

RÜGGERBERG

600 days labor disputes

STRIKE BULLETIN

JULY 2005

EDITORIAL



Pferd-Rüggerberg S.A., located in Vitoria (Basque Country, Spain) belongs to the AUGUST RÜGGERBERG GmbH group. In 2003, the company

built a new factory in the outskirts of Vitoria. By moving to the new installations, in which 42 million euros have been invested, production will be able to be doubled.

Thanks to the new machinery and new production systems, management decided that the work had to be reorganised: the working year of many workers will be increased by 104 hours per year and their wages reduced by the annual sum of 1,200 euros (Pferd-Rüggerberg posted profits of over 18 million euros during the last five years).

Yet the company also claims that 25 people will have to be laid off and have announced that these redundancies will be unilateral (which is completely illegal). In fact, two women were sacked for their "poor performance" (One was pregnant and the other one was on sick leave following an operation). This arbitrary decision was the reason for the strike that began twenty months ago.

The only reason for this strike is to defend the jobs. The strikers are ready to reach an agreement with management. But the strike will continue if the Pferd-Rüggerberg executives continue with their plan to reduce the workforce in this arbitrary and illegal way.

20 months striking against arbitrariness



Pferd-Rüggerberg Vitoria, on strike for 20 months

THE ONLY GOAL, A FAIR SOLUTION

The workers at Pferd-Rüggerberg (Vitoria, in the Basque Country, Spain) has been on strike for over 20 months, 600 days. After production was transferred to a new factory, management aimed to amortise the investment by laying off 25 people, establishing a longer working day and reducing the wages.

The goal of the strike is to achieve a fair agreement: if the lay-offs are inevitable, the company should follow the procedure

laid down by labour legislation and not cut back on jobs in an underhand way.

It is not hard to image the tough situation facing the strikers and their families: no salary (their only income is from the trade union strike fund), the people on strike threatened with being sacked, as well as being hounded and persecuted by management (which has already sacked several workers). We are not talking about "paid holidays", as someone has cynically defined the strike, or a whim.

For further information or to contact the strikers, please send an email to: rueggerberg-streik@elasind.org



■ THE STRIKER'S REASONS:

The strikers' demands are very simple and it is impossible to understand why an agreement has not been reached. What are they seeking? That the company stops using individual layoffs as the way to reduce the workforce. If company believes that it has to cut back on jobs, it should resort to the legal redundancy procedures and not act in an underhand way with individual layoffs.

■ HOW THE COMPANY HAS REACTED:

- ▼ A categorical and obstinate NO to everything.
- ▼ It has tried to scare the strikers using every type of reprisal.
- ▼ Threats to relocate and transfer the plant to Eastern Europe.
- ▼ Violation of all strike legislation and rules.

A totally arrogant way of acting that makes it clear that "I am in charge here and you will do what I tell you to"

■ THE ONLY POSSIBILITY IS TO CONTINUE WITH THE STRUGGLE

Do the strikers have any other option than to continue fighting? The answer is no.

The workers would be ready to work more hours for lower salaries. But there is no other possible negotiation: the strikers want a guarantee that they will not be arbitrarily sacked once the strike is over.

The condition for returning to work will be that the company guarantees that there will be no reprisals (the management has publicly announced that it will get rid of the strikers' jobs). If this guarantee is not given, they are afraid that they will receive severance letters the day after the strike ends.

Yet it is also a matter of dignity. The majority of the Pferd-Rüggeberg workforce is completely determined to continue defending their dignity as people and workers.

Why are w

I know it will be very difficult for someone who is not in our shoes to understand this conflict. I would therefore like to explain what I have experienced so far.

This can only be understood if taken in the context of the ongoing worsening of labour relations. Pferd-Rüggeberg has gone from creating direct jobs to eliminating whole sections, from solving differences by means of dialogue to turning to the courts as almost the only way to interpret each point of the wage agreement. The disease of being identified with vagrancy and therefore sacking people who are on sick leave.

The straw that broke the camel's back was that building the new factory, initially thought of as a project for the future of everyone, began to be seen as a threat given the secrecy with which management surround the move and its activity.

The renewal of the wage agreement and the transfer to the new installations had to be negotiated in this climate of distrust. The company raised the need to change the work shifts, extend the working week, 25 production workers to be made redundant and the wage increase to be equivalent to the CPI.

Our goal was clear: we wanted our jobs and working conditions to be guaranteed. The company set the condition of a 6-year wage agreement, wage increases under the CPI and a longer working week. Yet we could not reach an agreement to ensure that nobody would be laid off as the result of the unilateral decision of the company.

