

GLOBALIST INFLUENCE ON TRADE UNION ORGANIZATIONS AND LABOR RELATIONS IN COLOMBIA 2022

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DOI: 10.37594/cathedra.n17.665

Date of receipt:08/09/2021

Revision date:24/09/2021

Date of acceptance:21/10/2021

ABSTRACT

This is an article oriented by the method of critical analysis, with a descriptive qualitative approach, where it starts with essential characteristics that allow to know the chosen topic in which it describes all the fundamental parts of this, through data collection. In addition, documents of historical and current contributions on the influence of globalization on trade union organizations and labor relations in Colombia were analyzed, based on international legal tools and national regulations. The results obtained, in the opinion of the researcher, show that in Colombia companies use labor flexibility, which makes it difficult for workers to belong to unions, evidencing low affiliation to union organizations and weakening of this, without the comprehensive application of public policies that regulate labor relations. In this order of ideas, this study allows to know about the current state of union organizations and aims to offer alternatives to strengthen their growth and counteract any act of abuse by the companies.

Keywords: Trade Union Organizations, Globalization, Labor Relations.

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INTRODUCTION

Trade union organizations in the world are of great importance to society in terms of labor, which have been affected by the influence of globalization, seeking to stand firm and try not to be exterminated by the global process, promoting proposals to help counteract the abusive effects by companies and capitalist governments, with urgent need for a serious support of concrete policies of regulation in favor of labor matters, to improve the conditions of the associates. It should be explained, companies in Colombia with the endorsement of national governments make different contracts that are not stipulated in the substantive labor code, trying to find any way to survive and stay in the market elites at the international level, which deforms the reality of labor relations.

In view of the foregoing, the purpose of this article is to analyze the globalizing context with respect to the current situations experienced by unions and labor relations in the country, based on legal tools provided by the constitutional block and judicial precedents that regulate the right of association, as well as to determine the role of the Colombian state in public policies aimed at regulating labor relations. In this sense, the realization of this article encourages the strengthening of trade union organizations so that they can reject any purpose of influential business strategies of flexibilization that try to violate the rights of workers in the country. Taking an imperative position of intervention in the struggle to improve the interests of workers.

At the end of the 18th century in some European countries, manual labor was replaced by machines. All this was done for the world market. Workers found themselves in times of suffering. Hence, the initiative to organize themselves to transform the conditions in which they worked. (Machicado, 2010) The above, analyzed by historical contributions that reflect the magnitude of the problem, results from the division of labor and capital, generated by large industries and powerful companies that were only interested in a short time more production to market, with few expenses and less hiring, in disregard of the quality of life of workers in the phase of being replaced by machinery. Since that time, it began to be designated as one of the main causes affecting workers in the world.

That is why all unions seek to stand firm and try not to be exterminated by the global influx, promoting proposals to help counteract the abusive effects by companies and capitalist governments in the world, admitting that public policies as a means of articulation have the duty to support in a comprehensive manner in the labor case. In this context, the ILO (International Labor Organization) makes it clear that globalization has caused damages and benefits to workers in the world and warns that it will not be repeated in the future of labor. It assures that the management of the companies must be adapted with a humanitarian approach, understanding that the challenges

are in new forms of companies as well as in new forms of work. The performance of labor activities are not commercial goods, and people who are part of collaborative economy platforms to offer jobs have been alerted (ILO, 2019).

Similarly, the ILO highlights that the advances of globalization generated changes in the world, which determined a new reality in the labor field, are oriented to forms of atypical jobs affecting working conditions with the practice of flexibility and competitiveness in productive development. To this effect, it takes precautions and measures with all the new work modalities implemented by the companies so that the anomalies in the future of work do not continue. In Latin America, society within the framework of conflicts is represented in a fixed way by the labor movement as one of those who battle through persevering concentration to achieve equity and decent working conditions. This has also been the other support of the popular forces of the continent (Gonzalez & Molinares, 2013).

