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SECTORAL ACTIVITIES PROGRAMME

Working Paper

**Social dialogue in education in Latin America:
A regional survey**

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Background document for the Joint ILO/UNESCO
Committee of Experts on the Application of the Recommendations
concerning Teaching Personnel (CEART)

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Foreword

The ILO's Sectoral Activities Department commissioned the research leading to this Working Paper in preparation for the Eighth Session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), held from 15-19 September 2003 in Paris. The CEART has for some time been concerned with the issue of teachers' participation in education reforms through information sharing on changes, consultation on educational policy and collective bargaining negotiations on teaching and learning conditions. It therefore requested the ILO to prepare thematic reports on forward-looking procedures and structures to encourage participation of teachers and teachers' organizations in education reform decisions. A series of regional reports were commissioned, of which this study is one.

The paper was prepared by Marcela Gajardo, Co-Director of the programme to promote educational reform in Latin America and the Caribbean (PREAL), who has written widely on education and teachers in Latin America, and by Francisca Gómez, an independent consultant. Based on a comparative study of eight countries in the Latin American region, this paper examines the main features of social dialogue in education and, particularly, relations existing between teacher's unions, governments and other social actors in consultation and consensus building on policy reforms and teacher's status. It explores recent trends in country efforts to improve the quality of education, the reactions to change led by teacher's organizations, and the processes and outcomes of consultations and negotiations on salaries and incentives, including performance pay, employment conditions, teacher's career and teacher's assessments, and interactions with a range of educational stakeholders.

The paper provides a snapshot of the degree to which change occurs in line with international standards on teachers' rights and responsibilities and the processes derived from ILO standards on freedom of association, the right to organize and collective bargaining. Examples of good practices and successful reforms derived from healthy social dialogue mechanisms, as well as a look at failures or stalemates that undermine reforms enrich the paper. It concludes with a summary of continuing challenges and steps that might usefully be taken by various actors to build strong social dialogue structures in education in the interests of good teaching practices and quality education.

As recognition grows of the central role that teachers and their organizations must play in the provision of universally accessible and high quality education and training, the study is intended to shed light on how social dialogue contributes to these objectives in countries of the Latin American region, and provides some basis for decision-makers to reflect on this topical workplace issue when considering further reforms.

ILO working papers are a vehicle for disseminating information on topics related to the world of work and the evolution of social and labour policies and practices. The opinions expressed are nevertheless those of the authors and not necessarily those of the ILO.

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Executive summary

Using information from secondary data and national surveys from eight countries in Latin America, this paper examines the main features of social dialogue in education and, particularly, relations existing between teacher's unions, governments and other social actors in consultation and consensus building on policy reforms and teacher's situation.

Countries include Mexico and Chile, Argentina, Colombia and Costa Rica, El Salvador, Honduras and Venezuela. They have been grouped according to the features of their educational reforms and the way in which social dialogue is built and implemented. Obstacles and successful stories of how teachers through their organizations can be effectively integrated into policy and decision-making have been identified and described. Major failures have also been illustrated. An analysis of the way in which teachers' organizations participate in the reform planning and evaluation has also been intended by means of examining the union's principles and practices.

The information has been organized on a comparative basis trying to answer three main questions: what has been going on in terms of efforts done to improve the quality of education; how have the teacher's organizations reacted in terms of these changes; what have been their arguments when negotiating salaries and incentives, employment conditions, teacher's career and teacher's assessments, pay linked to performance and how have the actors faced the generation of alternative proposals.

The report is presented in four parts. The introduction and Chapter I provide general information and empirical evidence on the social dialogue framework in the selected Latin American countries. Emphasis is placed on a period of quality enhancing reforms which require the active commitment of teachers and teacher's organizations. Distinctions are made among countries with successful stories of social dialogue and countries where conditions for consensus building are still to be met. Chapter II builds upon the previous information and assesses the current climate for dialogue comparing different legislative frameworks and mechanisms of information-sharing, consultation and negotiations according to type of organizations and conflict resolution in each of the countries. Special attention is given in this chapter to the analysis of the observance/non observance of international standards and recommendations referring to teacher's training, career and incentives, salaries and labour conditions and their situation under current trends of decentralized systems of school management. Finally, Chapter III summarizes conclusions and recommendations to move forward in the unfinished agenda of social dialogue on a regional basis.

Although it is hard to generalize and even harder to attempt to draw policy conclusions on a country basis, the following conclusions may be drawn from this survey:

- (i) Concerning social dialogue, a lot remains to be done to build up negotiated solutions and social consensus in Latin American countries. Although legislation has changed during the nineties and the legislative framework improved during the past decade, enabling conditions for social dialogue still have to be met in the region.
- (ii) Teacher's organizations need to develop and strengthen their technical capacity for negotiation and consensus building and governments need to improve their capacity to provide access to relevant information to these organizations and to other social actors if participation in social dialogue is to be increased.
- (iii) Appropriate institutional support needs to be developed in some cases and strengthened in others. Only a few are the governments have created a climate for social dialogue or engaged in an effective exchange of views which can lead to an

increased participation of teachers and teacher's organization in policy design and evaluation.

Teacher's participation in educational reform is a must for the success of this process. No reform is possible if it does not involve the participation of these actors. Increased participation is part of the equation. The other half has to do with the teacher's situation. Most of the countries have made an important effort in terms of improving the quality and equity of education. Within these efforts there are good examples of improvements in teachers' status and redefinition of their role to meet policy reform challenges. Nonetheless, in the majority of the countries, this has not been enough to cope with the requirements of international standards, nor achieve educational goals which are fundamental for development. In relation to this concern:

- (i) Additional efforts must be made to make the profession appealing for young and talented teachers to serve in the public school system or in schools working with the poorer groups in socially deprived areas.
- (ii) Important challenges are yet to be met in terms of providing teachers with adequate support, professional recognition and material rewards; the teaching profession continues to generally deteriorate in the majority of the countries.
- (iii) Measures need to be introduced to help recruit and retain high quality students for the teaching profession.
- (iv) Studies need to be done to examine the teaching profession and standards within Latin America and in other regions. The teaching profession needs to be strengthened by raising salaries, establishing monetary and non-monetary incentives for good performance and compensation mechanisms for hardship work in deprived areas. Professional development could be enhanced by means of improving initial formation, pre-service and in-service training as well as reforming training and making teachers more accountable to the communities they serve.

Last, but not least, social dialogue needs to be strengthened, and mechanisms and structures enhanced to promote consensus building and participation among the parties. The following recommendations seem to be valid to meet this goal on a national and regional basis:

- (i) improve the availability and quality of information on teacher's situation in the region on a comparative basis;
- (ii) work on a shared framework of international standards, based upon good research and objective data, so as to enable the countries to introduce new or improved mechanisms of social dialogue in education;
- (iii) monitor progress on social dialogue in education at the national and regional levels on a country by country basis;
- (iv) identify and disseminate good practices on social dialogue in education as a means to strengthen capacities for consensus building and initiating a sense of accountability towards international commitments and standards.

Introduction

This paper examines the social dialogue framework and current climate for participation, consultation and negotiation of teachers and their organizations in education reform in eight Latin-American countries. The survey includes Argentina, Colombia, Chile, Mexico, Venezuela in South America, Honduras, El Salvador and Costa Rica in Central America.

Social dialogue is defined by the ILO to include all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy.

The main goal of social dialogue itself is to promote consensus building and democratic involvement among the main stakeholders in the world of work. Successful social dialogue structures and processes have the potential to resolve important economic and social issues, encourage good governance, advance social and industrial peace and stability and boost economic progress. The enabling conditions for social dialogue are as follows:

- strong, independent workers’ and employers’ organizations with the technical capacity and access to the relevant information to participate in social dialogue;
- political will and commitment to engage in social dialogue on the part of all the parties;
- respect for the fundamental rights of freedom of association and collective bargaining;
- appropriate institutional support.

Social dialogue institutions are often defined by their composition. They can be bipartite, tripartite or “tripartite plus”. The key tripartite actors are the representatives of government, employers and workers. At times, and depending on specific national contexts, the tripartite partners may choose to open the dialogue to other relevant actors in society in an effort to gain a wider perspective, to incorporate the diverse views of other social actors and to build a wider consensus. For social dialogue to work, the State is responsible for creating a stable political and civil climate which enables autonomous employers’ and workers’ organizations to operate freely, without fear of reprisal. Even when the dominant relationships are formally bipartite, the State has to provide essential support for the parties’ actions by providing the legal, institutional and other frameworks which enable the parties to act effectively

Social dialogue takes into account each country’s cultural, historical, economic and political context. There is no “one size fits all” model of social dialogue that can be readily exported from one country to another. There is a rich diversity in institutional arrangements, legal frameworks and traditions and practices of social dialogue throughout the world. The most usual forms of social dialogue also vary from country to country and may include:

- Information-sharing, one of the most basic and indispensable elements for effective social dialogue. In itself, it implies no real discussion or action on the issues but it is nevertheless an essential part of those processes by which dialogue and decisions take place.

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- Consultation, which goes beyond the mere sharing of information and requires an engagement by the parties through an exchange of views which in turn can lead to more in-depth dialogue.
 - Engagements in negotiations and conclusion of agreements by tripartite or bipartite bodies. While many of these institutions make use of consultation and information-sharing, some are empowered to reach agreements that can be binding. Those social dialogue institutions which do not have such a mandate normally serve in an advisory capacity to ministries, legislators and other policy-makers and decision-makers.
 - Collective bargaining is not only an integral – and one of the most widespread – forms of social dialogue, it can be seen as a useful indicator of the capacity within a country to engage in national level tripartism. Parties can engage in collective bargaining at the enterprise, sectoral, regional, national and even multinational level.

Social dialogue can take a variety of forms, ranging from the simple act of tripartite process, with the Government as an official party to the dialogue, or it may consist of bipartite relations only between labour and management (or trade unions and employers' organizations), with or without indirect government involvement. Concertation can be informal or institutionalized, and often it is a combination of the two. It can take place at the national, regional or at enterprise level. It can be inter-professional, sectoral or a combination of all of these.

This is the case of social dialogue in education. A vast variety of situations may be found in Latin America as a result of existing definitions and interpretations of this concept, the legislative frameworks and political will that exist in each country to become involved in social dialogue and the mechanisms and structures being used in the process. Variations also occur as a consequence of the political context and the degree in which this influences the relationships among social actors and the existing capacity for effective dialogue on behalf of teachers' unions and educational authorities.

Chapter I provides empirical evidence on the social dialogue framework in the selected Latin-American countries. Emphasis is placed on the period in which quality enhancing reforms required the active commitment of teachers and teachers' organizations. Social dialogue, in this context, introduced ways to achieve consensus building among key actors in the reform which often saw each other as opposite forces, reformers viewing teachers' organizations as obstacles to the reform and teachers reacting with strikes and demonstrations to the fact that their organizations were not generally at the table when education reforms were designed.

Chapter II deals with the current climate for dialogue, building on the data of the previous chapter, and Chapter III offers some conclusions and recommendations for further work.

I. The social dialogue framework

Teachers' unions in Latin America emerged in the early 1920s and 1930s. Nonetheless, involvement in social dialogue only happened by the late 1950s and 1960s when unions, mainly made up of civil servants, related to the governments by using consultations and collective bargaining in the context of educational initiatives which aimed at expanding the influence of national states over economic and social affairs.

Later, and particularly during the 1990s, teacher unions have tended to repeat these labour mobilization practices throughout the region and their past relationships, formed over decades, have shaped how the unions react to more recent education reform initiatives. Unions, almost without exception, struggle for better salaries and security of employment while trends in educational reform emphasize the use of mechanisms that give provincial or local authorities – sometimes even parents – capacity to set salaries and conditions of employment. The State no longer plays the role of main agent in educational management, and public policies for private involvement in the provision of educational services are gradually replacing the privileged position of the State in providing education which prevailed in past decades.

