Interim Evaluation of the Project Strengthening Government Labor Law Enforcement in Mexico (SGLLE)

Evaluation Contractor: Sistemas, Familia y Sociedad Ltd. (SFS)

Project Objective

The project strategy is to assist the Government of Mexico in implementing labor justice reforms, by helping the Federal Conciliation and Labor Registration Center (CFCRL) increase its institutional capacity to better perform administrative labor functions related to union registration and collective bargaining.

In short, by implementing Mexico's constitutional labor justice reforms, there will be improved compliance with union democracy-related laws and standards.

The Long-Term Outcomes (LTO) of the project are:
LTO 1- Government adoption and/or improved implementation of laws, regulations, and other legal instruments consistent with relevant labor standards;
LTO 2- Improved government identification and remediation of labor law violations; and **LTO 3-** Improved prosecution of labor law violations.

The SGLLE Project includes four components specific to Mexico: (1) CFCRL institutional strengthening; (2) worker organization compliance with new labor reform procedures and requirements; (3) expanded digitization of union democracy files and creation of database; and (4) countering unlawful election practices undermining union democracy.

Period of Performance:
November 2018 – December 2026

Funding:
$28,759,000

Implementer:
- American Institutes for Research (AIR) - Formerly IMPAQ International LLC.

- The original project design included two other countries (Honduras and Georgia), and Mexico was added in 2019.

- The implementation of union registration, mediation, and conciliation services is being rolled out in three stages, with the Federal Center and local centers to begin activities in all 32 Mexican States by October 2022, as follows:

FIRST PHASE: NOVEMBER 2020

- Campeche, Chiapas, Durango, Estado de México, San Luis de Potosí, Tabasco, Zacatecas e Hidalgo.

Source: Secretaría de Trabajo y Previsión Social (STPS).

SECOND PHASE: NOVEMBER 2021

- Baja California Sur, Baja California, Guajanato, Querétaro, Colima, Veracruz, Puebla, Tlaxcala, Morelos, Guerrero, Oaxaca y Quintana Roo.

THIRD PHASE: OCTOBER 2022

PENDING STATES:
- Sonora, Ciudad de México, Coahuila, Chihuahua, Jalisco, Michoacán, Nayarit, Nuevo León, Sinaloa, Tamaulipas y Yucatán.

Key Conclusions

Relevance & Validity

- Since the project outcomes were developed before Mexico was selected as the third implementing country, LTO 1 was relevant to a limited extent and LTO 3 was not relevant to Mexico's needs and priorities for SGLLE.

Coherence

- AIR made the necessary adjustments to respond to the Mexican government's needs and priorities, which changed during implementation.

- The SGLLE project coordinated its activities with international organizations, and OTLA projects which are assisting Mexico with implementing its labor law reform mandates.

Efficiency

- The Project budget and timeframe are adequate to achieve LTO 1 and LTO 2.

- The high competency of AIR's implementation team and the Mexican Secretary of Labor's active leadership in utilizing key deliverables (e.g., the digitization of the union democracy files) contributed to SGLLE efficiency.

- At the time of the interim evaluation, SGLLE was refining the Project's M&E system.

"I believe SGLLE achieved its objective of working closely with CFCRL staff to develop the registration and verification platforms and, at the same time, build staff capacity to maintain and update the platforms. I would say CFCRL technology staff does not have the capacity to develop new platforms, but they do have the capacity to maintain the ones SGLLE helped develop" **- Former CFCRL Technology Director**
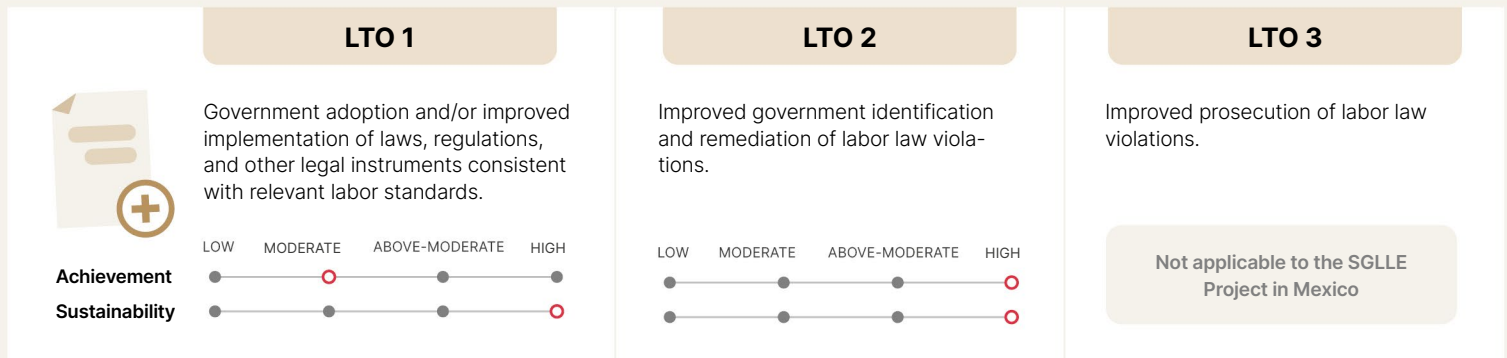
Effectiveness

The project is effectively producing its key deliverables.

● Regarding **LTO 1**, the Project supported the signing of interinstitutional agreements between the CFCRL, Mexican Social Security Institute (IMSS), Tax Administration Service (SAT), and National Population Registry (RENAPO). The agreements with IMSS and RENAPO should help access data to verify the identities and employment relationships of workers on union voting lists. The agreement with SAT should facilitate using existing electronic signatures to share relevant case information. The extent, however, to which interinstitutional agreements will improve the implementation of laws, regulations, and other legal instruments is not yet clear.