It should be explained that the context in Latin America in the midst of social conflicts generated in some countries including Colombia reflects the problems that burden workers in labor issues, trade union organizations do not lower their guard as the highest representatives united in one voice for the workers through the tools established against the savage capitalism induced by the globalization system. The situation in Colombia is no different, the conditions imposed by the globalization process manifest the eagerness for commercial expansion and competition through the capitalist system governed by market elites, have generated that trade unions face modifications in which their participation is limited. Likewise, new forms of labor are created with strategies of flexibility accompanied by labor deregulation, which becomes a difficulty for labor relations.

On the other hand, it is convenient to highlight that the public policies implemented by Colombia are at the mercy of the policies that operate for large investors at a global level, far from executing actions that guarantee the rights and better living conditions of the society in the country, including those of the union class. Currently, the new forms of labor coupled with labor flexibility have stimulated the loss of social protection where companies disperse work functions outside of them, in order not to comply with labor obligations, with full knowledge that these new ways of doing work are not yet within the regulatory framework governing everything related to work. As a result, they affect the rights of association and collective bargaining as fundamental human rights that are part of the constitutional block.

For this reason, it is proposed to strengthen trade union organizations to defend workers by improving working conditions and to be able to counteract any violation by companies. In

addition, as a political subject, to include in its work program concrete guidelines for regulation and strategies in favor of labor issues. In view of the above, the following question arises: What is the current situation of trade union organizations in Colombia in the face of global influence?

Faced with the globalizing influence in the labor world, workers are immersed in labor flexibility with many legal obstacles and a shadow of what is collective bargaining, all this adds to the weakening of trade union organizations. In this regard, the proposed article on the knowledge of theoretical concepts will allow us to clearly analyze the influence caused by the globalizing phenomenon to trade union organizations in Colombia, since, due to the current changes in the new forms of work in labor development, the conditions of these workers have been affected in their fundamental rights, despite being part of the block of constitutionality and the repeated pronouncements on the right to trade union association by the constitutional court, they are not respected in practice.

It will also show the challenges faced by workers in adapting to the new circumstances demanded by the labor environment, and will deepen theoretical knowledge on the problem raised, as well as offering a comprehensive view of the complex reality experienced by trade union organizations as a result of unfavorable business strategies of flexibility, even when they have international protection. The analysis and the results obtained from this article will mainly help trade union organizations with new proposals for strategies to act in the face of the globalizing system in the defense of workers' interests. In the same way, this article is oriented to a critical analysis that allows contributing to improve these trade union organizations so that they do not disappear, with the purpose of consolidating a greater knowledge on the subject raised.

It should be noted that the research is of great interest to society, trade union organizations and workers, since it seeks to provide research that is useful and can be of help in the future when research in this area is required. For this reason, it is intended to motivate all individuals and the academic community. To continue generating studies of analysis, in order to achieve new proposals that allow to build and broaden perspectives in relation to the strengthening of trade union organizations in the country.

CONTEXT RELATED TO THE GLOBALIZING SCENARIO AND THE IMPACT ON COLOMBIAN TRADE UNION ORGANIZATIONS.

To learn about the subject of this article, it was focused on background information published by some authors such as: labor relations, role of trade unions in the globalizing context, challenges and perspectives of trade union organizations in business development, etc., considering the

importance for the development of this study. In this sense, (Añez & Bonomie, 2007) elaborated an article called “Labor relations and trade unions in the adverse context of globalization” making a theoretical reflection, indicating that the practice of the labor flexibilization model, led by globalization has limited the right to freedom of association, which allows access to variations in labor relations and in the regularization of work. Consequently, it is an unfavorable effect on workers’ personnel and their socioeconomic status.

Similarly, (Bedoya, 2009) presented a paper entitled “ Trade Union Right of Association in the Face of Globalization” in which the author analyzes all changes brought about by the global process in the normative and structural form of labor organizations. In the same way, (Vargas Á. R., 2010) made an article called “The Union and its Challenges before the Economic and Social Transformations” makes an analysis of the current union, challenges a universe in which the nations themselves instigate flexibilization in the methods of industrial relations and labor markets, in which the possibility of social security is diminished, in which globalized trade involves companies to higher yields and excellence, generating that these execute capital displacement to obtain outstanding markets, using the fractioning of production activities and subcontracting.