Table 1. Historical evolution of teachers' organizations in Latin America

Countries	1920s and 1930s	1940s and 1950s	1960s and 1970s	1980s and 1990s
Chile	Asociación de Profesores de Chile (1922)	Federación de Educadores de Chile (1944)	Sindicato Único de Trabajadores de la Educación (1970)	Colegio de Profesores A.G. (1981)
Mexico	Federación Nacional de Maestros (1926) Confederación Mexicana de Maestros (1932)	Sindicato Nacional de Trabajadores de la Educación (1943)		
Argentina	Confederación Nacional de Maestros	Frente Unico del Magisterio Argentino (1932) Unión del Magisterio (1943) Agregación del Docente Argentino (1951)	Confederación de Trabajadores de la Educación de la Rep. Argentina (CTERA) (1973)	
Colombia		Asociación Distrital de Educadores (1958)	FECODE (1962)	
Venezuela	Sociedad de Maestros Primarios Federación Venezolana de Maestros (1936)			
El Salvador			ANDES 21 Unidad Gremial de Educadores Salvadoreños UGES Bases Magisteriales	
Honduras			COLPROSUMAHCOPEMHPRI CHMASINDROPOH	FOMH Coordinadora Nacional Pro Defensa de la Educación
Costa Rica		ANDE Costa Rica (1943)	APSE SEC	Magisterio Nacional

Source: Guillermina Tiramonti: *Sindicalismo Docente y Reforma Educativa*, PREAL Documentos, Mayo 2001, p. 5, and National Case Studies prepared for the Working Group on Teachers' Union and Educational Reform, PREAL FLACSO-Argentina.

Although there is consensus among teachers and to unions on the need for educational reform, disagreements seem to be related, not to the reforms as such, but to the organizational model used to push them forward. Main areas of conflict among reformers and unions deal with:

- (i) Decentralization initiatives and privatization of education, interpreted by unions and union leaders as clear evidence of reformers efforts to weaken or destroy public education and diminish the legitimate power of the unions by giving local authorities and officials capacity to negotiate salaries, conditions of employment and resources for educational development.
- (ii) Teacher salaries and teachers' career, assessments and parental or local involvement in school management, seen as an external interference in endogenous capacity to assess the effectiveness of teachers' performance.
- (iii) Pay linked to performance and incentive policies which tie salary increments to improvements in school/student achievement or training, seen as a threat to teacher statutes which guarantee employment stability and salaries based upon seniority rather than excellence.
- (iv) Closed-door proceedings, lack of consultations to generate alternative reform proposals and limited participation in decision-making and policy design, has led the unions to characterize reforms as the work of technocratic elites, unwanted interference by international development agencies, invidious efforts to privatize public education, hostility to the rightful claims of public sector workers for decent wages and hidden agendas favouring cost saving and union breaking (Grindle: 2003).

In the abovementioned context, social dialogue varies from country to country and strategies for information-sharing, consultations and negotiations depend on the level of consensus reached by social actors on educational reforms. On this basis, at least three categories may be easily identified.

- (i) Countries with strong and autonomous unions with the technical capacity to negotiate a legislative basis and political commitment for engaging in social dialogue respect for freedom of association, opportunities to build a national consensus and the establishment of linkages between unions and ministries as well as among unions and public opinion. Chile and Mexico can be clearly classified within this group.
- (ii) Countries with a strong tradition of public education, strong and autonomous unions, technical capacity for social dialogue but no political conditions for consensus building and critical situations of governance. Unions in this case play a key role in contesting the values of reform and use confrontation and collective bargaining as the main tool of social dialogue. Argentina and Colombia may be classified within this group, along with Costa Rica in Central America.
- (iii) Countries with weak or fragmented unions, with little technical capacity for negotiation, little or no political will and commitment for social dialogue, restrictions on freedom of association, few conditions for consensus building and little or no connection among unions and ministries and public opinion. Unions in this grouping are committed to principles of solidarity, representation and collective bargaining. Honduras and El Salvador are two examples of such a situation. Although Venezuela has a long organizational tradition, due to the fragmented nature of its teachers' unions and the ongoing governance crisis it is also classified in this group.

1. Chile and Mexico: Social dialogue and consensus building

1.1. Chile

Since the beginning of the 1990s Chile has approached education reform with a strategy of continual and incremental changes. Several basic factors explain the success of the reform process:

- a national consensus around the idea that education plays a strategic role in economic growth, social cohesion and political development and consensus built on the process of defining national education policies;
- continuous and consistent support for and prioritizing of reform of the education system for over a decade, in spite of changes in national and ministerial administrations;
- macroeconomic stability and growth, making available the financial resources to sustain reform;
- widespread public acceptance of proposed policies which focused on the need to modernize the education sector rather than addressing issues of control and institutional power relationships;
- systems based on incentives, information sharing and evaluation and new priority placed on equity that respond to differences rather than providing homogenous educational services;
- public policies to regulate private participation and involvement in school management (Cox: 1998).

A decentralized managerial strategy and the introduction of focused programmes to improve quality and equity of education have been combined with competitive processes and incentive systems for school performance, a curricular reform, school-day time extension launched at national level and teacher training and teacher labour conditions revised and policies implemented.

The *Colegio de Profesores de Chile A.G.* is the national teachers' union. Organized in 1981 they could only participate in social dialogue with the return of rights to unionize under the newly installed democracy in 1990.

Although dialogue in Chile occurs according to regular schedules and discussions using bipartite and tripartite mechanisms of negotiation, the *Colegio* considers that there has been little or no involvement of the union in policy design and political decision-making (Ássael and Pavez: 2000). Policies have been in the hands of the Ministry and a technical team of reformers who hold regular negotiations and information-sharing with the national union.

Stages in social dialogue comprise:

- (i) Approval of the teachers' statutes: (*Estatuto Docente* in 1991 based on a project prepared by the Ministry in consultation with the teachers' union. Improvements to the statute were introduced in 1995 and 2000 using different mechanisms of social dialogue.

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- (ii) National Dialogue for the Modernization of Chilean Education, by means of the creation of a National Commission made up of relevant and representative actors from government, political parties, teachers' organizations, among others, in charge of reaching consensus for a State policy in education. The Commission acts as a forum for negotiation and decision making. In 1995, the Congress signed an agreement in support of the proposals of the Commission. Although the national teachers' union was represented in this forum there were some issues on which they had reservations.
 - (iii) In 1997, the union organized the First National Congress of Education. The meeting gathered more than 80.000 teachers who formulated proposals on policy options and the teaching profession. As a result of this, the union prepared a document with recommendations for the modification of the Constitutional Organic Law of Education (*Ley Orgánica Constitucional de la Enseñanza*, LOCE) and policy options: to strengthen and improve the public education system; pay fair salaries and improve the working conditions of teachers; control the private management of public finance; and improve regulation and control over the decentralized management of schools and programmes.
 - (iv) Political agreements were reached among the Government and the opposition in order to guarantee financial resources for the reform and, particularly, for the full extension of the school day. Agreements included arrangements to devote part of the IVA tax to school reform and regulated public investments in private schools.
 - (v) A Protocol was signed between the Union and the Presidency in 2000 inaugurating a new stage of social dialogue (tripartite mechanism). By means of this instrument agreements were established between the national union and the highest authority of the Government in office (Picazo: 2003)

In the context of these negotiations and agreements, the modification of the teachers' statute, improvement of salaries and working conditions, as well as teacher evaluations have been the main subjects of negotiation among government and the union leaders.

The Estatuto Docente (Teachers' Statute)

Negotiations between the national ministry and union to modify the teachers' statute – including salaries and working conditions – began as soon as the newly elected democratic coalition of the *Concertación* took office in Chile. Special officers at the Ministry of Education prepared several drafts which were discussed with representatives from the union.

The process of negotiation and concertation was a complex one and did not completely satisfy the union leaders. Although the statute established new norms and procedures for teachers' career and teacher training, in the union's words, "it did not succeed in establishing a true professional career, neither in regulating the working conditions of those teachers who work for the State" (Assael and Pávez: 2000). Nor did it succeed, in the union's words, in establishing a common salary for teachers working in the public and the private school systems.

Negotiations on the teachers' statute have had three main stages. The first one culminated in 1991 with the promulgation of Law 19070. By means of this law teachers were transferred from the regime of the Labour Code (*Código del Trabajo*) to a national statute that rules working conditions for teachers employed in public and private schools. The norm regulates working conditions at national level, a common and improved salary structure, monetary incentives linked to training, seniority and work in vulnerable settings. The statute guarantees employment stability and, as such, makes a difference with the

situation under the military regime. The statute also established better salary conditions for teachers working in rural and poor urban areas (30 per cent of the basic salary assigned as an incentive for “deprived areas”). An equal base for teachers’ salaries in the public and private sector was established as well as national regulations for teachers’ employment. The Statute consolidated the decentralization process established in the Organic Constitutional Law of Education (*Ley Orgánica Constitucional de la Educación*, LOCE) and the municipal dependency of teachers’ labour contracts and relationships.

The legal norm did not satisfy either the unions or the municipal authorities. The first demanded wage increases and the second, additional financial resources for the management of education at municipal level. Responding to these demands, modifications were introduced in 1993 for the application of school subsidies to public, municipal schools (*Modificación a la Ley de Subvenciones*). By means of this legal instrument, amounts paid to the municipalities per pupil attending school were increased and by 1995 negotiations began to consider an increase in teachers’ salaries.

The second stage of the negotiations on teachers’ statutes culminated in 1995 with the promulgation of Law 19410 which introduced modifications in the previous instrument and changes in labour flexibility. It also set a framework for labour mobility and enabled school directors to manage financial resources at school level. The National System for Performance Assessment (*Sistema Nacional de Evaluación de Desempeño*, SNED) was introduced by means of this mechanism and the law enabled the municipalities to adjust the teachers’ payroll to the school enrolment at local level.

The third stage occurred in 2001 when Law 19715 was approved at the Congress. After a series of negotiations at the highest level, the President in office and the teachers’ unions agreed to introduce reforms in the Statute establishing: salary improvements within the period of 2001 and 2003; new criteria for teachers’ careers by linking salaries to teachers’ evaluation and voluntary accreditation of competences for classroom performance; salaries linked to teaching excellence; creation of teachers’ networks for teachers who have definitely proved their pedagogical excellence (Picazo: 2003).

Under the current statute the SNED was legitimated and is now being implemented on a national basis, EDUCAR, a national teachers’ network has been implemented, a new teachers’ evaluation system among peers and without any linkages to pay per performance is about to be implemented and teachers’ salaries have been improved substantially by means of successive negotiations between the Government and the teachers’ union.

Agreements signed between the Government and the Colegio de Profesores

- Annual school year of 38 weeks in extended day-school establishments.
- Modifications of the bylaws on public announcements to fill teaching positions.
- Tenure for those teachers working in schools with extended hours and public bidding for hiring teachers who work on temporary basis.
- Establishment of management and control systems to ensure transparency and objectivity in teachers’ administrative proceedings.
- Legislation on professional diseases (Law 16.744) and establishment of a process for health prevention plans which should have been implemented experimentally in 2002.
- Reduce from 45 to 40 the number of students per classroom in schools located in poor settings.
- Establish a differentiated subsidy for schools located in the poorest municipalities (counties).
- Introduce changes in the *Ley Orgánica Constitucional de la Educación*, LOCE (Organic Constitutional Law of Education) so as to enable the participation of representatives from the school system in the *Consejo Superior de Educación* (High Council of Education)

Source: Picazo, I.: 2003

As a consequence of the dissatisfaction of the *Colegio de Profesores* with the newly signed *Estatuto Docente* provisions, teachers' salaries continue to be one of the prevailing issues for social dialogue. Salaries have been increased in Chile partly due to general increases in public expenditure and partly due to teachers' mobilizations in the process of negotiation with the Government which, in 1996 and 1998, meant strikes for the public school system. Teacher union leaders consider that teachers' pay continues to be 61 per cent below what teachers earned during the 1970s and 25 per cent below the rest of the civil servants. This percentage has also been quoted by a former Minister of Education as the existing gap among teachers and other officials employed by the Government (Picazo, I.: 2003).

