

## ON THE EDGE: STATE REGULATION OF WORK IN THE GUADALAJARA GARMENT INDUSTRY DURING THE 1930S

Throughout the 1930s, workers and government officials in Guadalajara, the second-largest city in Mexico and the capital of the state of Jalisco, attempted to bring attention to “*triste condición*” (sad condition) of the city’s residents who worked out of their homes and small workshops.<sup>1</sup> The garment industry in particular had long utilized the “putting out” or “sweating” system, where a factory owner would contract work to an independent tailor who would sometimes run a smaller shop or hire women—and occasionally men—to work *a destajo* (by the piece) out of their homes.<sup>2</sup> These workers had not been explicitly protected by Article 126 of the Constitution of 1917, creating a division between formal workers—those protected by the law—and informal workers—those who were not.<sup>3</sup> While workers in the textile, railroad, mining, and other established industries almost immediately sought protection via this new labor legislation, clothing workshops had been able to maintain elements of the prerevolutionary labor regime, specifically proprietary control over their employees, well into the 1930s.<sup>4</sup> When the labor code was federalized in 1931, Articles 206 through 217 specifically addressed this

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<sup>1</sup> *El Informador*, “Los Obreros De Las Pequeñas Industrias,” September 19, 1933, 3.

<sup>2</sup> Porter, “In the Shadows of Industrialization,” 87.

<sup>3</sup> This division between the formal and informal economies was one of the effects of the institutionalization of labor regulation after the revolution. Sociologists Manuel Castells and Alejandro Portes define the informal economy as “all income-earning activities that are not regulated by the state in social environments where similar activities are regulated.” In twentieth century Mexico, this would have included thousands of workers in the garment industry, as well as housekeepers, wet nurses, cooks, caretakers, and street vendors. Prior to the revolution, there was no informal economy simply because no “income-earning activity” was regulated. One exists because of the other; the two are mutually exclusive.

<sup>4</sup> Jeffrey Bortz, *Revolution within the Revolution: Cotton Textile Workers and the Mexican Labor Regime, 1910-1923* (Palo Alto, CA: Stanford University Press, 2008). Bortz defines the labor regime as “the set of formal and informal institutions that define the social relationships of work.” Formal institutions include laws, work rules, contracts and labor organizations. Informal institutions include the habits and internal rules of workers, as well as relationships within the workplace. Also, prior to the Constitution of 1917, workers had no legal protection and were subject to the Porfirian interpretation of owners’ rights to private property and control of labor. After the revolution, textile mill workers used unions to force the postrevolutionary government to acquiesce to their demands and ultimately shift the power of hiring and firing workers from the mill owners to the labor unions. For more, see Bortz, *Revolution within the Revolution*.

omission, including home workers and employees of *talleres pequeños*, small shops with fewer than ten employees.<sup>5</sup> This inclusion officially expanded the formal labor sphere in Mexico, bringing a group of informal workers within the realm of government regulation and protection. Seven years later, however, workers and government officials in Guadalajara were still struggling to negotiate the conflict between the institutions of the postrevolutionary labor regime and decades of industrial tradition.

Enforcement of labor regulation in the garment industry proved difficult. Owners had historically had been able to maximize profits by utilizing both public factories and the “sweating” system.<sup>6</sup> Even after the promulgation of the 1931 Ley Federal del Trabajo, owners continued to benefit from the use of home workers, who rarely made formal complaints, and small shops that were often able to escape the scrutiny of government officials. The solitary and fragmented nature of home work deterred organization and a lack of support networks resulted in a less-organized work force, making it difficult for these workers to challenge their employers. These factors allowed owners of formal clothing factories to resist regulation efforts, which resulted in a disenfranchisement of factory workers who, like those who worked out of their homes, were often unable to capitalize on the legal protection enjoyed by formal workers in other industries. This resulted in a sort-of “semiformal” labor sphere in the clothing industry, a group of workers who despite their legal rights often fell outside of government protection.

Scholars of the labor movement in postrevolutionary Mexico have until recently overlooked the country’s informal labor force, choosing to focus instead on the leaders of the large labor confederations or well-organized and active work forces like those of the textile mills

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<sup>5</sup> According to the Ley Federal del Trabajo, these workers benefited from all its provisions except for Article 82, which provided workers annual vacation days. U.S. Bureau of Labor Statistics, *Labor Legislation of Mexico*.