● Regarding **LTO 2**, the project produced its outputs or is in the process of achieving its indicator targets. SGLLE helped CFCRL improve the identification and remediation of labor law violations, in addition to developing and transferring the union and collective bargaining agreements (CBA) registration platform to CFCRL.

● Since the Government of Mexico did not request assistance from the project to improve the prosecution of labor law violations, the project did not implement activities under **LTO 3**.

Sustainability

● Project outcomes and outputs under LTO 1 and LTO 2 are likely to become sustainable, as CFCRL possesses sufficient resources, capacity, and motivation to sustain the key deliverables (outputs) and corresponding outcomes. For example, the electronic union and CBA registration system, the validation of electronic worker voting, and the institutional performance management system developed with Project support will remain embedded in CFCRL's improved labor justice operations.

● Even though SGLLE developed manuals and videos to train new staff, the Project's sustainability may be affected if CFCRL technology staff turnover is high.

✔ Achievements and Sustainability

LTO 1

Government adoption and/or improved implementation of laws, regulations, and other legal instruments consistent with relevant labor standards.

	LOW	MODERATE	ABOVE-MODERATE	HIGH
Achievement	●	○	●	●
Sustainability	●	●	●	○

LTO 2

Improved government identification and remediation of labor law violations.

	LOW	MODERATE	ABOVE-MODERATE	HIGH
Achievement	●	●	●	○
Sustainability	●	●	●	○

LTO 3

Improved prosecution of labor law violations.

Not applicable to the SGLLE Project in Mexico

RESPONSE TO COVID-19

In response to the COVID-19 pandemic, AIR and OTLA implemented activities remotely. Meetings and trainings were virtual to protect project staff and other key project stakeholders. COVID-19 affected digitization in seven Conciliation and Arbitration Board (JCA) centers, where the infection level was high. Travel restrictions delayed digitization for approximately 15 days. Afterwards, contractors were able to reengage and complete the process.

"The SGLLE team is very good. They are knowledgeable and really helped us a lot. The major success so far is the registration platform and the digitization of the JCA center files. But they are also helping develop the verification platform that is very important."

- CFCRL Official

Promising Practices

● Recruiting highly competent, recognized, and respected professionals to gain credibility with government partners.

● Working hand-in-hand with CFCRL staff to build their capacity to maintain and update technologies.

● Using free open-source software that does not require license renewals.

● Developing an innovative, cloud-based, internal quality control system to expedite digitization.

Lessons Learned

● It is neither effective nor efficient to develop outcomes for a multi-country project when the target country or countries are not known.

● Government priorities driven by legal requirements along with strong leadership helps achieve and sustain outcomes.

● Below market rate government salaries can instigate high turnover of government counterpart staff, which threatens Project sustainability.

● It is important for projects to remain flexible to changing government priorities, as in the SGLLE project.

Recommendations

For USDOL-OTLA	USDOL	AIR	CFCRL
1 **Avoid developing outcomes for global projects when the target countries are not known.** When feasible, project design should be completed when country-specific needs and priorities are understood.	✅ USDOL		
2 **Incorporate contract-like requirements in cooperative agreements, when appropriate.** These might include pay for performance of specific deliverables and/or an incremental approach where interventions or geographical expansions are phased in over time.	✅ USDOL		
3 **Use M&E data for learning and adaptation.** Office of Trade and Labor (OTLA) M&E team and project managers should work more closely together on the review of monitoring plans and progress **during implementation**, so OTLA M&E staff are able to coach and mentor project managers who lack M&E experience.	✅ USDOL		
4 **Assess trade union platform users during the final evaluation of the Project.** Ensure that the SGLLE final evaluation includes evaluation questions that address trade unions' use of the registration platform and documents. These questions should track user issues.	✅ USDOL		
For AIR and CFCRL	**USDOL**	**AIR**	**CFCRL**
5 **Maintain active communication with CFCRL.** Communicate the progress, current status, projected termination date, and transfer date of the verification platform to the appropriate coordination unit within CFCRL. In addition, SGLLE should ensure all relevant CFCRL coordination unit officials receive frequent updates on technology and product progress.		✅ AIR	✅ CFCRL
6 **Provide additional technical assistance.** Assess whether CFCRL requires assistance with the union and CBA registration platform and provide support if/as required.		✅ AIR	✅ CFCRL
7 **Ensure learning and continuous improvement.** Ensure that learning and continuous improvement processes are incorporated in the revised SGLLE M&E system, including complexity-aware monitoring approaches and tools that translate learning into more effective implementation, identify factors contributing to sustainability, and eventually lead to a higher degree of impact.		✅ AIR	✅ CFCRL
8 **Create linkages to support union compliance with labor law.** Create linkages between unions, organizations working with unions, and CFCRL in the new project component that aims to increase worker organization compliance with the labor law (Component 2), including the new union democracy procedures and requirements. Highlight horizonal and vertical linkages that will specifically support the sustainability of Component 2 outcomes and outputs. These linkages should be articulated in the Component 2 project document.		✅ AIR	✅ CFCRL
9 **Support CFCRL to conduct user experience (UX) assessments,** to improve its effectiveness and ensure users' needs are fulfilled.		✅ AIR	✅ CFCRL

Photo Credit: CFCRL

Photo Credit: Solidarity Center