Working conditions have also been criticized by the union leaders. Due to the extension of school days in the national system they must work more hours and with a higher number of students, which results from the "voucher" system that finances attendance of students rather than enrolments at school. Heterogeneous classrooms, violence at schools, little or no time for preparation of classes, as well as few weeks for holidays or leave from school work, training opportunities of doubtful quality and market oriented and authoritarian practices inherited from the military regime are among the issues identified by the teachers' organizations as matters requiring new policies and decisions on behalf of the Government.

These concerns were partially dealt with in the negotiations that culminated in 2000 with the signature of an agreement entitled "Framework for a commitment towards the strengthening of education and the teacher profession" (*Bases para un compromiso por el fortalecimiento de la Educación y la Profesión Docente*). The negotiation involved the union, the Ministry and the Presidency of Chile.

The signature of this agreement originated a new process of negotiations among the union and the Government. The consensus focused on the commitment to promoting a pluralist, tolerant and open education, based upon democratic values and respecting the rights of children and youth. Disagreements concerned item 3 of the document and related to the working conditions, salaries and strengthening of the teaching profession. The union and its leaders considered that the Government had to comply with the commitment of improving teachers salaries in a gradual and sustained way, but despite efforts during the past three years, these have not been enough to satisfy teachers demands. On the other hand, the union also considers that the past two negotiations have been held without a massive participation of teachers' in the country and the negotiating team has not counted with the support of its affiliates.

The negotiation process of 2002 concluded with no agreements among the actors as the union considered that the Ministry was pressing them to accept or reject the proposed issues. If accepted, this situation implied having no raises in their salaries, a situation which led the union to organize a democratic consultation among its affiliates who rejected the Government's proposal. Nonetheless, some agreements were reached as a result of the negotiations and these included:

- Changes in the Higher Council of Education (*Consejo Superior de Educación*) in order to incorporate representatives of the schools in the organization and introduce a political commitment to modify the *Ley Orgánica Constitucional de Educación* (LOCE).
- Introduce new regulations and quality insurance mechanisms for teacher training institutions and programmes.

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- Reinforce the capacities of the Ministry of Education for management and control by means of the creation of an educational superintendents corps (*Superintendencia de Educación*).

For the 2003 period of negotiations the union has planned to advance in the discussion of issues which are still part of the unfinished agenda in its relationship with the Government, among them what teachers call the “historical debt”.

Negotiation of the so-called “historical debt”

The previous agreement does not include the so-called “historical debt” which is not recognized as such by the Government in office, nor by any of the previous democratic governments in office after elections that ended the period of the military regime

The “historical debt” is part of compensation granted to teachers through a legal decree when they were employed by the Ministry of Education (D.L. 3551). Originally, this compensation was going to be paid in four instalments from 1981 to 1984. Due to the mandatory decentralization process which occurred from 1981 to 1986, the vast majority of the teachers did not receive 100 per cent of the promised compensation. The military regime established a calendar for payment in nine instalments the last of which should have been paid in January 1988.

Due to this schedule, some teachers have received no payment whatsoever while others received amounts which ranged from 25 per cent to 65 per cent of the promised compensation. Consequently, the union has sued the Chilean State and requested the payment of an indemnity for the total of the indebted amounts.

The Government does not recognize this debt and there is an ongoing trial in the Courts of Justice. Duration of the trial depends on the agreements and conversations that take place among the plaintiffs.

Teachers’ evaluation: The Tripartite Technical Committee

Since 2001 the *Colegio de Profesores* has participated in a Tripartite Technical Committee on Teachers’ Evaluation together with representatives from the Chilean Association of Municipalities and the Ministry of education. Evaluation of teachers’ performance has become a priority in the agenda of educational reform. This has various objectives, the most substantive one being the one dealing with improvement of student’s learning and the role that teachers play in it. In addition to this, reformers think that teachers’ performance should be assessed in accordance with similar criteria to that of other professions and they should be held accountable in front of parents and society as a whole. These arguments underlie the evaluation/assessment chapter in the *Estatuto Docente* and regulate the way in which teachers’ are evaluated and promoted (by-laws, paragraph VII, articles 133 and 137). There are still differences between the national and local authorities and the union concerning whether or not results of the evaluation should or should not be linked to incentives and performance in the professional career.

Teachers’ evaluation in the Statute has its origin in the logical framework of teachers’ career and professional performance. As such, it combines diverse elements which should be separated for better results. For some, performance should be separated from labour assessments and linked to salaries in terms of providing monetary and non-monetary incentives for better results. Evaluation of teachers’ performance should also include training and technical support to overcome deficiencies.

Social dialogue on teachers’ evaluation is at present concentrated on reviewing and proposing a coherent system of evaluation based on the logic of teachers’ performance

rather than grading teachers for labour skills. This is usually done by peers and has no major consequences for the professional career, while performance is measured through educational attainment and has consequences if linked to salaries and incentives.

Quite recently, the Government as well as the local authorities in the Chilean Association of Municipalities has agreed on an evaluation system by peers, not linked to salary improvements or incentives for performance. The decision to implement the system was submitted to plebiscite among the teachers in the country and 83 per cent accepted to be evaluated under procedures agreed upon by means of the existing tripartite mechanism of social dialogue.

Teachers' training

Mostly implemented by the State, from 1996 onwards, teacher training processes have been mainly concentrated on:

- improvement of initial training, by means of providing those universities in charge of preparing future teachers, with the necessary resources to improve the teaching profession from the very moment of students' access to the career. Universities established standards to evaluate students once they have completed the training;
- teacher exchanges and studies abroad enable teachers to study abroad or to learn from good practices in other countries. There are two modalities of training: six to eight weeks' study tours or six months' courses leading to *Diplomados*;
- training for the implementation of the new curricula, which seeks to train and update teachers for the implementation of curricular reform. Actions take place during the school year or during holidays. Technical assistance is provided during the first semester of school activities. Training is offered by the universities and other organizations upon competitive basis.

1.2. Mexico

Mexico has a decentralized educational system but a strong legacy of federal centralized institutions which control educational policies. Probably because of this, Mexican teachers organize themselves under a single centralized national union, the National Union of Educational Workers (*Sindicato Nacional de Trabajadores de la Educación*, SNTE). Created in 1943 the SNTE has played a key role in educational policy making, has kept a systemic relationship with the governments and represents a successful story of social dialogue in the region.

A strong organization, SNTE has 1,400,000 affiliates who join the union automatically once employed and who are distributed among 55 sections in the country, all of which are well known for their capacity to mobilize teachers and press the governments with labour and technical proposals and demands. The union as such stands for:

- the responsibility of the State to provide compulsory, universal and free education to the Mexican population;
- its public commitment to provide quality education based upon respect for regional and cultural diversity;
- the preservation of trade union unity (*unidad sindical*) of teachers' organizations and the role of the labour unions in meeting with the basic purpose of defending teachers' rights and sharing the responsibility for the improvement of people's education with society as a whole.

A distinctive seal of social dialogue in Mexico is that most of the agreements and policy disposals are negotiated between the State secretariat for public education (*Secretaría de Educación Pública*, SEP) and the SNTE. Both institutions are empowered to reach agreements that can be binding, and regularly engage in bipartite and tripartite bodies of social dialogue with important results in political consensus-building. Among the most outstanding agreements of the 1990s was the signature, in May 1992, of the National Agreement for the Modernization of Basic Education (*Acuerdo Nacional para la Modernización de la Educación Básica*), reached by using a tripartite mechanism of negotiation which involved the SEP, the federal Government and the national leadership of SNTE.

This agreement makes part of a wider programme of reforms with three main components, The first one was the reorganization of the educational system (decentralization); secondly, revision of educational plans and programmes and thirdly, the revalorization of teachers and teachers' practice. As part of this last component, actors in the social dialogue negotiated the *Carrera Magisterial* (teachers' career), a floor for teachers' salaries, the establishment of a national system of professional upgrading and a special programme to promote social appreciation for teachers working in the country.

The Mexican Carrera Magisterial (teachers' career)

Teachers' careers had been on the governmental agenda since the mid-1980s but the SNTE was firmly opposed to any type of scales that would substitute or compete with the existing five-year remuneration policy (*escalafón de quinquenios*) which was directly managed by the union. Partly due to changes in the union's leadership in 1989 and partly with salary improvements introduced by the Government after a series of economic crises, the union leaders accepted a pact on a system of incentives as long as they played a key role in designing and implementing the instruments that would help to determine its main characteristics. For the purposes of negotiating the career the parties established a national committee SEP-SNTE.

Once the committee was formed, consultation and negotiation began among the parties. The Government's proposal was one of an exclusive incentive system for basic school teachers (pre-school, primary and secondary). Reformers at the SEP, not linked to the union, wanted to stimulate good teachers to continue and improve their teaching practices and find ways to improve their salaries not necessarily based upon the traditional salary scales which privileged seniority rather than performance. The Government was seeking a pay per merit procedure that would compensate teachers with good performance and reward learning outcomes. The SNTE agenda, on the contrary, was seeking to transform the teachers' career in a horizontal salary scale and pay all teachers on an equal basis independent of their performance and learning results. Outcomes of the negotiations included aspects of both proposals, with a slight nod to the one proposed by SNTE.

Mexico's *Carrera Magisterial* Programme

The CM programme was developed by the Mexico *Secretaría de Educación Pública* in conjunction with the teachers' union. The programme is designed to create a system of teacher compensation based on professional skills, teacher performance, and the constant upgrading of teacher skills. The programme is voluntary for all primary and secondary teachers with the following criteria: having a post and a minimum of two years of teaching experience. Participating teachers are subject to an annual global evaluation and their salary increases will be linked to the results of the evaluations. The evaluation is based on: performance (35 points), professional skills (25 points), educational attainment (15 points), completion of accredited courses (15 points), and experience (10 points). Depending on the evaluation results, the level of pay increase varies from 28.5 per cent to as much as 224 per cent. By 1997, 50 per cent of all teachers were participating in the programme and 25 per cent of all students had a CM teacher. However, impact on student performance still remains to be assessed.

Source: Liang, X., 1999 p. 27.

By 1993, the members of the Committee came to a consensus on the main elements to be contained in the teachers' career. The Committee decided that admission to the career would be on a competitive basis, that teachers would volunteer for registration and five factors with a percentage value would be used for ranking: seniority, academic degrees, training courses, professional competence and professional performance. Levels A to E were ranked with differentiated incomes for each and procedures to transit from one to the other. Professional performance was given the highest value and agreed that it would be measured according to student's performance in school. Since then, students' performance is evaluated through standardized exams taken by the SEP and teachers' performance by means of a technical school which counts upon the participation of the school director, one representative from the union and other teachers as peers (Ornelas, C.: 2000).

Teachers' evaluation was a gain for SEP and a loss for the union which finally negotiated a higher score for the assessment made by the technical council and peers and a lower one for the results in student evaluations. Due to the fact that this produced distortions in teachers' qualifications, by 1996 the SEP, against the union's wishes, introduced a correction factor which was negotiated during two years before a consensus formula was achieved where student achievement was given a higher value in the overall assessment process.

Teachers in the *Carrera Magisterial* received a substantial increase in their salaries after these agreements even at a time of economic crisis and finally 75 per cent of them joined this incentive system. Registering in the system requires three years of professional practice, a teachers' degree and passing of an exam that measures competence. The Government offers upgrading and training courses for those who do not comply with these requirements. Besides this, special prizes have been created by the Mexican states to re-value self-esteem and seniority.