<sup>6</sup> The development of the sweating system in Mexico paralleled that of industrializing Europe and the United States a century earlier.

and railroads. One of the challenges of histories of informal workers is the paucity of primary sources; the clandestine nature of informal labor has left little evidence for historians. Over the past ten years, however, scholars have begun to address this gap in the literature. John Lear, Susie Porter, Jocelyn Olcott, Ann Blum, and María Teresa Fernández Aceves have successfully addressed important issues surrounding informal workers: the inherent lack of organization, their poor living conditions, and their general maltreatment by employers. The literature often represents informal workers, whether piece workers, street vendors, or domestic servants, as disenfranchised citizens abandoned by corrupt labor bosses and unconcerned political leaders.

This study shows that workers in the garment industry of Guadalajara in the 1930s did not necessarily live up to that reputation. Between 1934 and 1938, three cases before the state Board of Arbitration and Conciliation demonstrate that workers in the city's garment district, those who worked in factories as well as their homes, were well aware of their legal rights and were increasingly likely to take their cases to court in order to ensure their protection. Even more indicative of the shift in labor relations was the formation of a home workers' union in 1936. Unions were at the heart of the postrevolutionary labor regime and the lack of organization among home workers had allowed vestiges of the Díaz labor relations system to maintain a hold on the garment industry. The creation of the *Union Progresista de Trabajadores de Costura*, however, indicates the new labor regime had permeated the world of work in Mexico. Finally, these efforts on the part of workers coincided with an initiative by the Jalisco government in 1936 to regulate the salaries of home workers in the Guadalajara garment industry. Labor inspectors interviewed both shop owners and home workers over the course of a year to establish, and then enforce, a citywide piece rate, or *tarifa*, to be accepted by all shops in Guadalajara. I assert that there was a reciprocal relationship between this increase in

government regulation and worker mobilization. The labor inspectors helped workers find their voice, while the actions of the workers encouraged the government to hold employers to the standards of the law.

### Las Costureras

The nature of *talleres de costura*, or sewing workshops, had been established in the late 1800s as the country experienced the growing pains of industrialization and urbanization. Mexican women had always worked, but the transition from the traditional work of the rural *campesina* to the urban *obrero* was not always a smooth one.<sup>7</sup> Public conceptions of propriety and tradition not only limited the number of industries that allowed female labor but also the specific tasks that women could perform.<sup>8</sup> While the Constitution of 1917 declared that women and men doing “the same work” should be paid the same wage, the implicit gendered nature of work almost certainly prevented this from occurring. Women who worked in mixed-sex factories were seen as suspicious and immoral, their work was considered to be inferior to that of men, and their positions were always classified as “unskilled.”<sup>9</sup> Most Mexicans thought that women should not work at all. Postrevolutionary propaganda, distributed by government agencies and upper-class “ladies,” encouraged women to avoid working outside of the home and instead focus their energies on taking care of their household, raising their children to become

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<sup>7</sup> *Obrero* means “worker,” as would the term *trabajadora* or *operaria*. The use of *obrero* refers to someone “who labored for a wage because of necessity.” For more on the linguistics of class identity, see Bortz, *Revolution within the Revolution*, 52.

<sup>8</sup> Sandra McGee Deutsch, “Gender and Sociopolitical Change in Twentieth Century Latin America,” *Hispanic American Historical Review* 71 no. 2 (May 1991), 262; Mary Kay Vaughan, “Women, Class and Education in Mexico, 1880-1928,” in *Women in Latin America: An Anthology from Latin American Perspectives* (Riverside: 1979), 63-69; Fernández, “The Political Mobilization of Women,” 115-116; Borz, *Revolution within the Revolution*.

<sup>9</sup> Porter, “In the Shadows of Industrialization,” 63-68, 91-92. For more on the gendered nature of skilled versus unskilled labor and common abuses of employers against women, see Porter, “In the Shadows of Industrialization,” 14, 20, 63-76; Lear, *Workers, Neighbors, and Citizens*, 73-75; Bortz, *Revolution with the Revolution*; and Fowler-Salamini, “Women Coffee Sorters,” 37-38, 56.

healthy *ciudadanos*, citizens of Mexico.<sup>10</sup> The economic reality for most working-class women, however, did not allow for such idealistic notions of femininity and womanhood. By 1895, an estimated one-third of the population of Mexico City—approximately 75,000 people—lived in *vecindades*, the over-crowded and often filthy working-class tenements, where as many as ten people lived in a single room and as many as 800 could live in one building. By 1921, the number of tenement-dwellers had more than doubled.<sup>11</sup> In these neighborhoods, the income of each individual was necessary for survival.