In this regard, (Ostau de Lafont de León & Niño, 2015) published an article entitled “The World of Work in Colombia: Incidence of Globalization and Neoliberalism in Labor Relations and Jurisprudence”, in which they perform an analysis on the global impact on the total universe of labor and its legislation in Colombia influenced by the neoliberal system. For their part, (Noroño, Nuñez, González, & Muñoz, 2019) presented an article entitled “Challenges and Perspectives of Trade Union Organizations in Business Development” the authors point out the new role played by Venezuelan trade union organizations in the midst of the devastating global force.

HISTORICAL BACKGROUND OF LABOR RELATIONS IN COLOMBIA

In order to understand the role played by labor unions or collective associations of workers in Colombia today, it is necessary to know the history of labor relations through the evolution of time that openly shows the changes of new forms of work. And to be able to know how much the phenomenon of globalization has influenced the trade union framework. In the 18th century in Colombia, labor relations were between master and slave and were tied by subjugation. Although this subjugation was not only concerned with what was entrusted to be done, but in the same way the supremacy was part of what the master symbolized for them. This event expresses, in a certain way, the control of the slaves in their labor activity in those colonial times. Then, as time went by, the estate becomes an essential source of production, as well as an authority and surveillance over the inhabitants of rural areas, through the patron model (Albán, 2009).

As a relevant contribution, it is the personal criterion, within the framework of this article, at that time, they performed this form of work as a way of survival on the part of the workers without the opportunity of different options and a truth that showed ignorance of the bureaucratic principles, also fundamental. The evolution of the ways of performing work marked changes due to the same demands generated by the global phenomenon, but the oppressive background of those who provided work remained. In the year 1853 was the first time that it was known by the norm that is the work and free profession, which is observed that were many years that passed after the achievement of independence, the country begins to recognize the freedom of activities, giving society solid bases on what was actually the work, and the implications it brings for those who perform orders and for those who demand them. (Gonzalez & Morales, 2010)

Subsequently, the arrival in the country of the industrialization process generated changes that would bring about a complete turnaround, modifying social and labor relations, as a result of the progress in the phases of social separation of labor and firmness of capitalism (Albán, 2009). Currently in the country the reality of the employment relationship is not specifically defined by the Substantive Labor Code but, rather it is integrated to the employment contract and in such situation it can lose its essence adapting to new labor forms, instead, the employment contract is described in the legal norm and establishes the three elements that must contain this agreement between both parties for such contract to exist or be valid. (De la Cruz, 2016)

It should be noted, that within the work activities that are known as informality and underemployment are the new labor relationships such as outsourcing or teleworking, for which labor legislation offers few guarantees or rather are not covered by this. (Rodriguez & Cendales, 2016) . They seek the non-application of the recognized labor rights and does not allow to enjoy or enjoy the protection provided by the legislation, because a large part of those who perform the workforce are not covered by the labor protection affects these workers unfavorably to their welfare and any possibility of advancing.

TYPES OF LABOR RELATIONS

According to, (Añez & Nava, 2012), labor relations is any connection that is generated in the work environment. Usually, it refers to the link between the worker's contribution and the contributions provided by the employer in the context of productivity. Likewise, these links are usually governed by a labor contract within the legal framework that determines everything that must be fulfilled by the two parties. For (Guisado & Guisado, 2016) , labor relations in the internal part of the companies present opposing interests can be studied from two different positions. On the one hand, the company interferes in reducing disputes and disagreements that may arise between

the company and the unions. On the other hand, it tries to hinder trade union organizations by limiting their action so that they cannot intervene in the strategic decisions of the company, which protects its dominance.

In this regard, (Blanch, Jesús, Carolina, & Antonio, 2013), defines labor relations as those that are frequently used to indicate the performance of roles and guidelines that determine them, in the same way, they are formed by the tripartite links between workers, employers and the state in different areas: in the same company, field of activity, defined territory.

According to (Albalade, 2015), labor relations are the exchange in the environment throughout the performance of work, also, the disparity generated between worker with the employer of the company in a defined time or place, categorized as micro level and between state, trade union organizations and employers categorized as macro level. On the other hand, (Chiavenato, 2007), labor relations are the reciprocal changes that result between workers who are part of the company delivering their productive capacity to achieve goals proposed at a personal level and this company provides economic retribution for the progress provided to the company by those who work for it.