Consensus-building on the decentralization of the educational system

Social dialogue and, particularly agreement for the reorganization of the educational system had one very important and appreciated outcome. It was the abovementioned *Acuerdo Nacional* signed on May 1992, by the Minister of Education and the General Secretary of the SNTE plus all the federal state governors with the President of the Republic as a witness of honour. The agreement was signed in the Palace of Government.

The agreement includes managerial as well as labour and educational aspects. The main concern at the time was decentralization of education and the improvement of educational quality. Consensus building took from 1988 to 1992 and involved the participation of the highest political authorities on behalf of the Government and the teachers' union. Conflicts were not absent during this time between the educational authorities and the SNTE. Consensus was built on the bases of a central commitment: decentralization would not affect the national structure of the union and the Government would pay respect to the new by-laws prepared by the organization. Protection clauses were established for the union and the *Carrera Magisterial*.

The agreement gave particular responsibilities to the States and the federal Government kept faculties to regulate, formulate plans and programmes and assess the educational system. School management became a responsibility of the states, as well as preparing proposals for regional adaptations of the school curricula. Municipalities were made responsible school provision and maintenance. Teachers' working conditions and salaries were established in the *Carrera Magisterial*. The agreement provides that, at state level, the local governments represent the SEP in all issues related to labour relationships among teachers and schools but, as already indicated, the union kept its unitary structure and the Agreement establishes that state governments recognize the SNTE as the only

entity assigned to deal with labour relationships of school personnel. Any labour negotiations among the states and the SNTE's section committees are subject to the orientation and advice of the union leaders.

In 1992 the federal Government (*Secretaría de Educación Pública, SEP*) transferred the management of basic schools and the responsibility for teaching training to the states. Actually, there is no wide consensus on the way in which the responsibility for providing these services should be distributed among the different actors in government. Social dialogue on decentralization, though, is based on the principle of the State's sovereignty and the federal Government's responsibility to compensate for regional inequalities. Negotiations and debate has been kept at an intermediate level.

Main components of the Agreement

- Transfer from the federal Government to the Mexican states of all primary, secondary, technical and teacher training schools (formerly managed by the SEP).
- Implementation of a curricular reform with the purpose of renewing all compulsory school programmes, produce free textbooks for the students and publish didactic materials based on a constructivist approach.
- Promote the professionalization of teachers by means of the establishment of a teachers' career (*Carrera Magisterial*) built on the following criteria: seniority, years of schooling, school director's evaluation, teachers' auto-assessment and application of tests to measure student's performance and teachers' competences.

Agreements were later signed among all the states in the Republic and the respective unions. One of the most important clauses referred to the leeway given to the SNTE National Executive Committee to revoke the ability of section committees to manage collective bargaining. The Agreement also established the guarantee of the Government to retain the teachers' dues check-offs and forward them to the national authorities of the union within a fortnight. Contrary to what some reformers believed, the Agreement did not fragment the SNTE but consolidated the power of its National Executive Committee to lead negotiations and social dialogue in education.

The General Law of Education

The General Law of Education (*Ley General de Educación*) represents the culmination of educational consensus building in Mexico. It was prepared and signed as a consequence of the *Acuerdo Nacional* and the need to adapt the terms of the Agreement to the constitutional law. The law, besides establishing the distribution of responsibilities and competences among the federal and state governments, establishes norms and policies for private schools and incorporates a chapter on educational equity, underlies the status of public policy of educational assessments and establishes the basis to promote social and community participation at school level.

2. Argentina and Colombia: Social dialogue and political confrontations

2.1. Argentina

Argentina is a complex case of early decentralization of the educational system combined with recent educational reforms and the existence of strong organizations with special links to the labour movement and political parties. The country has also lived through extreme social and economic crises during the 1990s and early 2000s which have had severe consequences on teachers' income and working conditions.

The process of educational reform in Argentina was preceded by a National Pedagogical Congress. The main issues discussed during this meeting were the decentralization process, extension of compulsory education from nine to 12 years, positive discrimination or different pedagogical attention to vulnerable groups, adequate linkages among the educational system and the productive world, and new and revitalized training for teachers. Many of these ideas were later included in the Federal Law of Education (*Ley Federal de Educación*, LFE).

The LFE was promulgated in 1993. This was the basis for the introduction of relevant changes in the educational system. Complementing this legal framework were the Law for the Transference of Public Services to the Provinces (*Ley de Transferencia de los Servicios Educativos a las Provincias*) in 1992, the Federal Pact for Education (*Pacto Federal Educativo*) establishing long term goals for educational investments and related issues, and the Higher Education Law (*Ley de Educación Superior*) promulgated in 1995.

Within this legal framework one of the main issues was the decentralization process, also known as “provincialization”, where educational services were completely transferred to the provinces by means of agreements signed by the local authorities with the federal Government. These agreements made the province responsible for the management of the schools as well as for the application of the new educational structure agreed upon in the Federal Law (Decibe: 2001).

The main actors in the negotiations on educational reform issues were the federal and provincial governments, the provincial unions and the Confederation of Educational Workers of the Republic of Argentina (*Confederación de Trabajadores de la Educación de la República Argentina*, CTERA). This is the largest and most important union in the country. Created in 1973, CTERA is structured on a provincial basis (23 provinces plus the Federal Capital) and affiliates approximately 45 per cent of the teaching profession. Its affiliated unions include teachers from all levels in the educational system. Other organizations in the country, with approximately 10 per cent of affiliation include the *Unión de Docentes Argentinos* (UDA), *Asociación del Magisterio de la Educación Técnica* (AMET), *Confederación Argentina de Maestros y Profesores* (CAMYP), *Sindicato Argentino de Docentes Particulares* (SADOP) and *La Asociación Docentes de Enseñanza Media y Superior* (ADEMYS).

CTERA has been the national counterpart of the federal Government in social dialogue. The dominant pattern of the relationship is one of collective bargaining at national and provincial levels. Seldom have negotiations taken place within a stable political and civil climate that enable the parties to act effectively. This has led to strikes, marches, demonstrations, media campaigns and other forms of political pressure.

The dominant and emblematic element in this conflictive pattern of relationship in the late 1990s was the installation of the so-called “white tent” in front of the presidential palace (*Casa Rosada*) for a period of 1,000 days. A solution to the conflict through an agreement among the parties was only achieved in by December 1999, after almost three years of pressing for demands which included better salaries, better conditions and more respect. Solutions came by means of obtaining from the Government a commitment to guarantee the Teachers’ Finance Fund (*Fondo de Financiamiento Docente*). Parallel to the installation of the tent, ten additional strikes took place during this period.

As in other countries in Latin America, CTERA also participates in bipartite and tripartite mechanisms of social dialogue and engages in negotiations on all those subjects which are regulated by the teachers’ statute. These include particularly those which deal with teaching positions, changes or transfer from one position to another, qualifications and discipline, among others.

At the national level, each provincial affiliate has a representative in the Congress of CTERA. At federal/provincial level local unions participate in social dialogue with local governments. Nonetheless, one of the features of teachers' unions in Argentina is that they are shaken by internal dissent and this weakens their capacity to negotiate, build wider consensus and solve economic and social issues. Participation in reforms during the 1990s gives evidence of this.

CTERA policy principles

- Reject any attempt to privatize or commercialize the educational system.
- Ratify the validity of the Teachers' Incentive Fund (*Fondo de Incentivo Docente*) and the budgetary resources of the year which guarantee the current level of salary improvements.
- Keep CTERA's participation in the *Comité* created by means of article 13 of Law 25053.
- Develop and coordinate actions in support of demands from CTERA's unions against provincial adjustments and loss of labour rights in the country.
- Request the immediate and effective improvement of national and provincial educational budgets and eliminate salary reductions, payment with bonuses, tickets and others and solve salary improvements.
- Promote a wide social consensus for a national law to replace the Federal Law of Education (*Ley Federal de Educación*) that will ensure the necessary resources for education and declare the compulsory nature of pre-school, primary and secondary education in the country.
- Reject any attempt to introduce unilateral changes in Teachers' Statutes.
- Defend labour stability and full applicability of principles approved in the Teachers' Statutes.
- Request full respect for freedom of association and teachers' union activities.
- Request direct negotiations between CTERA and the Federal Council of Education (*Consejo Federal de Educación*).

Source: Ordinary Congress of CTERA, 2001.

Decentralization of schools and the Federal Law of Education

Decentralization took place in the context of a general process of structural adjustment and privatization of the economy. A tendency towards the privatization of the educational system also existed among some governmental officers. This led to the first disagreements between the Government and the union in spite of the fact that transfer of the schools to the provinces had been agreed upon in the Pedagogical Congress held in the late 1980s. In this sense, opposition to the reforms was low, a fact which was attributed to the hyperinflation which struck Argentina by the late 1980s and early 1990s, and to vested interests which some unions had in the process of transferring schools to the provinces which had been negotiated at the time both with local and national authorities.

The main problems concerning the transfer of the schools to the provinces had to do with the technical and administrative weakness of the provincial governments to manage the system and the financial resources required for its management. No additional funds were planned by the federal Government for the provinces to cope with the administration of the schools and, above all, with teachers' salaries. The new legislation did not include norms concerning teachers' salaries and working conditions. The statute that regulates working conditions and salaries is different from province to province. Each province can decide on labour policies and they also have their own criteria for evaluating teachers and teaching. Autonomy of each province also means that in some of them teachers' receive their payment on time while others may not receive payment at all. This was one of the main reasons that led to the installation of the "white tent" by the teachers' organizations and to the negotiations that ended with the creation of a Fund for Teachers' Incentives (*Fondo de Incentivo Docente*, FONID) which paid part of the teachers' salaries at the time.

CTERA, shaken by internal dissent, could not adopt a unified position concerning working conditions of teachers who belonged to both jurisdictions (provincial and national). It finally opted for defending equal salaries for both parties. It is also said that the standpoint of CTERA at the time was highly influenced by the party in government and a certain “alliance” with the Government in office (Pinkazs: 2003). Demands, within this scenery, dealt with scarcity of financial resources, freezing of a special bonus for seniority, payment with vouchers (*patacones*); failure to pay external services provided to the schools and scholarships to students.

One of the main reasons for the weak opposition to decentralization is that organizations firmly believed that transfer of the schools to the provinces would run on a parallel basis to transfer of financial resources. It had been established as such in the 1993 Federal Law of Education which also defined the investment policies for the educational sector until the year 2000 (Decibe: 2001). Teachers’ unions participated in the discussion of the law and introduced two articles on the finance of the new system. A commitment was reached with the federal Government concerning the gradualist implementation of the law. Nonetheless, in practice, the Ministry of Economy proceeded to the transfer of schools without any gradualism. This led to opposition to the process on behalf of the teachers and a series of conflicts arose when the provinces could not pay the salaries. Social dialogue was then located at the provincial level and implied tripartite mechanisms of conflict resolution involving the provinces, the federal Government and the unions at provincial level.

One of the most significant consensus-building steps taken at the time was the educational pact of the Province of Cordoba (*Pacto Educativo de la Provincia de Cordoba*), famous for having built consensus among unions and the Government at provincial level with little or no involvement of CTERA. Autonomy of action, according to one of the union leaders in Cordoba, was strongly influenced by the institutional characteristics of the provincial union, its strength and technical capacity to use information and exchange views, the quality of provincial government, its own capacity to enter into in-depth dialogue and the union leaders interest in becoming involved in technical and political dimensions of educational reform (Cocorda: 2001).