In the early stages of industrialization, working as a *costurera*, or seamstress, was considered an appropriate occupation for working-class women. Women had traditionally been responsible for making clothing for their families, so the garment industry, like housecleaning and tortilla making, was a natural extension of the domestic sphere.<sup>12</sup> By 1910, 7,387 women put “seamstress” or some other sewing-related trade as their occupation, which almost equaled the total number of women who worked in other industries.<sup>13</sup> The growth of this profession paralleled a boom in the development of large clothing manufacturing workshops, especially in Mexico City, the country’s political and industrial capital.<sup>14</sup> But as the demand for ready-made clothing grew and factory owners sought ways to increase production and reduce costs, a “sweating system” evolved, similar to industrializing Europe and the United States in the early

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<sup>10</sup> Porter, “In the Shadows of Industrialization,” 77, 106, 115-116; Lear, *Workers Neighbors, and Citizens*, 81, 92; Heather Fowler-Salamini, “Women Coffee Sorters Confront the Mill Owners and the Veracruz Revolutionary State, 1915-1918,” *Journal of Women’s History* 14, no. 1 (Spring 2002): 34; Ann S. Blum, “Cleaning the Revolutionary Household: Domestic Servants and Public Welfare in Mexico City, 1900-1935,” *Journal of Women’s History* 15, no. 4 (Winter 2004): 68-70.

<sup>11</sup> Lear, *Workers, Neighbors, and Citizens*, 36, 38-39, 52. Population data is from the Mexico City censuses of 1895 and 1921.

<sup>12</sup> Porter, “In the Shadows of Industrialization,” 72, 75; Lear, *Workers, Neighbors, and Citizens*, 60-62.

<sup>13</sup> Cited in Porter, “In the Shadows of Industrialization,” 76-77; Lear, *Workers, Neighbors, and Citizens*, 66-67.

<sup>14</sup> Porter, “In the Shadows of Industrialization,” 28. For information on the sweating system in the clothing industry in the United States, see Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Chicago: University of Illinois Press, 1986), 106-119 and Sean Wilentz, *Chants Democratic: New York City & the Rise of the American Working Class, 1788-1850* (New York: Oxford University Press, 1984), 119-124.

nineteenth century.<sup>15</sup> These “sweaters” were at a severe disadvantage to factory workers; they had to supply their own materials, including needles and thread, pay for sources of heat and light and secure transportation to transport materials and finished goods to and from the factory.<sup>16</sup> Because of both the increased efficiency of the factories and the large numbers of women willing to supplement the factory production by sewing by hand for very little money, the wages of both factory workers and “sweaters” suffered. In a survey conducted in Mexico City in 1921, inspectors noted that though there was no direct Spanish translation for the term “sweating system,” the meaning was clear: “exceptionally poor and insufficient salaries, an excessive duration of work, and unhealthy workshops or homes. (These are) the characteristics of the work of sewing at home.”<sup>17</sup>

The large factories and tenements of Mexico City, however, were not necessarily representative of all of the country. By 1940, there were nearly three times fewer clothing manufacturing shops in the state of Jalisco as Federal District as the state of Jalisco, and more than three times fewer the number of employees in the industry, including both factory and home workers.<sup>18</sup> There was, however, public criticism of the sweating system in the city of Guadalajara, so it is clear that this kind of work was problem, even if it was on a smaller scale than then nation’s capital. In 1941, for example, federal labor inspectors in Guadalajara noted that there were large numbers of undocumented workers who had no contracts and whose “...

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<sup>15</sup> For more on the nature of the “sweating system,” see Lear, *Workers, Neighbors, and Citizens*, 38, 73-74 and Fernández Aceves, “Los Talleres Domicillarios.”

<sup>16</sup> Archivo General de la Nación (AGN), Departamento del Trabajo, Caja 467 Exp. 4, “El Trabajo de Sastrería y Sus Similares en México, D/F: Labor a domicilio,” 28-29. For more, see Porter, “In the Shadows of Industrialization,” 96.

<sup>17</sup> AGN, “El Trabajo de Sastrería,” 29.