In criterion of (De la Cruz, 2016) in Colombia, labor relations are subordinated under the normative framework of an employment contract by rules adjusted according to it, a situation that harms the worker because it is subject only to formality but not to reality, in effect, the worker is obliged to comply with the personal provision of an activity under continuous subordination and receive payment by the employer.

BACKGROUND OF TRADE UNION ORGANIZATIONS IN COLOMBIA

Taking the book by (Urrutia, 2016), he points out that the history of trade unions in Colombia began in the year 1847, with the Artisan Society of Bogota in defense of manual workers because they were disadvantaged by the changes led by President Tomas Cipriano de Mosquera towards a policy of economic liberalism by that time, in the same way, because of the Industrial Revolution, begins the boom in Europe of manufactured products, which began to set aside and leave artisans who only provided labor force at a disadvantage in the market.

Now, this can be explained in the opinion of the author, it is important to emphasize that the country, takes a route of change in the market, the invasion of products from abroad added bad conditions of wages and higher productions by factory owners, made this a difficult situation, after all the workers begin to use the tool of the strike as a demonstration at that time without much success even without legality, but tired without any protection only with their initiatives in search

of being heard to try to achieve better conditions.

It was also found that union activity in 1928 suffered its first episode of violence in the country. Once the banana plantation workers who were on strike gathered in the square with the idea of remaining firm, expressing their concerns about low wages, poor working conditions, and social security, they were attacked by the national army with excessive rigor, causing more than a thousand deaths and approximately 238 wounded, according to (Elias, 2011). The author indicates that the massacre of the banana plantations was one of the most important events in the collective history of Colombia in which the truth of the events was never revealed by the political implementation of the Colombian State and only the information announced to the world was the obvious one that could not be hidden.

In addition, the church with its great influence in the country was contradictory to any purpose different from its ideologies, which were implemented at that time between 1930 and 1946 by liberals who governed the Colombian nation. These actions gave the possibility of greater rights for all workers and guarantees to be able to enjoy what they had been fighting for in the past (Gonzalez & Molinares, 2013). After all, the dominance of the church was limited during the presidential mandate of the government led by former President Alfonso López Pumarejo, with policies implemented in support of the union struggle in which he consolidated the worker-worker bond and recognized workers' rights that were demanded by them for a long time without any response, but managed to achieve great progress in the labor field by this government, for this reason the former President Alfonso López Pumarejo had the support of the labor movement (Gonzalez & Morales, 2010).

By virtue of the above, we find authors who, in their texts analyzed in this article, refer to the arduous struggle that trade unions have had in Colombia since their beginnings and that does not end, to defend the interests of workers, without ignoring that they achieved many achievements, such as the recognition of several rights that workers enjoy today. Then, the National Front period was established simultaneously with the origin of the UTC, the country suffered violence due to political clashes between the conservative and liberal parties, due to the fact that the conservative party took up arms with the support of the church in opposition to the liberal reforms, characterized for being anti-communist, and the communist party and the CTC fragmented and became anonymous (Rosado, 2005).

Finally, in the sixties the loss of influence of the CTC and UTC, the communists managed to form the Trade Union Confederation of Colombian Workers, CSTC, achieving more and more

relevance, they came to represent the workers in the country and the leftist movement advanced in the formation of many independent unions (Urrego, 2013).

CURRENT SITUATION OF TRADE UNION ORGANIZATIONS

The labor world is executing the practices of globalizing implementation, manages to subject workers today to the use and exploitation of their labor, due to the strategies of the capitalist system. This situation reflects the need for trade union organizations to protect the interests of workers (Añez & Bonomie, 2007). From the above, as a contribution of this study, as published by Añez and Bonomie, marks the existence of a process of economic interests that involves all dimensions of a society, workers must diversify their work under the conditions imposed by companies no matter the disruption caused in labor relations and in their wages.

