

# Teachers' Unions, Governments and Educational Reforms in Latin America and the Caribbean: Conditions for Dialogue

## EXECUTIVE SUMMARY

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## 1. Presentation

The educational reform cycle initiated in the early 1990s has profoundly altered the board and playing rules of education in the different countries, as much for teachers unions as for state and non-state actors as a whole. New actors have come to perform in education's political arena: subnational levels of the state, academic agents and agencies, actors from the economic field, international organizations, NGOs, private organizations, indigenous groups. Still, the mobilization and blocking power of teachers organizations in this new context remains one of the gravitating factors in the political economy of the education sector. In recent years, a sizeable number of these organizations have expressed significant differences and, in many cases, exerted strong resistance and/or opposing action to modernization policies inside the education sector. Many of the authorities responsible for the educational systems in Latin America and the Caribbean view the relationship with teachers associations or unions as one of the most complex and conflictive aspects they need to deal with during their period of service.

## 2. Teacher unions organization in Latin America and the Caribbean

The region's teachers organizations take different shapes depending on different local traditions, histories and educator cultures. Also different are the names they have given themselves: unions, associations, professional guilds. Some middle-class-leaning organizations refer to their members as *profesores* (teachers) or *maestros* (educators), while others adopt the classist term "workers". This diversity is indicative of the tension between the different labor and professional identities. The organizations normally consist of primary and secondary teachers and educators, and workers of the public sector.

Teachers organizations differ greatly in the manner they relate or link with each other in any one country as a way to gain more power, territorial coverage and representation: (a) countries with multiple unrelated organizations that give rise to a situation of fragmentation (Honduras, Nicaragua, Guatemala, El Salvador, Uruguay or Puerto Rico); countries where educators unions are integrated into a confederation (Argentina, Brazil, Colombia); and (c) countries with one and virtually sole national union or association (Chile, Peru, the Bahamas).

Besides, the region's teachers unions present significant differences regarding their capacity to negotiate with the government:

- a) Countries with strong, autonomous unions technically prepared to negotiate enabling legislation and politically committed to engage in social dialogue based on respect for the freedom of association principle, the opportunities to build national consensus, and the establishment of bonds between unions and the ministries as well as between unions and the public opinion (Chile, Mexico).
- b) Countries with a long-standing tradition in public education; strong, autonomous unions; and technical capacity for social dialogue yet lacking the political conditions to build consensus and with severe governance situations. In this case, unions play a critical role in opposing the reform values, resorting to confrontation and collective bargaining as the main tool for social dialogue (Argentina, Brazil, Colombia, Costa Rica or Uruguay).
- c) Countries with weak or scattered unions; low technical capacity to conduct negotiation; scarce or no political will and commitment for social dialogue; restricted freedom of association; limited conditions for consensus building; and little or no connection between unions, ministries and the public opinion (Honduras and El Salvador).

The scenario regarding the teachers unions' similarities and peculiarities reveals a general trend in South America's Southern Cone and Mexico that takes the form of a long transition from a corporative model with strong commitment of teachers unions with state-centered sociopolitical matrices towards positions involving greater professionalization, complex agendas that combine labor and wage demands, and politico-educational proposals. Changes in the Latin American social and political reality bring about setbacks and permit the emergence of positions in favor of corporative or confrontational traditions.

Another visible trend in the region is that of unincorporated unions. They exist in countries recovering from institutional crises and prolonged periods of political violence, or where freedom of unionization is limited. In these cases, the organizations' agendas seem to focus on the consolidation of unions as legitimate representatives of the teaching profession.

A third trend can also be pinpointed, which characterizes organizations stemming from a longstanding tradition of professional associations. In these cases, the country's political culture counts on established dialogue conditions, so arising labor and wage demands are dealt with within an already existing agreement-building matrix.

### **3. The hotspots of government-union conflict**

During the reform processes of the 1990s, several conflict sources arose between unions and governments, which may be classified into three main categories:

- *economic-corporative* conflict, including all labor issues (salaries, statutes, collective agreements, pensions);
- *politico-corporative* conflict, including all the demands by teachers organizations for participation in the decision-making process of educational policies; and
- *politico-ideological* conflict, characterized by politico-ideological questioning of the principles guiding the decentralization and/or privatization policy, or the influence of international organizations in the educational sphere, etc.