<sup>18</sup> Censo Industrial de 1940, cited in Fernández, “Los Talleres Domicillarios.” The census divided the garment industry into the following segments: *medias y calcetines* (stockings and socks), *camiserías* (shirts), *ropa hecha y confecciones* (clothing-makers), and simply *ropa* (clothing). While the census also included a category for home workers in each industry, only the *ropa* segment reported home workers in Jalisco, all 34 of them women. While more were reported in the Federal District, this should not be seen as comprehensive, since there would have been no way to determine the actual number of workers participating in the expansive and elusive sweating system.

rates are arbitrary and work is completely irregular. Their workday is limitless and of course they do not count on any of the protections that are set in the law.”<sup>19</sup> So while the urban landscape of Guadalajara was perhaps more hospitable than Mexico City, many workers in the garment industry still found themselves victims of industrialization and poverty.<sup>20</sup>

#### Legal Actions by Garment Workers, 1934-1938

Three cases before the state Junta de Conciliación y Arbitraje between 1934 and 1938 indicate that the impact of the postrevolutionary labor regime was so powerful that even the attitudes and actions of workers in the resistant garment industry had begun to shift. Prior to 1934, the most vocal clothing workers in the city belonged to tailors’ unions, a trade restricted to men and considered skilled labor. Home workers, mostly women, rarely spoke out or organized unions. As the collective self-confidence of Mexican workers grew, however, these individuals began to demand that their legal rights be respected and hold employers accountable to the law.

On January 6, 1934, the sixty-nine members of the union El Sindicato de Operarias Manufactureras de Ropa—all of them women—filed a complaint with the state Board of Conciliation and Arbitration against their former employer Pablo Beltramónt. A fire had severely damaged Beltramónt’s clothing factory in September of the previous year and according to the union he still owed his employees 185 pesos eleven centavos in wages.<sup>21</sup> The union, represented by its newly elected Secretary General María de Jesus Martínez and Secretary of Labor Inés Martínez, looked to the 1931 Ley Federal del Trabajo to protect their rights as workers. Later that month, encouraged by a member of a state labor confederation, the union claimed that Beltramónt had a 50,000 peso insurance policy and that they believed he had

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<sup>19</sup> AHJ, T-6-941, Ramo Trabajo-Prevision Social-1941, T-23 bis A, exp. 8176.

<sup>20</sup> Residents of Guadalajara call themselves “*los tapatíos*.” An *obrero tapatío* would be a worker from the city.

<sup>21</sup> Archivo Historico de Jalisco (AHJ), Ramo Trabajo: Conciliacion y Arbitraje, T-2-934, caja T-19, exp. 7517.

received at least part of these funds, despite the fact that he had been heard saying that he would not use the money to repair the factory.<sup>22</sup> If this was true, the women said, they were entitled to three months' severance pay, in accordance the Ley Federal del Trabajo.<sup>23</sup> They requested that the Board contact the insurance company to determine if the policy had been collected. If it had not, and if Beltramónt did not intend to reopen the factory, they asked that the Board secure the money they were owed directly from the insurance company. Even Beltramónt himself realized that the court was going to decide in favor of the union. In early February he made partial payments to most of the workers, though they continued to demand the full payment of the remaining 122 pesos thirty-five centavos. Nearly two months after the union filed the complaint, the Board of Conciliation and Arbitration instructed Beltramónt to pay the remaining balance.<sup>24</sup> When Beltramónt had still not paid in full a month later, the women again turned to the Board, demanding that his property be seized and sold in order to make the payments to the women and again the Board ruled in favor of the women. While the ultimate outcome of the conflict is not known, the women of the *sindicato* had not only challenged their employer, but also been vindicated by the court system built on the reforms of the postrevolutionary labor regime.<sup>25</sup>

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<sup>22</sup> *Ibid.* Also, a follow-up article appeared in the newspaper the day after the fire reporting that damages to Beltramont's factory totaled approximately 15,000 pesos, and also mentioned the 50,000 peso insurance policy. *El Informador*, "Ignoran La Causa Del Incendio En 'La Casa Amiga Del Pueblo,'" 13 September 1933, 1.

<sup>23</sup> The article states: "A labor contract shall terminate because of a fortuitous event or force majeure. If the employer was insured when the disaster occurred, upon collecting the insurance policy he shall be required to restore the business in proportion to the insurance collected; and if this is not done, the workers shall be paid the compensation specified therefore. ... In the case of a fortuitous event or force majeure, if the business is insured, when the policy is collected the workers shall be immediately compensated with three months' salary." U.S. Bureau of Labor Statistics, *Labor Legislation of Mexico* (Washington, D.C: Government Printing Office, October 1932), 27-28.