An important mechanism of social dialogue in governmental terms, and the one in which the Federal Educational Pacts were negotiated (*Pacto Federal Educativo*) was the Federal Council for Culture and Education (*Consejo Federal de Cultura y Educación*) a mechanism which enabled educational management and coordination among the federal and the provincial governments. The Federal Law itself was negotiated under the umbrella of the Council and, to a certain extent the mechanism enabled an increased participation of provincial authorities in policy and decision-making. In fact, lack of provincial government support for a second educational pact in 2000 led to the resignation of the Minister in office. Coordination and learning from each other at provincial level led, on the other hand to the legitimating of school management decentralization at provincial level.

Teachers’ training and evaluation

It was in this conflictual context – the only consensus reached among the parties being the Federal Law of Education – that some of the reform policies began to be implemented by 1997. Transformation of the basic education system, curricular reform, evaluation of student’s performance and teachers’ professionalization plans, among others, began to be implemented and opened new spaces for dialogue between CTERA and the Government. Studies suggest that the actors’ differences were not related to the rejection of the proposals but rather to the procedures on consultations, most of all, lack of consultations on policy design and decision-making as well as lack of space to negotiate alternative proposals (Pinkazs, D.: 2003).

According to these studies, CTERA was not opposed to evaluation of student's performance but rather on being blamed for the responsibility of an educational and teaching quality in increasing decline. CTERA contested the curricular reform because it did not derive from consultations with teachers and the final outcomes were far removed from the daily work in the schools. The union also considered that it was useless to introduce changes at school level without improving teachers' salaries and working conditions. For some leaders in CTERA this model was the result of unwanted interference from abroad, while others considered that plans to improve teachers' performance through better training overly centralized and were not integrated with other policies of curricular reform and teacher evaluation. Concerning teachers' careers CTERA agreed on the need to reform the by-laws of the Project for Teachers' Professionalization but considered that this was useless without a policy for the teacher profession.

A series of consultations took place among CTERA and other unions interested in working out negotiated solutions (SADOP, AMET and UDA). The negotiations included legislators, provincial governors, other sectors and the Ministry of Education in order to analyse proposals for education finance. Negotiations ended with the creation of the FONID, the fund which established wage increases by lump sums and which replaced the Project for Teachers' Professionalization and an eventual Law for Educational Finance.

The solution was criticized by CTERA for not taking into account differences in the teachers' career and labour conditions. It led the organization from an initially sceptical dubitative standpoint to the adoption of a confrontational position which included strikes, demonstrations and the resignation of the Minister in office at the time. Even more, CTERA demanded the derogation of the Federal Law of Education, a mechanism which had never been used by the union due to the divisions it could cause within the teachers' organizations (Pinkazs: 2003).

Other social dialogue spaces aborted at the time. CTERA could no longer participate in committees dealing with reform and policy issues (i.e. The Follow up Committee of the Federal Law created in association with other unions and approved by the National Congress) or technical committees such as a pedagogical and technical council (*Consejo Técnico Pedagógico*) or the social and economic council (*Consejo Económico Social*) because it had demanded the derogation of the Federal Law. The federal Government, in turn, was not interested in prioritizing these dialogue mechanisms and they decided to use mechanisms of bipartite negotiations with each of the actors in the provinces.

The overall situation may be summarized as a hostile one for social dialogue and political consensus-building. Unions decided to contest the means and ends of educational reforms and to struggle for the improvement of labour conditions and teachers' participation in decision making. On the Government's side, authoritarian political styles, lack of confidence, lack of political will and commitment to engage in negotiations, as well as lack of appropriate institutional support, were important reasons for the failure of social dialogue.

Further, other processes of social dialogue initiated later in Argentina were interrupted due to the social and economic crisis which led the Government to a decision-making style without any consultations or negotiations.

2.2. Colombia

In the early 1990s, an educational reform started in Colombia with ambitious goals: to decentralize education by empowering municipalities, increasing efficiency and accountability, expanding enrolment, improving the quality of education, increasing public expenditure in education and increasing the participation of the private sector. Three years of intensive political struggle resulted in an increase of public spending in education,

legislation supporting decentralization and the initiation of several reform projects, the majority of which were eventually interrupted.

The main actors of the struggle were the national Government and the Colombian Federation of Educators (*Federación Colombiana de Educadores*, FECODE), the national teachers' union in Colombia, an autonomous organization, deeply committed to free, universal public education financed by the State.

The battle over reforming education in Colombia continued throughout the 1990s. In 1994 a new general education law decentralized the management of the school system to departments, and schools were given tools to develop their own pedagogical plans. In 1995, there was an attempt to increase teachers' pay according to results attained on student achievement tests. Although the teacher associations negotiated an initial agreement, political circumstances changed and the incentive's programme implementation was finally blocked as reform efforts were tied to legal aspects.

The new legislation, which involved the work of the Ministry of Education and National Planning, regulated in detail the new educational policy framework. FECODE drafted what amounted to a counter proposal, opposing decentralization, school autonomy and private participation. In this, the union had the tacit support of the Education Ministry, meaning that Congress was presented with two competing visions of the future of education, both with the support of unreconciled branches of the Government.

Both laws were passed. The first, and more important, was Law 60 on Resources and Responsibilities; the decentralization law governing the fiscal and administrative management of key social sectors.

The other major legislation, promoted by FECODE, became the General Education Law, No. 115, of 1994. Particular relevance was given to the notion of school autonomy and the so-called Institutional Education Projects, or PEIs. These allowed schools to present pedagogic projects, but gave them no financial or administrative authority. Vouchers for poor students were allowed, and there were incentives for building new public and private schools. A principal feature of the final law was that it enhanced the role of the departmental education secretariats (that is, those to be created in conjunction with the certification process), leaving the proposed *Juntas* with a consultative, not decisive role in the administration of teachers.

A new legal framework, Law 715, was passed in December 2001. The legislative process leading to the passage of the law saw a united front in the Government, with the joint leadership of the Education and Finance Ministries and National Planning Department. The power of FECODE, at the time, was considerably curbed by the national context, including continued violence against teacher unionists. The principal breakthrough struggle took place in June 2001 over the necessary enabling reforms of the Constitution, and it was one which the union lost, because it found itself virtually alone.

Disagreements cited between FECODE and the national Government

- The Government does not work on the basis of an open social dialogue but arbitrarily uses extraordinary means to limit workers' rights.
- FECODE proposes an open debate between the Government and the teachers for their opinions to be heard and not ignored in the Government's decisions.
- The freezing of teachers' salary scales (*escalafón docente*) de-stimulates professional motivation and directly affects the quality of education.
- Temporary hiring of teachers creates an informal professional market and diminishes labour stability for teachers recruited on a permanent basis.

- Generalization of discretionary transfers of teachers affects labour stability and school-based unity.
- School mergers generate an overpopulation of students in the classrooms.
- FECODE is against private management of public schools.
- Suspension of personnel in charge of supervising the schools creates a vacuum in administrative functions and deficiencies in oversight of teachers' careers.
- The historical debt of the Government towards the teacher movement as well as its policy for wage increases is less than the inflation rates in the country.
- Elimination of union commissions denies and impedes the right of association and weakens the union movement (i.e. illegal retention of salaries to punish teachers for demonstrations, deductions for strike days, etc.).

Law 715 achieved a number of key objectives as follows. First, the Ministry gained considerably greater control over the management of teachers, as indeed have the governors and mayors, under the oversight of the Ministry. Teaching posts may be suppressed and teachers moved on its orders. They may now also be moved between departments, subject to mutual agreement between the departments.¹ The essential thrust of the reform is more decentralization, but with more central enforcement capacity. There is also greater room for municipalities and departments to work with private sector service providers, though always with stipulations against rising costs.

On teachers' pay, the law was stringent. Here, the key issue was that financing of the system would shift from the previous payment based on the existing payroll, to payment based on number of students. That was a fundamental gain in terms of ensuring the long-run rationalization of costs. Moreover, the departments and municipalities were no longer able to create teaching posts whose costs would exceed the sums assigned to them in the new combined transfer system (called the *Sistema General de Participaciones*). Finally the Estatuto Docente itself was put under fire. Decree powers were invested in the President to reform and transform it into an special statute for the teaching profession (*Estatuto de Profesionalización Docente*).

According to Lowden (N.D.), Colombia has had to learn the hard way. Textually, he states that given the forces in play and national political history, culture and context, that may well have been the only way possible. Put in other words, perhaps the very perverseness of the situation which evolved by 2001 may prove to be the best stimulus for achieving better educational results in the future (Lowden, N.: n/d). The climate of political instability and high levels of violence, including against teacher unionists, has not helped the situation.

3. Costa Rica

Educational reform in Costa Rica was promoted in the mid-1990s through three main plans: a National Plan for Development 1994-98; definition of an education policy for the twenty-first century; and a document known as EDU-2005 on educational foundations and guarantees for the development and continuous improvement of the national education system, presented to the Legislative Assembly by 1996. These new proposals came to complement the existing legislative framework in the country, which included a general Law for the Creation of the Higher Council of Public Education in 1951 (Law No. 1362), the fundamental Law of Education of 1957 (Law No. 2160), Statute of Civil Service of 1953 (Law No. 1581), Statutory Law of the Ministry of Public Education of 1965 (Law

¹ One of the issues raised by the General Labour Conference (CUT) before the CEART in 1994-97 8CEART/SP/1997/13).

No. 3481) and Law of Wages of the Public Administration of 1957 and its reforms (Law No. 2166).

EDU-2005 project: Governmental proposal to extend the reforms

Goals

- (i) Thirty students per classroom at the most.
- (ii) Two years of compulsory, free pre- school education.
- (iii) Economic and professional incentives for teachers.
- (iv) Universal coverage of teaching of a foreign language from pre-school to higher education.
- (v) Computer science teaching in all educational levels and all schools in the country.
- (vi) New opportunities for handicapped people.
- (vii) Illiteracy eradication.
- (viii) Financing guaranteed for the continuous provision of didactic materials for all the educative centres.
- (ix) Computerized libraries in each school and textbooks for each student.
- (x) Practical technological lifelong education for everyday life and productive work.
- (xi) Excellence in higher education and teachers' training institutions.
- (xii) Promotion of artistic education, sports and formation of scientifically capable students.
- (xiii) Six hours of classroom teaching for students in the primary education system
- (xiv) Universal coverage for secondary education.

Source: Castro, C.: 2003.

Of all the educational reform components, the one that caused the longest process of negotiations with the teachers' unions was the extension of the school cycle to 200 days. This was due to the fact that agreements among the union and the Ministry of Education by the end of the 1980s had reduced this cycle to 181 days and, during the 1990s, it had dropped to 169 days. The goal of the Government was to reach 200 days again by 1998.

Social dialogue, in the above context, took place between the Government, the Congress and the National Association of Educators (*Asociación Nacional de Educadores*, ANDE), the Association of Secondary Education Teachers (*Asociación de Profesores de Segunda Enseñanza*, APSE) and the Costa Rica Teachers' Union (*Sindicato de Educadores Costarricenses*, SEC). Leadership in social dialogue comes from the national union, ANDE, which has also led the dialogue with the other actors in the equation in a process which ultimately led to a series of demonstrations and strikes and finally failed because of its ambitious policy reform goals.

The main negotiation over the project developed during 1997, an electoral year. The atmosphere was not a propitious one for the approval of a controversial project that had generated direct opposition from different social and institutional actors. In addition, the overall discussion of a new proposal and its legislative instruments ran on parallel basis with conflicts among the Government, teacher unions and university personnel due to restrictions in the teachers' pension law in 1995. Additional conflicts had to do with labour flexibility and deregulation of the teachers' career, highly opposed by the teachers' unions, as well as disagreement with the incentive structures proposed by the Government to pay for the additional days teaching implied in the extension of schooldays. Global issues on policy reform and educational policies were and still are not included in the agenda of the social dialogue in education.

The conflict for the reform of the teachers' pension regime (1995)

This regime represented an advantage for teachers in the primary and higher education systems because it allowed them to retire at a certain age with a pension that represented the highest percentage of their salary.