In the same vein, trade union organizations recognize the serious situation currently being experienced by trade unions, particularly in countries where trade union organizations are engaged in recurring struggles for their rights, which have not yet ended, as in Colombia, it is clear that the impacts of economic globalization applied to companies with its modalities of operating flexibility and with the support of deregulation in labor matters are the consequence of this reality (Vargas Á. R., 2010). Similarly, expanding on what Vargas indicated, unions in the midst of the crisis require specific conditions to set their development, from the workers' point of view, what seems applicable is the unity in the actions of trade union organizations to generally represent the conglomerate of wage earners in certain countries, impacting the global world.

The authors insist that to resist the dominant global power that envelops the entire labor market, they propose the need for trade union organizations to gain strength, both those that are about to emerge and those that have already been formed. So that this influence does not continue to disrupt the maximum representation that workers have in the defense of their fundamental rights (Noroño, Nuñez, González, & Muñoz, 2019).

IMPACT OF GLOBALIZATION ON TRADE UNION ORGANIZATIONS

To begin with, the global labor market is immersed in the disarticulation of trade union organizations, with anti-union plans that try to prevent the struggle against labor rights (Añez & Bonomie, 2007). To the above is added, by the authors Añez and Bonomie, that the chain articulated around economic policies empower companies in their management, seek to reduce costs, achieve new forms of work that do not conform to the legal framework, forcing changes in labor practices, which makes it difficult for more workers to join unions.

Thus, economic globalization and flexibility strategies apply a regulatory model in favor of companies with a normative endorsement by the States, threatening to neutralize trade union organizations directly affecting the rights of association and collective bargaining; producing a decrease in membership, sporadic collective bargaining, and legal barriers to freely carry out the defense of their common interests (Vargas Á. R., 2010). According to the author, such precariousness presents a great challenge for the unions, with all that the industries pose, similarly, the companies, seeking greater profits, apply subcontracting modalities, making it difficult for the workers to exercise their fundamental right of association and union founding.

In other words, globalization produces a series of adverse effects within the legal regulations at the national level, in this sense, the same norm has suppressed the regulations to guarantee the rights of workers, generating actions that damage the basis of the authority of the unions (Bedoya, 2009). In this way, changes in the essence of work are presented by the legal norms applied, which issue great tranquility to companies in the development of their flexibility strategies “(...) elements contrary to the constitution itself have been established that have to do more with the deregulation of work and with the freezing and disappearance of all those protectionist elements built in the welfare state (...)” (Ostau de Lafont de León & Niño, 2015, p. 74).

SCOPE AND LIMITATIONS OF TRADE UNION ORGANIZATIONS

In Colombia, with the arrival of the political constitution of 1991 as a law of laws for all the inhabitants of the country, it recognizes the rights that integrate the union organization such as: the union, the strike and collective bargaining making them become real rights of constitutional rank, which produces a security in what is implanted in it, which must be complied with and abided by the whole society (Gonzalez & Morales, 2010).

In this sense, it is the same law that is responsible for setting and delimiting exactly what relates to the right to union association, the right to freedom of association and collective bargaining. Thus, the aforementioned political constitution gives special relevance to the right to union association, ensuring compliance with the essential and social purposes of a Social State of Law, elevating it to a fundamental right in relation to freedom of union association and any act of discrimination that affects the right to union association. It should be noted that, with the integration of the block of constitutionality to the political constitution of Colombia, it seeks to safeguard human rights by adapting the norms of domestic law to the international norms established by the ILO (Segrera & Torres, 2005).

Regarding the standards that are part of the constitutional block, the political charter seeks to

give prevalence to the human rights treaties and conventions established in the following article:

Article 93, which establishes that international contracts and conventions ratified by the congress, which recognize human rights and prohibit their limitation in states of exception, have prevalence in the internal order; likewise, that the rights and duties enshrined in the constitution shall be interpreted in accordance with international treaties on human rights ratified by Colombia (Segrera & Torres, 2005, p. 178).

In addition, the ILO at the international level through duly ratified conventions integrates the block of constitutionality for that reason, prevail over domestic legal regulation and its direct application in labor issues, as determined by the Colombian constitutional court (Ostau de Lafont de León & Niño, 2011), which provides protection against any act of discrimination tending to affect the right to organize (Contreras, 2015).