<sup>24</sup> Article 87 concerns the timely payment of wages, stating that "time for payment ... can never exceed one week for manual workers"; Articles 88 and 89 stipulate that payment must "be made in the place where the workers render their services" and that only legal currency was an acceptable form of payment; Article 111 Section 2 mandates that employers were obligated "to pay the amounts due each worker in accordance with the terms of the contract ..."; and Article 550 regulated the actions of the Central Board of Conciliation and Arbitration, stating: "The awards shall be made according to the truth as it is known, without the necessity of subjecting it to the rules of evidence, but as the result of appraisal of the facts as the members of the board conscientiously believe them to be." U.S. Bureau of Labor Statistics, *Labor Legislation of Mexico*, 19, 22, and 74.

<sup>25</sup> AHJ, Ramo Trabajo: Conciliacion y Arbitracion, T-2-924, caja T-15, exp. 7195.

The women of the *Sindicato de Costureras y Planchadoras* similarly utilized a union to demand reform in their workplace. On 17 May 1937, Señorita Graciela Diéguez, the secretary general of the *sindicato*, wrote to the Central Board of Conciliation and Arbitration of Jalisco to demand that her employer, La Ciudad de Mexico, be compelled to sign a *contrato colectivo de trabajo* as required by the Federal Labor Law.<sup>26</sup> La Ciudad de Mexico was the department store that housed a “*taller de fabricación de ropa hecha en general*” (a factory where pre-made clothes were manufactured) that employed thirty-five seamstresses. Diéguez said the owners of the company were trying to avoid their obligation to sign the collective work contract by selling the factory. The representative for the factory owners presented a letter in which he repudiated all of the women’s accusations. He said the *sindicato* had never informed the company of its existence, as required by law, and that indeed the owners had sold the factory and the sewing machines the previous year, therefore relieving his clients of any responsibility in the suit. The members of the commission confirmed the sale of the business and ruled that the women were suing the wrong people, however they emphasized that the women’s *sindicato* had the right to demand that the new owner of the company sign a collective contract, as the Federal Labor Law mandated. The success or failure of the cases is of secondary importance. More important is the fact that these workers were forming unions and taking their cases to the courts, both central institutions of the new labor regime.

Ramona Meza and her sixteen-year-old daughter Eva Hernández, seamstresses who worked out of their home for a pants factory run by José Caspi, did not belong to a union. Traditionally this had put workers like Hernández and Meza at a disadvantage to the employees of factories like El Amigo del Pueblo and La Ciudad de México. These women, however, took

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<sup>26</sup> AHJ, RT-Demandas Obrero Patronales 1937-1938, T-7-938, caja T-38 bis F5, exp. 8509, “Letter to the Central Board of Conciliation and Arbitration from Graciela Dieguez, Secretary General of the *Sindicato de Costureras y Planchadoras de la Ciudad de Mexico*, 17 May 1938.

the law into their own hands.<sup>27</sup> In a complaint filed in January 1938 with the state Board of Conciliation and Arbitration, the women claimed that they worked for Caspi for nine months in 1936 for a daily wage of one peso forty centavos each, though they had never received payment.<sup>28</sup> They also claimed that when they demanded payment, Caspi fired them “*sin causa legal*” (without legal cause).<sup>29</sup> Señor Caspi had violated five separate articles of the Federal Labor Law, they said, and had fired them unjustly which meant they were owed an “*indemnización constitucional*” of three months’ wages.<sup>30</sup> Between the owed wages, 519 pesos forty centavos each, and the compensation for being fired, 126 pesos forty centavos each, the women claimed that Caspi owed them a total of nearly 1,039 pesos. The commission assigned to the case never had to issue a ruling, however, because on January 14, Señor Caspi agreed to pay Meza and Hernández in full. He had already paid them all but seventy-five pesos, which the women agreed to accept in three payments, to be paid in full by February 4. So, even without the support networks enjoyed in the factories, workers in the informal economy could turn to the law for support. Señor Caspi’s reaction indicates that owners, who at one time were protected from such

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<sup>27</sup> Eva Hernández was sixteen years old in 1936, which would have made her eighteen at the time the complaint was filed. Both she and her mother were members of the *Union Progresista de Trabajadores de Costura* in September 1936 (for more on this union, see Chapter Five of this thesis). There is no reference, however, to a union in the case before the Board of Conciliation and Arbitration in 1938. Such unions often had a very short lifespan, so it is possible that it no longer existed. It is also possible that Meza and Hernández simply had let their membership expire. AHJ, Ramo Trabajo – Conciliación y Arbitraje 1936, T-2-936, T-19 bis C, exp. 7638.