Wage and labor conditions aside, in general the following points appear to have constituted the spikes of conflict between the unions and the governments of many of the countries during the 1990s:

- teachers associations' opposition to the decentralization and privatization processes, as these imply a fragmentation of the scenario where traditional unionism has developed, and question the traditional organizational model of teachers unions;
- opposition to the "unconsulted" nature of the reforms, as a way to revalidate the participation rights conquered during the neocorporative phase;
- resistance to embrace changes in regulatory norms that may revert conditions previously obtained through union mediation or strengthened rights in exchange for wage cuts, without any offers for salary recovery; and
- disagreement on the introduction of performance evaluation systems perceived as control mechanisms which, in addition to establishing rewards and penalties, undermine unionism's social basis and hamper the aggregate demand for common interests.

Beyond their contributions to the formulation and design of educational reform policies in several countries of the region, unions have in many cases made strong interventions in the public arena by imposing a discourse advocating public education, the *Estado docente* –teaching State– and the

centralist-bureaucratic tradition. On the other hand, this same discourse practice has not been as effectively applied at the professional level specifically regarding teacher formation as well as curricular or pedagogical changes.

Within the reform framework, a recurrent demand by the unions had to do with wage and labor conditions (contractual norms, benefits, promotion systems and evaluation procedures). Broadly speaking, the reforms undertaken during the 1990s disregarded the issue of teacher remuneration, except to link wages to performance. In some cases, they focused on intervening employment conditions, which gave supervisors, parents and local governments the authority to hire, promote and terminate teachers. In many countries, union opposition to these processes was the result of the destructurement of negotiations on a national scale.

Despite its apparent simplicity, conflictivity built around salaries touches upon a number of problems: comparison criteria; conditions for stability, hiring and advancement; range of the salary scale; and historical evolution, among other aspects. All this turned salary negotiations into one of the elements that most seriously eroded the unions-government relationship during the 1990s.

In recent years, the conditions for dialogue between teachers unions and the government have changed. Today, it is possible to appreciate different attempts on the part of unions to come out of defensive positions or frameworks defined in previous agreements adopted during the 1990s, and return to their traditional roles regarding demands relating to redistribution mechanisms. Trade union conflicts in 2006 ranged between individual one-day forceful measures to prolonged strikes extending over several weeks. In each country, conflicts ranged from a single forceful measure to a series of successive conflicts, or were led by different teachers union organizations. These measures were mainly intended to oppose national and provincial governments, leaving private sector or municipal employers virtually unaffected. Strike has been the primary form of protest used, in a similar proportion to protest demonstrations and marches. Nearly 60% of the protest actions and strikes have their roots in labor demands, while only 23% derived from confrontation regarding educational policy, and less than 10% to different political stances in general. This comes to substantiate a trend observed over the last three years, since 64% of the conflicts recorded in 2004 stemmed from labor demands and 21% from educational policy issues. A strong presence of salary, benefit and labor demands in the unions' agenda is thus confirmed.

This transition towards labor demands may be linked to a generalized revitalization of claims for better distribution of wealth in the framework of the region's economic expansion. The recent conflicts mentioned indicate that unions are centering their demands on the wage issue, backed by confrontational ideological positions that in general lead to advocacy of public education and the role of national states in education. Besides, in most countries criticism and opposition to educational reforms continues to be part of unions' confrontational argumentations.

In recent months, there have also been presidential elections in some countries of the region (such as Brazil, Chile, Colombia, Mexico, Nicaragua, Peru and Venezuela). In several countries, teachers unions have played a role as political actors or as the social basis of political powers. In this context, a new phase of increasingly complex negotiations seems to be opening up, as labor demand-focused agendas overlap with the growing presence of unions in the political scenario. For their part, national and provincial governments negotiate with unions in their capacity of representatives of the teachers and at the same time dialogue with voices from the political opposition who occasionally have their own representation in congress and electoral prospects.