From the foregoing we have the C-180 judgment of 2016 issued by the Colombian constitutional court in its considerations sought to determine the essential core of the right of trade union association and its manifestation in trade union organizations, adapting the internal rules, so that they are in harmony with the ILO conventions indicating that: Constitutional jurisprudence has defined the essential elements that make up the essential core of the fundamental right of freedom of association, this being the fundamental basis in trade union associations, concerning various aspects of it such as the powers to make free decisions and choose fully in freedom, manifested in the power of workers' organizations to decide in its entirety on its conformation, ordering and its managements (Linares, 2016).

Similarly, we have that the right to freedom of association is the fundamental basis of trade union association in which the protection of labor rights is materialized, which is established in Art. 353 of the Substantive Labor Code, in harmony with Art. 38 and 39 of the Constitution provides that “ (...) employers and workers have the right to associate freely in defense of their interests, forming professional associations or unions; these have the right to join or federate among themselves (...)” (Congress d. l., Secretariassenado.gov.co, 1951).

In addition, it is consolidated in Article 39 of the Colombian Constitution of 1991, as follows:

ARTICLE 39. Workers and employers have the right to form unions or associations, without the intervention of the State. Their legal recognition shall be produced with the simple registration of the act of constitution. The internal structure and operation of unions and social and trade union organizations shall be subject to the legal order and democratic principles. The cancellation or

suspension of the legal status can only proceed by judicial means. Trade union representatives are granted the privilege and other guarantees necessary for the performance of their duties. Members of the Public Force do not enjoy the right to union association (Congress d. l., Secretariasenado.gov.co, 1991).

Likewise, the Substantive Labor Code, Decree Law 3743 of 1950, defines the types of unions in Article 356, and Article 55 of the Political Constitution, enshrines the right to collective bargaining, i.e., it is guaranteed by the state regarding the regulation of labor relations, but with exceptions determined by law. Thus, the State is responsible for fulfilling its function of guaranteeing such legal framework to promote agreements and alternatives for the peaceful solution of collective conflicts (Congress d. l., Secretariasenado.gov.co, 1991).

Ruling C-063 of 2008, in regulating the possibility of collective bargaining for all types of trade union organizations, indicated that:

It grants rights to all kinds of unions to participate in collective bargaining, in accordance with ILO Convention 154, which establishes the duty of the state parties to promote collective bargaining, leaving all the responsibilities entrusted to the states with broad freedom in their execution (Vargas M. P., 2008).

On the other hand, in the right of union association there are some limitations that are established by the constitution when it empowers the creation of a legal order in the right of association in terms of its internal structure and operation, hence, it establishes two limits to exercise this right which are, respect for the legal order and democratic principles (Linares, 2016). Similarly, regarding the negotiation with public employees' organizations in accordance with the application of Art. 2 of Decree 160 of 2014.

Article 2. Scope of application. This decree shall apply to public employees of all entities and agencies of the public sector, with the exception of:

- a). Public employees who perform jobs of high political, hierarchical, or managerial level, whose functions entail attributions of government, representation, authority or institutional conduction, whose exercise implies the adoption of public policies;
- b). Official workers;
- c). The popularly elected servants or managers elected by the Congress or territorial corporations, and,
- d). Uniformed personnel of the Military Forces and the National Police (President, 2014).

From these considerations it is important to add that the right to union association is not an absolute right, hence, the constitution itself establishes limits. On the one hand, these limits are established directly and on the other hand, limits are created to this right through institutions that guarantee its exercise.

2.8 Public policies in Colombia aimed at regulating labor relations

The National Development Plan from the time of the 90's until today, has had a dominance marked by neoliberalism, implementing in the Legal regulation all forms of decrease of labor rights, impede social security, and affect the welfare of families, with the insignificant increases in the minimum wage. (Pérez, 2016)

In addition, the public policy assigned to workers in the Colombian country in relation to other acts of the State has not worked with interest to take part in the social problems experienced by the country. Since the result at the time of acting on the labor market, the policy aims at labor flexibilization, privileging employers and violating the rights of their employees. (Sánchez, 2013) It is important to highlight that the State, as a political organization, must provide a solution to the needs of society and in what concerns the labor area for a dignified life without disadvantages in front of the business sectors that only seek their own economic interests.