<sup>28</sup> AHJ, Ramo Trabajo - Demandas Obrero-Patronales 1938, T-7-938, T-38 bis F-6.

<sup>29</sup> *Ibid.*

<sup>30</sup> The mentioned sections of the Federal Labor Law state the following: that “the employer must pay the worker by virtue of the labor contract” (Article 84), that the minimum wage must be adhered to (Article 85), that the wage must be given to the person who earned it (Article 90), that wages must not be held on the pretext of a fine (Article 91) and the minimum wage could not be the object of a discount (Article 100). Section XXII of Article 123 states: “An employer who discharges a worker without proper cause ... shall be bound, at the option of the worker, either to perform the contract or to indemnify him by the payment of three months’ wages. He shall incur the same liability if the worker shall leave his service on account of the lack of good faith on the part of the employer ...” U.S. Bureau of Labor Statistics, *Labor Legislation of Mexico*, 19-20; and U.S. Department of State, “The Mexican Constitution of 1917 Compared with the Constitution of 1857” (Washington, D.C.: Government Printing Office, 1926), 99.

challenges, had no choice other than to accept the changes occurring in the worker-employer dynamic and illustrate the strength of the postrevolutionary labor regime.

All of these cases demonstrate the efforts of workers in the Guadalajara garment industry to force the government to regulate their work in the 1930s. Owners of clothing factories had long utilized the tradition of informal labor to keep wages down and profits up. Workers, however, were aware of the provisions of the 1931 Ley Federal del Trabajo, and by 1934 were holding their employers accountable to the code. By requesting government regulation via the Board of Conciliation and Arbitration, the workers were conducting grass roots efforts to enforce labor legislation in this often-overlooked labor sector.

#### La Union Progresista de Trabajadores de Costura

The impact of the postrevolutionary labor regime is most exemplified in the formation of the Union Progresista de Trabajadores de Costura, a home workers' union chartered in September 1936.<sup>31</sup> All but two of the forty-three members were women, the majority of whom were single or widowed. Of the forty-one women, only four were listed as married, thirty-one were listed as single, and the remaining six, ranging in age from twenty-eight to fifty-four, were widowed. In October, Dolores Lomelí M., the secretary general of the union, wrote the head of the Department of Labor and Social Provision regarding the recent dismissal of members by several employers simply because they belonged to the union. They were given no other reason for being released from work, and she asked the department to help them regain their positions. The Department of Labor assigned clothing shop owner and labor inspector Remigio Rodríguez to the case, and replied to the union that the department would communicate with them when investigation was complete. While the outcome of the conflict is unknown, this again shows that

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<sup>31</sup> AHJ, T-19 bis C exp. 7638.

workers who had previously had little internal or government support were mobilizing as factory workers had done and were at least provoking a response from the government.

### State Regulation of Home Workers

Five years after the promulgation of the 1931 labor code, neither the federal nor the state governments had developed an effective way to monitor the regulation of the large informal labor sector, which included not only large numbers of workers in the garment industry but also housekeepers, wet nurses, cooks, caretakers, and street vendors. The editors of the daily newspaper *El Informador* noted the seriousness of the problem when in 1933 they wrote: "... the domestic industry and small workshops supports a large part of the population of this city (Guadalajara)."<sup>32</sup> Many of these workers could not read or write and due to the lack of organization were unable to show the solidarity shared by workers in formal industries. The resistance of employers and the hesitancy of workers to file charges against their employers, along with the lack of physical workplaces, made the provisions of the labor law difficult to enforce. In March 1936 the state of Jalisco began forcing factory owners to comply with the Ley Federal del Trabajo, beginning the process of regulating at least one segment of the informal labor sector.

Between March 10 and March 12, 1936, forty-two clothing shops in Guadalajara received visits from local labor inspectors on behalf of the Jalisco Departamento del Trabajo y Prevision Social.<sup>33</sup> As of March 16, the department began requiring shops that used home workers to send monthly reports to the local office, including the workers' names, ages, addresses, and pay rates, as mandated by Article 217 of the Ley Federal del Trabajo. Two months later, the government convened a commission to establish an industry-wide *tarifa*, using the information collected as

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<sup>32</sup> *El Informador*, "Los Obreroes de las Pequeñas Industrias," 19 September 1933, 3.

