have of course improved, nevertheless the trade unions are at pains to point out that they are independent

of the government and their first priority is always to defend members' rights.

Furthermore the government is in a weak position and cannot necessarily make the legislative changes it would wish to see, and some parts of the country are still governed by right wing administrations, for instance Granada, where UNE members were sacked from their jobs in the face of hard won legislation that should have protected them.



Domingo Perez, UNE's General Secretary, outside the UNISON building on the day the agreement was signed between UNE, UNISON and NSCAG.

In the opinion of Domingo Perez, UNE's general secretary, the lack of a legal office has limited UNE's ability to aid its members when they have needed help and this, in turn, has had a detrimental effect not only on outcomes but also on the standing of the union in the eyes of the membership as well as the public and, of course, the employers.

### Why are we running this project?

The trade unions may be in better health than previously, but the battle for workers' rights is far

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from over. Nicaragua is still a very poor country where resources are scarce and trade unions are reliant on subscriptions from members who struggle continually to make ends meet, but who recognise nevertheless the role of trade unions, particularly UNE, in driving forward progressive change within society.

It has been a continual source of frustration in the past that UNE has not had the resources to fight legal battles for its members. Examples include not only the local government workers sacked in Granada due to a change in administration, but cases of sexual harassment, waste disposal workers being denied protective clothing and deductions from wages being kept by the local administration, resulting in workers being denied state benefits

Providing legal services to its members is an absolutely essential function of any trade union that is serious about securing workers' rights.

UNE does not have the financial resources to pay for independent legal advice, therefore the creation of a legal office was the only economically viable way of doing this.

It will also ensure through a training programme that in future, the union becomes more self-sustaining in providing legal advice to its members and taking up their cases

By offering the services of a legal office therefore it is estimated that growth in membership could be achieved of at least 2% per annum, membership numbers being currently stable.

Lawyer Emilio Irias explained the importance of being able to provide legal advice and support to UNE members:

*'Until now we have only been able to provide legal support in an ad hoc, inconsistent way. Having a legal office will mean we are able to provide a systematic, continuous legal service so that cases can be followed up, people can be properly represented, and that we will be able to provide*

*legal training for members and come up with ways of addressing common problems.'*



Ravinder Gill, UNISON International Officer and Domingo Perez signing the memorandum of understanding to grant the funds for the legal office

### What will the Legal Office do?

The Legal Office will:

- Give legal advice to union leaders
- Take up legal cases on behalf of workers whose rights have been violated, or who have been unfairly dismissed or not received agreed benefits.
- Help to design the content and planning of training course on legal aspects of employment which will be given to union leaders and workers

This is an opportunity not only for capacity building but for strengthening and deepening the trade union movement within society, raising its profile, increasing membership, making it more effective and of course securing employment rights for its members.

If you want to find out more about this or other projects by Nicaraguan Trade Unions, contact NSCAG at [nscag@nicaraguasc.org.uk](mailto:nscag@nicaraguasc.org.uk) or visit our website <http://www.nscag.org>