Similarly, the labor system in Colombia with the DNP, 2018-2022 “Pact for Colombia Pact for equity”, making a study, causes anti-progressive effect in matters of labor and union rights, leaving the State to dodge its commitment to public policies related to the promotion of decent work and to execute to the extent the norms of international law that pertain to this area. This plan gives rise to fundamental reforms in labor and pension matters that do not solve the difficulties faced by workers (Tangarife, Hawkins, Vásquez, Vélez, & Orgulloso, 2019).

According to the author, from a critical view by the researcher, the state has a far-sighted view of the actions that it should execute as answers to the labor problem at the national level. This indicates the impossibility of achieving work in decent and fair conditions with the minimum guarantees of labor regulation, facilitating informal work or that these are linked through subcontracting, ignoring domestic and international labor legislation.

On the other hand, political activity has played an important role in the representatives of the companies and the forms of labor relations formed in these, either because external actors are present who come from it or because the unions in defense of workers' rights are indirectly influenced by these political parties (López, 2007). This indicates by the author, the management

of the political sector in some way is determinant and influential in the ideologies of business actors and all labor relations in the internal part of the companies, which do not favor union organizations, but seek their own objectives.

METHODOLOGY

According to, (Berríos, 2000), cited by (Chárriez & Mayra, 2012), states that qualitative methods emphasize the different ways that people can choose to give appropriate answers to the precise situations that will be developed in the research. They refer to research that uses the collection of data that are explained or written by people through the behavior they managed to observe.

In accordance with the above, the present study was oriented in the qualitative approach, since it initiates with essential characteristics that allow to know the chosen topic, by means of data collection. In addition, it is descriptive, where all the fundamental parts of the subject under study are described, the documents of historical and current contributions on the influence of globalization on trade union organizations and labor relations in Colombia will be analyzed. Likewise, international legal tools and regulations established in Colombia are presented to clarify the object of study.

It should be explained that the method used in the research process is analytical, based on the concept of (Lopera, Ramírez, Zuluaga, & Ortiz, 2010), who states that “the analytical method is a way to reach a result by decomposing a phenomenon into its constituent elements” (p.18). Thus, it is necessary to examine the details of the situation presented by the subject under study, as is the case of the generalities, regulation, operation and current state of trade union organizations and labor relations in Colombia in the face of global influence, with the purpose of improving the working conditions of workers and obtaining satisfactory results.

In the same way, for the interpretation of results, use was made of legal hermeneutics, which, according to (Agudelo, 2000), is an activity that presents those attributes or qualities of the normative explanation, manifesting the link of man with the norms. But there is a polarity between the transient of the application and the fixed of the already established legal norm. On the other hand, (Zuluaga, 2018), Agrees that legal hermeneutics can also be used to interpret and discover everything that encompasses normativity, in a certain way some of imprecise content that are applied to all people in general.

CONCLUSIONS

In this article it was identified that the current labor relations in the country are marked by labor flexibilization included in the new forms of work, which are not covered by labor legislation, where workers are at the moment affected in their quality of life, therefore, it is concluded that the current labor relations are immersed in flexibilization processes, in agreement with Añez (2007) and Noroño (2020).

With respect to trade union organizations, it is concluded that the globalizing context has had a negative impact, since attention has been given to protect more and more the capital and in turn, this situation produces a crisis in the unions, evidencing several causes of weakening of these, such as the low rate of unionization, the fragmentation of trade union organizations, and labor atomization, which does not favor the development of a decent life for workers and associates.

Likewise, it was evidenced that the relation of the norms of the block of constitutionality and constitutional court referring to the right of union association in Colombia, have a unanimous connection inasmuch as the 87, 98 and 154 of the ILO were accepted, elevating them to a rank of fundamental right, therefore, they are part of these norms integrated to the political constitution of Colombia 1991, which is not subject to compliance by the companies.

On the other hand, it is concluded that the role of the Colombian state, in public policies aimed at regulating labor relations, have been applied for many years without due commitment to the working class, privileging employers and violating the rights of workers and their trade union organizations.

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