<sup>33</sup> AHJ, Ramo Trabajo, Conciliacion y Arbitraje 1936, T-19 bis C, exp. 7638, Letter to El Jefe del Departamento del Trabajo y Prevision Social from Inspector del Trabajo Octavio R. Plasencia, 10 March 1936.

well as estimated costs of living to set the minimum piece rates for home workers.<sup>34</sup> According to Eugenio López Guerra, the head of the state department of labor, this initiative was designed to “prevent the continuation of exploiting workers that labor for a piece rate in their homes ...” and “*se terminen los salarios de hambre*” (end the salaries of hunger) that were often endured.<sup>35</sup>

Before establishing the *tarifa*, the labor department conducted several months of research on the pay rates of home workers in the city.<sup>36</sup> The Departamento del Trabajo y Prevision Social also established a commission of seven seamstresses who worked in the city to gather more information.<sup>37</sup> Using their own experience combined with interviews of fellow workers and shop owners, the women submitted a list of piece rates paid by various shops. The labor department used all of this information to create a master list of clothing shops and manufacturers that used home workers and targeted these establishments in their investigations. As the labor department received the reports, inspectors began visiting the listed addresses to conduct more worker interviews. Between March 20 and March 27, four inspectors visited the homes of forty-seven workers, questioning them about their employers and the piece rates they were paid, comparing it to the information provided by the owners, and making note of discrepancies. The overwhelming majority of home workers listed were adult women; of the forty-seven who were interviewed in March, forty-two of them were women and of the 139 workers in the reports filed by factory and store owners in March, all but seven were women. There were 210 home workers reported by twenty-one businesses in May, most of them younger than twenty-nine. Thirty-three of them were younger than nineteen; of these, the youngest was fourteen, but most were at least

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<sup>34</sup> *Ibid.*, Minutes from the commission meeting, 23 May 1936. See Attachment B.

<sup>35</sup> *El Informador*, “Los Trabajos Ejecutados por Obreros en sus Casas,” 22 March 1936, 1.

<sup>36</sup> Labor inspectors included in their reports the following information: the names of employees and employers, the various items they sewed, the piece rate they received, and the number of items they were able to make in eight hours, the legal work day as established by the Federal Labor Law.

<sup>37</sup> AHJ, T-19 bis C, exp. 7638, Report by the “*señoritas para que integren la Comisión*” (women who make up the commission).

sixteen. More than one hundred were between twenty and twenty-nine years old, sixty-nine were between thirty and forty-nine, and only seven were older than fifty. The oldest was a sixty-year-old woman.

While several owners justified the workers' low pay by explaining that "*todas estas costureras, trabajan también por otras casas,*" only four of the 132 women and none of the seven men were listed by more than one owner in March.<sup>38</sup> Most businesses reported employing fewer than ten home workers; three shops employed five or fewer, six shops employed between six and ten, and only two shops employed between eleven and fifteen. In one of the home visits, an inspector discovered that Señora María Morán, who had been listed as an employee of at least three different businesses, was actually running a small sweatshop. Morán, who took on work from several establishments in Guadalajara as well as neighboring cities, paid her employees between seventy-five and ninety centavos for sewing button-holes and collars, between ninety-six centavos and one peso sixty centavos for sewing yompas, and one peso for eight hours of ironing.<sup>39</sup> During a follow-up visit, an inspector discovered that at least eighteen women were working in Morán's shop, all of whom made less than the minimum daily salary that had been set by the city of Guadalajara and none of whom received the *séptimo día*, the term for the seventh day of rest provided by the Ley Federal del Trabajo.<sup>40</sup> Señora Morán told the inspector that the reason she paid her employees such a low salary and did not give them a seventh day of

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<sup>38</sup> *Ibid.*

<sup>39</sup> AHJ, T-19 bis C, exp. 7638, Report to El Jefe del Departamento del Trabajo y Previsión Social from El Inspector Trabajo Heliodoro Loza, 16 April 1936. The women were paid sixteen centavos per *yompa* and could make between six and ten in eight hours, making their daily salary one peso twenty-eight centavos.