The new pension law, which implied a higher number of years for retirement age, contributions from the affiliates to the system, adjustments in the methods for calculating pensions and reduction of the amount of the final pension in relation with current wages, was approved with the votes of the majority of the Parliament on 1995 (Law No. 7531).

Teachers went immediately on strike and negotiations began to change the contents of the law. The conflict ended with the signature of an agreement which included a commitment from the Government to analyse the retirement pension system, including the new pension law, and commitments from the teachers' union to reinstate classes. As a result of negotiations, a new law was signed in 1999 (No. 7946), including the following modifications:

- It raised by 15 per cent (approximately) the reference wage used to calculate the pension, originally based on the highest 32 salaries of the past 60 months.
- The pensions will be revalued automatically each semester, based on the index of consumer prices.
- It enhanced a compulsory regime for capitalization to ensure the financing of pensions of younger teachers.
- It established a minimum pension equivalent to 100 per cent of the lowest wage of the public administration.
- It exonerated the pensions from taxes which were equal or smaller to two minimum wages, a measure which benefited more than 8,500 teachers.

The conflict over the school day extension

The only subject of the reforms that has resulted in an almost continuous process of negotiations among the teachers' organizations and the Ministry of Education has been the extension of the school cycle to 200 days.

In August 1996 an agreement was reached between the education authorities and the Association of Secondary Education Teachers (APSE) to extend the school cycle by 35 days. The president of the APSE indicated that the agreement was made after consultations with the union members and it respected the union's conviction and commitment to improve the quality and equity of the Costa Rican educational system. In addition to this, he indicated that MEP was committed to improve the conditions of infrastructure in the schools and provide didactic materials, textbooks and training to an approximate 14,000 teachers working at the secondary education system.

In October of 1997 the President of the Republic announced that in 1998 the school year cycle would have 200 days and a minimum day of five hours of work in pre-school, primary and secondary education. On December of 1997 the Ministry (MEP) and the unions agreed upon a final extension of 26 extra working days with the Government committing to increase resources by 0.5 and 1 per cent of the GNP progressively over eight years in order to pay for improvements in infrastructure, scholarships, and provision of inputs and resources for didactic materials for classroom work. Part of this increase would

also go to compensate teachers for the extension of the school year with several wage incentives, such as:

- (i) an additional salary increment every month of September, beginning in 1998;
- (ii) a yearly incentive of 50 per cent of the wage for teachers working in rural areas;
- (iii) a special professional career bonus equal to 50 per cent of salary (according to his academic level);
- (iv) an additional 10 per cent for those teachers who attend in-service and other training courses for professional upgrading.

In 1999 the three main unions – ANDES, APSE and SEC – met with the Minister of Education and asked for several changes in the calendar year. Nevertheless, in this meeting a new subject of conflict emerged, because the Minister announced that the Government had not allocated the necessary budget to pay the wage incentives for the extension of the school year, and that instead of the 158 per cent agreed in 1997, the Ministry was going to pay 113 per cent of base salary once a year.

A solution was found by means of the creation of a task force which established rules and forms to provide compensation by means of an incentive system for teachers studying in the higher education system, and by examining a series of reforms to the Law of the Teaching Career. The MEP also committed to lower from 32 to 30 the number of students per classroom and to pay for the meetings of the *Juntas de Educación* punctually every month.

New areas of conflict

New conflicts in 2003 led to the organization of several strikes. These were provoked by a problem that affected 20.000 teachers whose salaries couldn't be paid, and also affected by the decision to decentralize the system and transfer a series of decisions and operations to the municipal level. The Bill for the Transfer of Competences to the local governments was opposed by the unions, arguing that authorities at the local level did not have the capacity to control and to administer the school network. This, combined with the failure to pay the school teachers' salaries, finally detonated in new areas of conflict. The SEC considered that the decentralization bill introduced measures of deregulation and flexibilization of the teachers' career which contradicted the changes introduced in the law on pensions of 1995. In addition to this, some unionists considered that no technical criteria had been used in determining incentives and salary increases for the school day extension. Moreover, the fiscal deficit and fiscal reforms meant that the extra compensation commitments of the Government to the teachers and schools had not been honoured.

Recent reports on the situation in Costa Rica (Castro, C.: 2003) show a paradoxical situation in the country. There are impressive advances in computer teaching and educational innovations that coexist with significant lags in administrative and managerial areas, particularly related to the bureaucratic structure of the MEP. Further, the lessons for social dialogue are not absolutely clear. Some space for more dialogue arose after the pension reform in 1995 and the immediate failure of the strike that followed, but this opportunity was not seized by a demotivated teacher movement. A contributing factor was the failed attempt to implement project EDU-2005, as well as the complicated annual negotiations on the school extension calendar after 1997. In overall terms these aspects have not globally encouraged processes of dialogue. In addition, distrust exists in relation to the Government's fulfilment of the agreement, as well as with the conflicts in

administrative failures in 2003 which weakened the position of the MEP as an actor able to guarantee the appropriate and complete payment of teachers' salaries.

4. El Salvador and Honduras: Consultation and information sharing

4.1. El Salvador

El Salvador lived under conditions of civil war and internal instability until 1992. Peace agreements were signed that year that included arrangements: to put a final stop to armed conflicts; introduce a series of political transformations of the State; and create institutions that would guarantee basic rules for transition towards democracy. In this context, agreements were reached on the primary importance of national education reform.

More than ten years have elapsed since the peace agreements were signed and institutional changes have dramatically changed the political climate and relationships in the country. Steady commitment on behalf of the Government provided the appropriate political climate for the implementation of a National Plan of Action for Education and allowed the establishment of legal, administrative and financial management mechanisms to enable the transformation of the educational system.

The educational reform was launched in the mid-1990s with, as its principal component, a programme called EDUCO, focused on pre-school and primary education in rural areas. One of the distinctive characteristics of this programme is the involvement of parents' and communities' participation in school management, and the responsibility assumed by their organizations in hiring teachers and monitoring their performance.

In addition to this, El Salvador was one of the first, if not the first country in Central America, to promote national consultations on education and the need for reform, as well as to promote informed dialogues on policy issues (HIID: 1990). In fact, dialogues between the Ministry of Education and the population began in 1993 with the establishment of an Advisory Group formed by researchers who undertook a baseline study of the education system, and representatives from various governmental and nongovernmental organizations, including universities and teachers' organizations.

Later, in 1995, the Advisory Group became a kind of promotional committee, responsible for disseminating the results of the research and discussions with political leaders in all parties, international agencies, teachers, parents, students and the Ministry's personnel. This served as a forum for dialogue that involved all the relevant actors in the education reform process. As a result of these consultations, the reform effort in El Salvador was targeted to solve problems of limited access, systemic inefficiencies and low quality (Bejar, R.: 1997). In overall terms, it counted upon the political support of the teachers' organizations who also participated in this process of consultations.

Major complaints of these organizations are not related to the reform itself but with the conditions for social dialogue. There is no freedom of association for teachers' unions in the country and the existing organizations have not constituted themselves as strong, autonomous organizations with technical capacity to participate in social dialogue or to act as "valid interlocutors" of the State or the private sector, the latter being particularly strong in the country. The Salvadorian State has systematically denied civil servants working for national or municipal governments the right to unionize, and there is no union in the country that represents people employed in public services.

Teachers who have organized themselves have done so under the umbrella of associations, non-profit organizations and similar types of associations which were first

created in the framework of civil regulations and are now regulated by a special law overseen by the Ministry of Home Affairs (*Ministerio de Gobernación*). Legally, they do not have the quality of labour unions (CENTRA: 2000).

In the educational field, the first association was the Association of Workers from the Ministry of Education and Culture (*Asociación de Trabajadores del Ministerio de Educación y Cultura*, ATRAMEC) created in 1983. Other organizations include a national association of teachers (*Asociación Nacional de Educadores Salvadoreños*, ANDES 21 de junio) created in 1998, the largest in coverage with 4,000 members; a teachers' guild called *Unidad Gremial de Educadores Salvadoreños* (UGES) which brings together another three organizations (CODINES, ASDEP and SIMES). Finally, there is *Bases Magisteriales*, an organization which emerged as a dissident branch of ANDES 21 de junio. Except for *Bases Magisteriales*, which opposes governmental policies and is no longer invited to join the social dialogue, the rest of the organizations maintain good relationships with the Ministry of Education (MINED) and participate in information-sharing and consultations.

These organizations were considered in the national consultations for the preparation of an agenda for educational reform that began in 1995. The consultation, as well as the basic proposals were led and drawn up by a National Commission of Science and Technology. The consultation finally produced a national proposal incorporating the results of the consultation process, review of existing research and other proposals.

These consultations were supplemented by the organization of the National Forum on Educational Reform charged with reaching a national consensus on the educational diagnosis and drawing up a plan of action. Seven big issues were determined to be the ones to be solved by means of an educational reform: coverage and lack of equity in educational opportunities; need to improve educational quality; decentralization of school management; improvements in the professional and human profile of teachers; updating the legislative basis of education; improvements in the finance of education; and promotion of civil society participation in educational improvement.

The Forum was conducted by a Committee organized by the Ministry of Education (MINED) but including the participation of other social actors. They included an organization called *Sindicato Gremial de Maestros de El Salvador* (SIMES) and the abovementioned *Asociación Nacional de Educadores Salvadoreños* (ANDES). Other institutions included the Higher Council of Private Universities (*Consejo Superior de Universidades Privadas de El Salvador*, COSUPES), the national centre for science and technology (*Centro de Investigación y Tecnología*, CENITEC), a business foundation for educational development (*Fundación Empresarial para el Desarrollo Educativo*, FEPADE), a think tank for social and economic development (*Fundación Salvadoreña para el Desarrollo Económico y Social*, FUSADES) and a private Central American University (*Universidad Centroamericana José Simeón Cañas*, UCA), among others.

The consultations only referred to changes in the educational system, mainly decentralization; promotion of school autonomy, improvement of educational coverage, of the quality and equity of education and teachers' training. Little or nothing was discussed about working conditions and salaries and nothing on the lack of freedom of association and the right to organize unions for Salvadoran teachers.

Although consultation is the mechanism most frequently used in social dialogue in El Salvador; teacher leaders think that they are a mere formality and their opinion is seldom taken into account. They were consulted on an individual basis before the promulgation of the General Law of Education and the by-laws that determine teachers' working conditions.

For example, *ANDES 21 de junio* was invited by the Ministry of Education (MINED) and sat at the table of negotiations for almost a year discussing policy issues related to educational reform implemented in the early 1990s. Agreements and recommendations were included in the *Plan Decenal de Educación*, but later, in 1999, new educational authorities prepared a new plan with no further consultations. Results of this plan, according to one of the leaders of *Bases Magisteriales*, have not been satisfactory for teachers' organizations, nor have they improved the educational system or changed teachers' working conditions.

Bases Magisteriales defends universal free public education, stability and state policies for educational change, improvement of public investment in education and school infrastructure, as well as curricular changes; they oppose privatization of education. Concerning teachers' status they are for salary increases, improvement of pension systems, creation of new positions and unification of teachers' statutes regime so as to enable those teachers hired under temporary contracts to become part of the permanent career structure. No information-sharing or consultations on this matter have taken place in El Salvador.

4.2. Honduras

Teachers' organizations emerged in the country in the early 1960s and 1970s. But, instead of adopting a unionized structure like in other countries, they adopted the structure of professional associations. One organization gave birth to others and today there are several professional organizations, the most important ones being: the *Colegio Profesional Superación Magisterial de Honduras* (COLPROSUMAH) with 25,000 members; *Colegio de Profesores de Enseñanza Media de Honduras* (COPEMH) with 13,300 members; *Primer Colegio Profesional Hondureño de Maestros* (PRICHMA) with 13,000 members; and the *Sindicato Profesional de Docentes Hondureños* (SINPRODOH) with 6,000 affiliates.