#### 4. Dialogue and concertation: reflections on four national experiences

Is it possible to build consensus with teachers union organizations around education quality improvement policies? The report examines recent national experiences in Chile, Jamaica, Mexico and the Dominican Republic. The following reflections may be drawn from these processes:

a. When going through these experiences, the first feature to stand out is the need for certain minimum economic and political conditions to be able to proceed with dialogue and concertation. In the case of Chile, growth and politico-institutional continuity during three administrations have helped establish a platform for dialogue and national consensus building with diverse political and social sectors. Also, Jamaican political stability has facilitated a negotiation dynamics around a concerted vision of educational development. In Mexico, economic growth finances the expansion and supports the improvement policies of the educational system which, despite the change in the ruling party in 2000, has not modified its strategic definitions. In the Dominican Republic, the political agreement around the formulation of the Decennial Plan for Education (an educational reform initiative formulated through a participative strategy) resulted in a long period of governance of the reform process undertaken during the 1990s; in recent years, however, the political support has seen some erosion, with a direct impact on the present sustainability of educational policies.

b. Early on in their reforms, the four countries created institutional spaces of dialogue and discussion to articulate public and explicit consensus around the general bases, orientations and instruments involved in the process. In Mexico, the 1992 National Agreement for the Modernization of Basic Education (ANMEB) was executed between the National Union of Education Workers (SNTE) and the education secretaries of the different states. Following on ANMEB's footsteps, the *Carrera Magisterial* incentive program was then implemented (a program of salary incentives that considers such factors as years of experience, educational school level, professional skills, completion of accredited courses and performance evaluation). In Chile, the negotiations around the Teachers' Statute of 1991 helped reconstruct the relationship between the State and the educators, and opened the doors to a process of sustained reforms. In Jamaica, the consensus arising from the debate around the *Green Paper* (an agreement executed in 2000 between the government and different social and educational actors to provide a framework for educational policy) prepared the steps taken later on in educational policy and ultimately led to the creation of the *Work Group on Education*, where several educational actors were represented. In the Dominican Republic, a far-reaching and unprecedented consultation process backed by several international organizations led to the definition of the Decennial Plan and the subsequent promulgation of the Education Law of 1997.

c. State actors responsible for carrying out the reforms counted on sufficient political and technical capacity to lead the process, coalesce diverse interests, face changing conditions and maintain their strategic definitions. In the case of Chile, the teams of the Ministry of Education have significant continuity and accumulation of technical knowledge at their disposal, thus allowing the country to move along a long-haul agenda. In Mexico, despite the change in the national administration, there is a marked continuity in the Secretariat of Public Education's educational bureaucracy.

d. The existence of highly organized union organizations with a national coverage –as in Chile and Mexico and, to a lesser degree, in Jamaica– remains a pivotal actor in guaranteeing governance of those systems undergoing a process of change, especially in larger countries. In the case of Jamaica, the strong trade union and professional tradition and the institutional framework

of the Jamaica Teachers Association (JTA) make it a relevant and reliable interlocutor in educational management. The Dominican Republic presents a different scenario, where the union organization's internal conflicts of recent years –and its bonds with the partisan system– have strongly influenced the shift in positions of the Dominican Teachers Association (ADP) regarding state policies.

e. To judge from the experience of these countries, dialogue and the agreements with union organizations have made progress insofar as the reforms are formulated and implemented in an incremental dynamics framework, which includes evaluations, learning, and periodic policy readjustments while maintaining strategic definitions. Slower as they may seem, these processes offer greater governance to the implementation of reforms together with a structurally more stable character. Teacher performance evaluation systems in Chile and Mexico could move forward thanks to the fact that they gradually incorporated changes that considered some of the observations proposed by union representatives. Another clear example is Mexico's Comprehensive Reform of Secondary Education (RIES): initially formulated within the framework of the SEP and with opposition from the SNTE, it was later revised with consultation to teachers and other actors before renegotiating it with the union.

f. Chile, Mexico and Jamaica have institutionalized and maintained several permanent spaces for technical work, the exchange of information, and bipartite and tripartite negotiation. Diverse commissions or groups have been used to implement agreements and/or concert the design of specific policies. Such was the case of the extended school schedule policy or the *Red Maestros de Maestros* (Educators to Educators) network, and the National Evaluation System of Teacher Performance (SNED) in Chile, where the Teachers Professional Association participates in a Tripartite Technical Committee to evaluate teacher performance. In Mexico and Jamaica there are regular commissions for salary and labor negotiation between the unions and the government. Several instances ensure uninterrupted dialogue and guarantee the existence of permanent negotiation procedures that provide answers to some of the points in each party's agenda.