<sup>40</sup> For every six days of work a "seventh day" of rest was guaranteed. U.S. Bureau of Labor Statistics, *Labor Legislation of Mexico* (Washington, D.C: Government Printing Office, October 1932), 19. While I was unable to establish the exact minimum daily salary of the *municipio* of Guadalajara in April 1936, it was at least less than one peso forty centavos, which would become the minimum daily salary in the city of Guadalajara in January 1937. AHJ, Ramo Trabajo, Conciliación y Arbitraje 1936, T-19 bis C, exp. 7638, Letter from *Inspector del Trabajo* Octavio R. Plasencia to El Jefe del Departamento de Trabajo y Previsión Social, 7 April 1936; and *El Informador*, "Los Acontecimientos Mas Salientes Registrados Durante El Año de 1935," 1 January 1936, 40.

rest was because of the poor pay she received from her own employers. For example, she said, she only received two pesos for twelve *yompas*, and she gave her workers one peso thirty-two centavos for the same number, keeping sixty-eight centavos for herself because “she had to pay for the electricity for the irons.”<sup>41</sup> Señor Plascencia did not accept her excuse, and reported her infractions to the Department of Labor.

The commission appointed to set the *tarifa* met on May 23, and included five business owners and no workers on the commission.<sup>42</sup> While they had no official voice on the commission, it seems that workers mostly benefitted from the new rates, at least on paper. For example, Señora Paz Ramirez and Rafaela Ibarra told a labor inspector in March that they received twelve and a half centavos per pair of pants. After the *tarifa* was established, the piece rate for pants ranged from thirteen to twenty-five centavos, depending on the style and size.<sup>43</sup> For one *unión con manga chico*, La Tienda Azul paid Inés Martínez less than ten centavos, and she reported that she could make just under five in eight hours.<sup>44</sup> The May *tarifa* raised the rate per piece to twenty-five centavos, which would have doubled her daily salary to one peso twenty centavos. That would fall short of the minimum daily wage of one peso forty centavos that would be passed in the *municipio* of Guadalajara the next year, though it would have covered the estimated daily expenses for an average Mexican.<sup>45</sup> Martínez also sewed pants, and received approximately sixteen centavos per pair, nine centavos less than the *tarifa*. She told inspectors she could make just under five pairs in eight hours, meaning the *tarifa* would have increased her daily salary by forty centavos.

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<sup>41</sup> *Ibid.*

<sup>42</sup> AHJ, Ramo Trabajo, Conciliación y Arbitraje 1936, T-19 bis C, exp. 7638.

<sup>43</sup> In May, Aranguren reported that he paid her twenty and a half centavos a piece.

<sup>44</sup> She estimated that she could make six in ten hours.

<sup>45</sup> *El Informador*, “Un Calculo Aproximado Del Consumo, Nos Da Idea Del Salario Mínimo, Y De Que Nos Falta Moneda Metalica,” 11 May 1933, 3.

The head of the Jalisco Department of Labor sent letters on June 1 informing business owners that the *tarifa* was effective immediately. Labor inspectors continued to expect monthly reports, threatening a 500 peso fine if they were not received, and owners took the opportunity to emphasize that they were indeed complying with new pay rates.<sup>46</sup> The inspectors also continued visiting the homes of workers listed. Most confirmed that they were being paid the correct rates and that they had no complaint about the treatment they received from their employers. There were, however, exceptions. A woman who would not provide her name reported that the clothing store *La Asturiana* was not paying the rates set by the *tarifa*, and further she claimed that the owner did not report all of his workers on report to the department. While this was a rare occurrence, it was obvious that some owners still were trying to undermine the attempts at regulation. The fact that the woman spoke out, even if it was on the condition of anonymity, was evidence that just as the labor inspectors were enforcing the law from the top down, the workers were gaining the self confidence to do the same from the bottom up.

These efforts of the state government to regulate the garment industry in Guadalajara went hand-in-hand with the activities of the workers in the 1930s. The actions of one influenced and encouraged the other. The federal government had attempted to regulate this kind of labor by including in its provisions the protection of home workers and employees of small factories in the 1931 Ley Federal del Trabajo but by 1936, few shops in Guadalajara were following the mandates of the code, and neither the federal nor the state government had implemented successful enforcement procedures. By forcing owners to adhere to provisions of law, the state labor inspectors were essentially attempting to enforce regulation an industry that had deep roots in the informal sector of the economy, and garment workers were finally following the tradition

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<sup>46</sup> Samuel Rovero wrote that “*estas costureras les pago estrictamente los precios que marca la tarifa ...*,” as did Susan Aboaf, Abraham Vogel, Rosario Román Sangrós and many others.

of organization and mobilization that had emerged from the workers' revolution and the formation of the postrevolutionary labor regime.