There is no national teachers' union in Honduras and none of these organizations has been able to create a single organic structure. Nonetheless the existing organizations have had an enormous capacity to join forces for social and political purposes. The last unified movement in the country was a federation of teachers' organizations (the *Federación de Organizaciones Magisteriales de Honduras*, FOMH) which gathers the main leaders of the existing associations and promotes integration at grass-root level. Before that, a national coordination in defence of public education (*Coordinadora Nacional del Magisterio Pro-Defensa de la Educación*) operated during 1992 and 1993.

On the governmental side, efforts to modernize the educational system have been ongoing since the early 1990s. The main issues in the reform agenda have been: the reorganization of the Ministry of Education (*Secretaría de Educación*); decentralization of education; curricular reform; gradual conversion of one-teacher to two-teacher schools; community participation in the educational process; adult literacy and adult education; bilingual and intercultural education for the indigenous population; and initial and in-service teacher training.

In August 1990, the *Secretaría de Educación* made a call for a national concertation on educational reform. The main purpose was to agree on criteria on the way in which the educational system should be transformed and to establish mechanisms for effective communication, coordination, planning and execution among different social actors. Expected outcomes were proposals that would contribute to improve the quality of education and commitments among different social sectors to enable their participation in the execution of these proposals.

The consultation process led by the Government was closed on July 1992 with the launching of a national programme for the modernization of education in Honduras. It was

rejected and opposed by the teachers' organizations by means of an open campaign. The representatives of OLPROSUMAH, COPEMH, COPRUM, SINPRODOH, PRICHMA and the *Asociación de Maestros Jubilados* (Association of Retired Teachers) argued that this was not a national project for educational reform but one inspired in the model of international organizations such as the World Bank, AID and IMF among others (Posas, M.: 2003).

At that point the representatives of these organizations decided on the creation of the *Coordinadora Nacional del Magisterio* in charge of preparing a counter-proposal. This organization prepared a position document on those issues which they considered led to privatization and municipalization of education. As an alternative, they proposed the reorganization of the National Council of Education, considered to be the maximum authority on national educational development, and changes in the Organic Law of Education. The Government did not accept this proposal and the *Coordinadora* decided to continue to contest the official policies for the modernization of the educational system which left little or no space for consensus building and negotiation.

The *Estatuto del docente* (Teachers' Statute)

The *Estatuto Docente* began to be negotiated among COLPROSUMAH and the Government in the early 1980s with no success. At the time, national teachers' strikes were led by the *Frente de Unidad Magisterial de Honduras* (FUMH). COLPROSUMAH was divided at the time and continued to be so until the mid 1990s. Despite this, the *Estatuto* was negotiated under special conditions created by a new government and was approved by the National Congress on September 1997. The *Estatuto* regulates the teachers' career in public, semi-public and private institutions managed or regulated by the State Department of Education. It establishes rights and duties as well as the framework for labour conditions including teacher recruitment, evaluation and disciplinary regulations, mobility, working days and the salary structure for teachers working in different types of schools.

Salary and working conditions were the issues which drew the particular attention of the Committees that participated in the elaboration and negotiation of the Statute. Although agreements were reached on minimum wages and gradual increases in teachers' salaries, no consensus was reached on claims for better pay than the one offered by the Government to the organizations which participated in the negotiation. Social mobilization and strikes which lasted for several months – and had a negative impact upon public opinion – were organized by the teachers' organizations as a means of pressing the Government over their demands. COLPROSUMAH, PRICHMA, SINPRODOH and the *Colegio de Pedagogos* eventually accepted a governmental offer of a moderate salary increase. COMPEMH and COPRUM rejected this proposal, however, and spent several months on strike to show their opposition to measures which, in their opinion, had been negotiated with the International Monetary Fund and had severe economic and social consequences for the middle classes and, by extension, to teachers in the public system (Posas, M.: 2003).

Due to the number of teachers employed by the State and the impact that salary increases negotiated as part of the teachers' statute had upon public finances, the Government in Honduras soon asked for the reform or derogation of the current *Estatuto*, an issue which is still on the unfinished agenda of educational negotiations.

National Forum for Convergence (*Foro Nacional de Convergencia*, FONAC). Consensus building on educational reform

FONAC is a forum created by the State to promote social dialogue and consensus-building among the State and civil society organizations. It was created in November 1994

and throughout 1999 and the beginning of 2000 held consultations to prepare a proposal for educational reform. Initially this was done through the constitution of an Educational Committee made up of 32 interested organizations involved in formal and non-formal education programmes. The strategy was based upon four types of consultations: (i) at municipal and departmental levels with representatives from the Government and civil society; (ii) with experts in formal and non-formal education at the primary, secondary and higher education levels through workshops and meetings; (iii) with institutions which formulated proposals for educational change; and (iv) one consultation with the national media. Consultations lasted for 14 months and covered 16,000 people representing 300 organizations in the country.

A draft document with recommendations was prepared and discussed throughout the country during three months. The final report was submitted to the President of the Republic in an assembly with representatives from the civil society, government, political parties, the diplomatic corps and representatives of the international development cooperation system.

The proposal for the transformation of the educational system which was finally approved by these social actors included: improving educational coverage and equity of the system; assessment of educational quality; modernization of educational management; internal and external articulation of the system with the requirements of national development; curricular development based upon the needs and demands of human resources for development; and design and implementation of an evaluation and quality accreditation system.

FONAC's proposal, entitled "Proposal of the Honduran society for the transformation of the national education" (*Propuesta de la sociedad hondureña para la transformación de la educación nacional*), was reached by consensus and established goals to be accomplished in the short, medium and long run. Short and medium term goals included a plan of Preparatory Basic Actions which included organizational and institutional changes of the educational system to improve educational coverage, quality and equity of education. They also included: reorganization of the National Education Council to include representatives from the civil society and particularly a representative from the *Federación de Organizaciones Magisteriales* among other organizations; design and approval of a new system for teacher training and teachers' education; promotion of informed dialogues to include social actors to policy debate and decision-making; launching of a national network on education and educational experimentation; and a plan to improve the educational infrastructure in the country. A series of recommendations entitled *Recomendaciones para la ejecución de la "Propuesta de la sociedad hondureña para la transformación de la educación nacional"* were also produced under the framework of this agreement. The proposal was later included as part of a major agreement subscribed to by the Government in 2001 which is monitored by civil society organizations.

COLPROSUMAH contributed to consensus building by accepting the national importance of FONAC's proposal. Additionally, they reaffirmed their commitment to this project and influenced some of its aspects. Additionally, it proposed a Plan of Action to meet the goals in 15 years, and firmly supported the idea of giving the reorganized Council for Education the role of leadership in the overall process of change.

More recently, confrontations between the Ministry of Education and organizations such as COPEMH and COPRUM, have led the Executive Secretary of FONAC to take steps to revitalize the Education Committee in charge of preparing the proposal on the basis of FONAC's consultations (Posas, M.: 2003).

5. Venezuela: Political constraints to social dialogue

Venezuela has eight teachers' union federations which fragments this social movement in small parties. Affiliates vary from 2,000 in the smallest federation to 37,000 in the largest one, known as the National Federation of Teachers (*Federación Venezolana de Maestros*, FVM) created in 1934. Seven of these organizations are entitled to sign collective agreements.

Social dialogue among teachers' unions and the Government in Venezuela is regulated by the Organic Law of Education (*Ley Orgánica de Educación*, LOE) and a series of formal and informal mechanisms, including bylaws governing the teaching profession approved in 1991, which regulate both teachers' careers and the organization of the educational system.

Teachers' careers

Teachers in the public system negotiate their contracts on the bases of national norms and a salary scale (*Clasificación de Escalafón y Categorías de Remuneración*) established by the Government. Regulations guarantee employment stability and freedom of association. Freedom of association is established in the organic law of education (*Ley Orgánica de Educación*, LOE) negotiated between the teachers' organizations and past governments.

The law also regulates teachers' careers, recruitment, educational hierarchies and evaluation systems. In addition to this, there are other normative instruments as well as legal dispositions which transform the system into a highly regulated one when compared to other countries in Latin America.

Studies mention the following norms and regulations: articles in the National Constitution which guarantee freedom of association, Organic Laws of Education and Labour (each with their respective bylaws); the Administrative Career Law; the Organic Law of Administrative Procedures; "By-laws for the exercise of the teaching profession" and ministerial regulations and those of other legal and regulatory bodies at national, state and municipal level (Bruni Celli: 2003).

The disciplinary regime is regulated under some of these instruments and is frequently used by teachers' unions to defend their members even in situations when it is evident that current salary and incentive systems do not foster good teaching and learning practices. Under the current conditions, public school teachers receive their monthly payments irrespective of their punctuality, their attendance, or the learning of their pupils. Their salaries increase according to seniority or as a result of union pressure. Teachers in the private school system have a different disciplinary regime regulated under the norms of the *Código del Trabajo* (Labour Code) and they establish their own policies for remunerating teachers' performance.

There are no procedures for teaching assessments or incentives for good performance. The last efforts to implement policy reforms were developed in 1995-2000. At that time, social dialogue mechanisms were established to elaborate a project for a new organic law of education. The FVM together with other social and political organizations representing professional associations, private educational employer and parents' associations (such as the *Colegio Nacional de Licenciados en Educación*, the *Asociación Civil Asamblea de Educación*, the *Cámara Venezolana de Educación Privada*, *Asociación Venezolana de Educación Católica*, *Asociación Civil SINERGIA*, *Confederación de Asociaciones de Padres y los representantes de la Educación Católica*) participated in this process of consultation and consensus building.

In January 2002, a conflict arose between teachers' organizations and the State due to instructions given by the presidential palace, the Ministry of Education, provincial and local authorities to freeze collective bargaining and wage increases. Hiring of teachers was cancelled and Christmas vouchers were no longer paid. In addition to this, there was a growing dissatisfaction among teachers and teachers' organizations with the educational project that the Government proposed to the nation. The project was not submitted for consultations, neither was information shared with social actors. Relationships among teachers' organizations and the Government were interrupted and the civil rights of the organizations disregarded. The State has since refused to pay the salaries of teachers hired by national and local public services.

In November 2002, seven of the eight federations supported the National Civic Strike (*Paro Cívico Nacional*) and stopped all activities. The only institution which continued to work were the *Escuelas Bolivarianas*, under threat of being eliminated from the public payroll by the Government.

Parents, teachers' organizations, unions and other social actors gathered together under a national educational coordinating body (*Coordinadora del Sector Educativo*) representing national and regional interests and organically linked to a national political opposition called *Coordinadora Democrática*. This organization firmly opposed the application of governmental measures included in decree 1011, the initial orientation given to the Project for a new law of education (*Ley Orgánica de Educación*) and resisted governmental efforts to impose a National Project for Education, on a unilateral basis, which imposed restrictions on private education and eliminated teachers' professional rights.

The *Coordinadora del Sector Educativo*, made a proposal to find solutions to these conflicts within the framework of a general call to elections. This included:

- respect employment guarantees for all the workers involved in the national strike, *Paro Cívico Nacional*;
- no sanctions or punishment for teachers or educational institutions;
- respect for the principle of non-intervention and the autonomy of educational institutions;
- guarantee higher education autonomy and stop governmental intrusion in universities, institutes and colleges;
- immediate payment of all debts to people employed in the national and decentralized educational system;
- improve the working conditions and security of teachers and workers in educational institutions;
- immediate release from detention and no further persecution for teachers, students and workers in the educational system.

A general call for social dialogue was made to the Government by the *Coordinadora*, but there is no further information on the outcome. The case, though, is one of a country with few remaining political conditions, institutions or mechanisms for social dialogue and little or no political will to engage in it by the parties (Bruni, C.: 2003).