g. In times of crisis or whenever important points in the official agenda on education were questioned, the governments produced new instances to contain the submittal of new claims and give way to new negotiations. Each with its own national singularities, these spaces have promoted the participation of diverse actors (unions, groups of educators, entrepreneurs, private education representatives, denominational delegates, parents associations, student representatives). Through these instances, the governments have sought to broaden consultation and increase the participation levels of different actors while trying to counterweigh the unions' influence. In some countries councils have been formed which bear direct links to the presidential level and tend to convince the public opinion that education is one of the State's central policies. These councils are consulting in nature though they also act as a sound box for the confrontations, agreements and alliances between the different educational actors. For example, the *Presidential Forum for Excellence in Dominican Education* was created in 2004 to re-launch the reform process. In Chile, President Bachelet instituted the *Presidential Advisory Council on Education* in efforts to contain and provide answers to the questions arising from the student protests of 2006.

h. Nevertheless, the dialogue, consensus building and negotiation processes implemented in these countries have not been conflict or hurdle-free. In recent years, some of the frictional issues between governments and unions that had been disregarded or put off in the official agendas –or that had been negotiated with teachers union organizations under the political conditions of the previous decade– seem to be resurfacing. Over the last five years, the new economic expansion has refueled the union demand agenda regarding improvements in salaries and working conditions

in almost all the countries of the region. Across most of the region, reform policies required teachers to play a leading role and make commitments without proper salary compensation. At least part of today's union position seems to stem from the exhaustion of the state's historical commitments in the sense that, according to the arguments of the Chilean and Dominican teachers unions, several demands initially considered in the reforms remain unattended.

i. Still, the demands for better wages and work conditions do not obey to the region's new economic expansion reality exclusively. They are also the result of competition between different trade union factions. Sometimes, radicalizing the demands serves the purpose of presenting one faction as a more active and confrontational sector to obtain greater recognition from the workers (this is the case, for example, of ADP in the Dominican Republic). In some recent conflicts, the procedural provisions of the agreements implemented during the 1990s have been questioned from a specifically labor-demand perspective. This reactivation of demands, however, seems to draw into the negotiation agenda issues related with the principles of educational policy, such as the programmatic foundations of the educational system or the role of the State in education. In some cases, union organizations claim the State has not met the commitments it once made. Sometimes, when these union demands were reintroduced into the negotiation, they tended to go beyond the framework of the institutional dialogue mechanisms and quickly took to the media or found their expression in forceful measures (Chile and the Dominican Republic). In Chile, for example, the *Colegio* (National Teachers Association) postulates the need to re-discuss the institutional and legal foundations of the educational system, though it brings the discussion into the public opinion arena instead of seeking technical dialogue with the Ministry of Education.

j. Another aspect found in recent experiences is the increasing complexity of the politico-educational arena. On the one hand, some unions that negotiate at national level are unable to guarantee that local union instances will adhere to their position; thus, national agreements are contested by local sections of the union (Mexico, the Dominican Republic). On the other, an agreement with the national union organization does not provide governance guarantees due to the emergence of other actors that support confrontational positions (Chile). These examples draw the attention on who are and who should be the actors involved in agreement and negotiation processes, based on their capacity to guarantee governance conditions in educational systems.

k. Similarly, the role played by the teachers unions in electoral periods in each country deserves attention. As a general rule, teachers associations represent an influential political power, since they normally are the unions with the largest numbers of state employees. This special feature makes them significantly important in their relation with the system of political parties. In the recent elections held in the countries reviewed, unions have become relevant political powers through a series of mechanisms: virtually counting on a political party of their own (Mexico), a decided political posture of their leaders (Chile) or a fractional internal division reflecting the political party structure (Dominican Republic). For its part, Jamaica appears as an exception in this scenario, for the character of the professional association seems to exclude the organization from political involvement.

## **5. Some ideas to promote dialogue and cooperation between governments and unions**

In these first few years of the new century, the strong reformation drive of the 1990s in the region seems to have given way to a more varied perception of the problems and difficulties the different educational systems go through in their plans to modify their institutions, update teaching

practices and improve the learning results of their students. Some changes are beginning to appear in policy orientation, and a reevaluation of the State's role is gaining ground in many countries across the region. In this new scenario, some countries have undertaken several processes to discuss and revise some of the reform guidelines applied during the 1990s. The new educational agenda seems much more heterogeneous when compared with the one that ruled the past decade. Today, education officials have a far more varied policy toolbox at their disposal than before, though they still need to pay greater attention to the feasibility and real sense of those policies in each national context. There are overlapping topics in each country's educational agendas, ranging from the traditional wage negotiations to specific policies regarding the quality, coverage, efficiency, governance or financing of education. Perhaps the change in the educational agendas of the Caribbean region is less evident.