During the strike aimed at safeguarding jobs, two workers were sacked for "poor performance", while both of them were on sick leave, which meant that distrust in the company increased.

Time past and the negotiators were getting nowhere, while management were sacking workers for strike-related actions.

Instead of negotiating, the company began to set ultimatums with deadlines, accompanied by thre-

RULINGS AGAINST A COMPANY

During the strike, the labour tribunals have issued various rulings against Pferd-Rüggeberg for violating the rights of the strikers. Some rulings were the result of the illegal replacement of the strikers. Another judge found the management to be guilty of threats and coercion against the strikers.

The demand for a solution to be found for the Pferd-Rüggeberg conflict reached the streets of Brussels in April, when a European trade union demonstration was held.



ve on strike

ts to move to another country.

Subsequently, Pferd-Rüggeberg called in outside consultants to prepare an industrial plan. After calculating the redundancies, the consultants were entrusted with resolving the conflict, negotiating the wage agreement and laying off the workers.

A meeting with these consultants meant progress was made with respect to the reintegration of the people laid off. The working week and the salaries were considered to be adequate. The minimum amounts to be received in the case of voluntary redundancies were agreed. Early retirement plans were prepared. The parties spoke about their willingness to leave the legal and administrative proceedings instigated during the strike on one side... But the goal of reducing the workforce to 62 people (much lower than the current workforce) and even the plan to veto the voluntary redundancies that "the company did not like" stop an agreement being reached.

The consultants were convinced that it would not be necessary to start labour proceedings with the authorities as an agreement would be reached with the workers. My question is: Why does the company not find a solution for the conflict and the collective bargaining agreement negotiations, which are practically completed, and tackle the issue of the industrial plan from a normalised situation?

I would like to point out that the goal of this strike is to ensure that not one worker is unfairly sacked. We are therefore ready to give in on many points in order to reach an agreement, which is what we want, but after being on strike for twenty months, we will not leave anybody in the lurch. Because if that were the case, it would all have been pointless.

A Pferd-Rüggeberg worker



**PABLO GUTIERREZ,
ELA TRADE UNION LEADER**

■ "THE COMPANY WOULD MOST CERTAINLY NOT DARE TO HANDLE THE CONFLICT IN THIS WAY IN GERMANY"

-Why does the ELA Trade Union believe that a strike can go on for so long?

-First of all, I would like to stress that we have never witnessed a strike lasting for so long throughout our long history (ELA was founded in 1911). This is very important and indicates the attitude of the Rüggeberg-Vitoria management. And I am convinced that the August Rüggeberg GmbH group would not dare to handle a conflict at a Germany factory in this way.

We are not making extreme demands: our only goal is for the company to respect labour law. If the workforce is too large, the redundancy plan should be negotiated with the workers' representatives.

-Can an agreement be reached?

-Of course, and it would also be very simple to do so. The company cannot unilaterally decide to reduce the workforce. If we accept that, we would be allowing them the opportunity to sack people unfairly after the strike.

We are determined to reach a solution. From there onwards, it is up to the company, which will have new installations to open up new markets and a production capacity of 50 million discs (over double what the former company produced) to find a solution. The length of the conflict is in its hands. We are demanding an agreement negotiated between both parties.



Pablo Gutierrez.

- What proposals have the workers' committee put forward to resolve the conflict?

-We have made a real effort: we have accepted the contents of the wage agreement, which would mean a longer working week. We have offered that it is valid for one more year. Instead of the industrial plan that we rejected as it is a means of coercion, we have stated that we are ready to take part in global negotiations with respect to the agreement, the sanctions and the plan itself.

Our aim continues to be to reach an agreement. But that is not what the company wants and its latest proposal raised the possibility of the company's vetoing the voluntary redundancies of certain people. The company's negotiators had not referred to that up until then.

Every time that we come up with a way to reach common ground, management reacts by drawing back even further.

The strikes are not alone **Co-citizens** and leading figures show their support



In order to protest and express their desire to reach an agreement, the Pferd-Rüggeberg strikers locked themselves in a Vitoria sports complex on June 2nd and 3rd (top left photo). Leading figures from the world of culture, such as the Basque writers and Spanish National Literary Prize-winner, Bernardo Atxaga (top right), politics, such as the former mayor of Vitoria, José Angel Cuerda (bottom right), went to the lock in, in order to show their solidarity and support for the 114 people on strike and their families.

On June 17th, the Bishop of Vitoria received a group of strikers to show his solidarity (bottom left photo).