Given this new context, how can dialogue be promoted while maintaining agreements through time? How can greater commitment and participation be promoted among teachers and their organizations in this new environment?

### **5.1. Improve the quality of institutional frameworks for dialogue**

Implementing policies aimed at changing and improving the quality of education requires a time frame extending beyond the short-termed education administrations. Unions typically operate with broader time horizons than those of political administrations. Agreements must therefore serve the purpose of anticipating possible conflicts by "internalizing" the interests and prospects of the different actors into the definition of policies. The exchange of ideas and negotiation must take place prior to the implementation of policies, including the research/diagnosis and alternative-pondering stages. Betting on consolidating the processes involving negotiation with and inclusion of the different actors is a key premise to carry out subsequent changes. State actors must promote far-reaching and public consultation, discussion and negotiation processes that come to replace closed-door negotiations and agreements regarding the procedures to design, implement and evaluate policies and programs.

### **5.2. Enhance public management capacity**

To what extent are state actors prepared to lead and guide dialogue and concertation processes in a context including multiple actors, logics and interests? One of the conditions needed to succeed in increasing participation and commitment of the educators and their organizations in policy making is the existence of public management capacity in the state agencies that lead the change and improvement processes. Making reference to public management capacity implies paying attention to a policy's degree of *external connectivity* (i.e. building public consensus on the orientation and goals of the policy) as well as its *internal coherence* (the degree of coordination between the different state agencies and agents).

### **5.3. Reconceptualize the role of unions and teachers concerning reforms**

Some recent studies have drawn the attention on the need to revise the preconceived idea that views teachers as a barrier to change and unions as the center of the resistance against reform. In the discourse accompanying certain reforms, teachers organizations were or still are considered mere pressure groups, the protectors of the corporative privileges and interests of unionized employees. Nevertheless, teachers resistance movements have also built on the contradictions and the least sustainable and credible bets of reformation intents. It is not uncommon for divergences



and resistance against reform to seek support in alliances of changing interests and loyalties that crosscut bureaucracies and other state actors.

The most effective way to dissipate the feelings of fear and threat to the teachers' *status* and *ethos* is to develop higher levels of rationality as well as systematic and "distant" knowledge. Doing that requires strengthening the interlocutory capacity of teachers organizations (and that of other social actors) by resorting to knowledge resources. If the aim is to contribute to the culture of dialogue and negotiation, then it will be necessary to promote dialogues, compared research and case studies with the joint participation of different actors.

#### **5.4. Link the professionalization agenda to the improvement in labor conditions**

Some authors claim that, despite the progress made over the last decade and a half, there is still a deficit in teacher participation in processes of educational change in the region. In contrast, teachers have tended to show little commitment with the changes. Thinking that committing teachers to processes of reform where they see themselves as professionals is an easier task seems only logical. However, this is not a widespread perception in Latin America, although it probably is in English-speaking Caribbean countries.

Quality-oriented reforms place teachers at the center of the concerns and pressures of educational policies: still, the demands arising from the new teaching professionalization have not always come together with better working conditions, remuneration and support systems. The development of policies tending to improve quality calls for a change in teachers' identity in order to facilitate their involvement in successfully implementing these initiatives at each school. Progress in that direction implies understanding that it is not possible to separate the quality agenda from other agendas, such as the ones related to working conditions.

The performance evaluation issue and the use of some incentive system is a critical point. The evaluation, together with the development of integrated systems of ongoing professional development and improved salary and labor conditions are all essential links in a process that needs time to be implemented so that teachers do not feel "excluded" (or "victims") from the reform processes.

#### **5.5. Locally recreate the discourse on quality**

In order for teachers and their organizations to hop onto the quality improvement policy wagon it is necessary to make local recreations of the discourse on quality and combine it with pedagogical views on quality that are meaningful for teachers, parents and other social actors, in their context. The quality discourse must incorporate the traditions and interpretative frameworks that shape teachers' identity and mobilize their action in each country. In this task, intellectual agents from the state sphere, the academic field or the union organizations have a crucial role to play.

Again, performance evaluation appears as a central element of the discourse to be recreated: as a building block in ensuring quality, it may take on greater importance and cause greater impact in each case if it sets roots in a universe of meanings shared by different actors.