II. Assessing the current climate for dialogue

According to the ILO the enabling conditions for social dialogue include: respect for the fundamental rights of freedom of association; legal frameworks, structures and mechanisms to enable dialogue among parties; political will and appropriate institutional support; and strong, independent organizations with technical capacity to participate in these processes.

A comparative view of the characteristics of social dialogue and existing situation in the selected Latin American countries leads to the conclusion that social dialogue in these countries has been highly influenced by social, economic and political contexts. At present a rich diversity of situations exists with regard to the prevailing rights on freedom of association, educational legislative frameworks and structures and mechanisms for social dialogue in each of the selected countries (table 2).

1. Freedom of association and the legislative basis for engaging in social dialogue on educational issues

The legislative basis for engaging in social dialogue exists in all the selected countries in spite of restrictions for teachers to form labour unions in El Salvador and the governance crisis that affects Venezuela. This essential right must be duly appreciated when comparing Latin American countries with countries in other regions in the world.

Established in the early years of the twentieth century, although modified under different political situations, from the 1990s onwards juridical frameworks in the selected countries regulate freedom of association and establish the norms governing the creation of teachers' organizations. In the case of teachers' unions, except for El Salvador, this basic right also implies the right to collective bargaining concerning salary structures and labour conditions.

In every country this framework is complemented by the constitutional laws on education (*Leyes Generales o Constitucionales de Educación*) which regulate the ends and means of educational systems. All of the selected countries operate on the basis of Constitutional Laws of Education, which sometimes include by-laws on teachers' statutes or legal instruments that regulate labour conditions and salaries and relationships between teachers' and national or local authorities according to the political-juridical situation of each country. In those countries where the general laws do not regulate teachers' careers and teachers' salaries, special statutes have been either promulgated or improved, except for the case of Colombia, where the statutes have to be renegotiated. All of these countries have also subscribed to international conventions or international commitments to meet certain goals by the first two decades of the twenty-first century (i.e. EFA, Millennium Development Goals and Summit of the Americas).

Reforms during the 1990s have been crucial in re-establishing the basis for social dialogue in an important number of countries. Such is the case for Argentina, where teachers' union rights were abolished and the statutes derogated during the military regime which began in 1976. The same happened in Chile in 1973 when the SUTE was declared illegal by the military regime and workers' rights abolished for more than 15 years. In both cases, once democracy was reinstalled changes were also introduced in the legislative basis for social dialogue and civil rights were restored to social organizations.

One of the distinctive aspects of the restored conditions for participation in these countries consists in the legal protection offered by law to union leaders in the vast

majority of the cases. Furthermore, in the case of some countries, such as Mexico, legislation preserves unitary structures by authorizing the Government to negotiate only with those organizations which represent large numbers of members or which represent members at a national level. Though such legislation contradicts freedom of association principles, it has been widely accepted, particularly in countries like Mexico with a large, unified union which has successfully constructed negotiation mechanisms with government. The structure and importance of teachers' organizations present a widely divergent picture in the region. Depending of the countries, unions, professional associations and even guilds represent teachers. Some of them identify themselves by adding "teachers" to their denomination and thus identifying with unions. Some prefer to use the term "magisterio" while others identify themselves as workers' organizations and prefer to organize themselves as labour unions.

Denominations are important because they define the type of issues defended by the organizations. While labour unions deal more with working conditions, teachers' salaries and other social and economic benefits, other organizations deal more with professional standards and policy issues. In some cases, particularly in Colombia, teachers' organizations have been deeply involved in "pedagogical movements" that introduced significant changes at classroom and school level, thus integrating material and professional concerns. The involvement of organizations in policy design and policy decision-making has been less frequent in the region but has not been absent in the debate. Colombia, and Argentina with its pedagogical movements (*movimientos pedagógicos*), are a clear example of such involvement. Lately, during the 1990s and particularly as a consequence of social dialogue in Chile and Mexico, there is a tendency towards recognizing the professional role of teachers' organizations and collective and shared responsibilities of different social actors in technical and political aspects of educational reforms.

This tendency has led the unions to redefine their role in educational change and introduce new issues in the policy agenda rather than just reducing their role to contesting reforms and negotiating salaries and employment conditions. This does not mean that confrontations, strikes and similar ways of contesting reforms have been left aside. On the contrary, in different moments and different countries they have been used as a way to press for social demands. This is the case in Chile, for example, where strikes and collective bargaining have been seen as one of the mechanisms of social dialogue wisely combined with consultations and negotiation.

Another example is the case of Mexico where the SNTE included a series of aspects related to teachers' training, social revalorization and professional assessments that led to a consensus reached on the basic law for teachers, the *Carrera Magisterial*, itself built in the context of the *Acuerdo Nacional para la Modernización de la Educación Básica* (1992). Political will and governmental resources facilitated reaching an agreement among the parties which combined the governmental interest in decentralizing the school system but which granted important benefits to the teachers and social and political recognition to the union.

Organizational autonomy in most of the countries, except for the case of El Salvador, is granted in the laws. This means that in principle, teachers' organizations, under any of their forms, are entitled to determine independently of government interference, the purposes of the organization, internal structure, governance, by-laws, plans of action and means to finance the union. In organizing themselves, though, they have to meet conditions established by the legal and legislative frameworks in each country.

2. Differences between frameworks for information sharing, consultation and negotiation

Mechanisms and structure of dialogue vary from country to country and strongly depend on the strength of the organizations, their capacity of negotiation, political will and commitment of the parties to engage in social dialogue and appropriate institutional support.

In Chile, the main structure is the Tripartite Commission. Information sharing, negotiation and consensus building occur within this framework. Mechanisms are given by annual negotiations between the Ministry and the national union. There are also bipartite mechanisms to negotiate specific issues. Such was the case in the negotiation of the teachers' statute in the beginning of the 1990s and this mechanism continues to be used on a regular basis in meetings held between union leaders and ministry authorities on salaries and employment conditions. Consultations are more frequently used among the members of the union and strikes, as a means of pressing the Government for an agreement, have not been absent in the 1990s.

A federal country, Argentina is different from Chile in so far as it does not have a unified structure but one with various federal mechanisms of consultation, negotiation and dispute settlement. This means that at national level, the union establishes relationships with the Ministry of Education while at the provincial level, sections of the unions interact with the local governments. Due to the political and economic crisis in the past decade, the predominate form of social dialogue has been through strikes and social mobilization, often around salary demands. Defence of public education has been the flagship of union mobilization and 1999 was declared the "Year of defence of public education" but none of the unions, either at national or provincial level, have favoured the derogation of the Federal Law. Confrontation has regularly occurred within this shared framework between the parties.

In Mexico, the chief actors are the *Secretaría de Educación Pública* (SEP) and the SNTE. The parties negotiate, share information, and build consensus on an equal basis as national counterparts. Considered as one of the most successful strategies for social dialogue, the Mexican model works both at federal and state level in dispute settlements and consultations. Mechanisms used in social dialogue include bipartite and tripartite meetings. Nonetheless, local problems are solved by means of the participation of the unions' sections (*seccionales*) with the state authorities. Consultations and information sharing also occur among the parties on issues that deal with the teachers' career and employment conditions, as well as with issues which deal with policy initiatives on the national agenda.

Table 2. Freedom of association, legal frameworks, and mechanisms and structures

Country	Freedom of association	Legislative framework	Mechanisms and structures
Chile	The Constitution recognizes freedom of association and freedom to unionize.	Teachers' Statutes (1991, 1995, 2000) Teachers' Assessment (2003)	Tripartite mechanisms. Collective bargaining.
Argentina	Constitution recognizes freedom of association for labour unions. Right restricts number of associations per sector of activity.	Teachers' Statue, Law N° 10.579 Federal Law of Education Federal Educational Pact Federal Educational Plan 2002-03	Federal structure (<i>23 Provinces y Capital Federal</i>). Bipartite and tripartite. National union and Federal authorities negotiate at national levels. Provincial unions relate to provincial local governments. Federal Council for Education and Culture.

Country	Freedom of association	Legislative framework	Mechanisms and structures
Mexico	Freedom of association, collective bargaining and right to strike. The law grants the existence of a single union for civil servants and prohibits co-existence of more than two organizations.	The SEP (<i>Secretaría de Educación Pública</i>), acts as the regulatory entity for the teaching profession <i>Carrera Magisterial</i> , legal status	SNTE, dialogues directly with the SEP. Local problems solved through different <i>seccionales</i> of the SNTE with Federal states.
Venezuela	1999-2000 The Government tried to intervene the unions through the Constitution 2002. Government tried to control the labour movement, interventions were made and this generated social and political tensions.	Bylaws for exercise of the teaching profession (1991) Bylaws for collective agreement (2000) Organic Education Law Project (2000) National Education Project (2000/2001)	Conflictive relations between parties in the form of the <i>Paro Cívico Nacional</i> . Social dialogue is currently frozen.
El Salvador	No freedom of association for civil servants labour unions because it contradicts the constitutional laws. The law grants this right to the private Teachers are organized in professional associations	No freedom for collective bargaining or to go on strike. General Law of Education Law regulates Teachers' Career	Associations enter into direct relationship with the Ministry of Education. Consultations on policy accorded to the teachers' organizations. No tripartite mechanisms.
Honduras	No labour union structure. Teachers are organized in guilds of professional associations. Alliances are formed for strategic purposes	Teachers' Statute (1997)	<i>Secretaría de Educación</i> . In conflictive situations social dialogue involves the President of the Republic, Ministry of Finance and Ministry of Education on non-regular, informal basis. <i>Involucra al Presidente de la República</i> , FONAC as a mechanism for national consensus building on social policies 1999. Consultations on the transformation of the educational system .
Colombia	Constitutional laws recognize freedom of association but collective bargaining and right to go on strike have been frozen for civil servants working in public services defined according to the law. An internal "civil" war situation existing for years in Colombia does not favour the development of labour unions and teachers organizations.	Teachers' statute has expired. Law 715 creates a task force to work on the preparation of new bylaws for the teaching profession in which FECODE participates on a consultative basis.	<i>Pliego Educativo</i> , union's claims presented to the National Ministry. Consultations with FECODE for the preparation of new bylaws for the teaching profession. No enabling conditions for social dialogue.
Costa Rica	Constitution grants freedom of association.	General Law for the Creation of the Higher Council of Public Education (1951) Fundamental Law of Education of 1957, Statute of Civil Service of 1953, Statutory Law of the Ministry of Public Education of 1965 and Law of Wages of the Public Administration of 1957.	No enabling conditions for social dialogue due to consequences of fiscal adjustments in payment of salaries. Consultations and information sharing operate on sporadic basis.

In El Salvador there is no right to unionize for civil servants. But teachers' associations have been created under different legal umbrellas and relate to the Ministry in dispute settlements and consultations. The Ministry usually invites the organizations to participate in policy debates and policy consultation, but there is no participation in planning or decision-making. All organizations, except *Bases Magisteriales*, consult with

the Ministry of Education. On the other hand, all of them were consulted for the reform process but this does not mean that their opinion was finally taken into account. Social dialogue is still to be built in the education sector of El Salvador.

Honduras experiences a different situation. Although the *Secretaría de Educación* regulates teachers' activities when it comes to teachers' salaries, social dialogue involves other actors including, the President of the Republic, the Ministry of Finance and the Ministry of Education plus the teachers' organizations which, in this case, act under a confederate mechanism. This mechanism does not work for collective bargaining and teachers' salaries where unions negotiate individually with the Government. Honduras has an additional mechanism for consultation established under the leadership of FONAC, which sets a framework for educational reform, including consultations and information-sharing with all the unions and their representatives.

Colombia and Venezuela are two cases where conditions for social dialogue are weak and structures and mechanisms used until now have not proved to be successful. In Colombia this is due to the conflictual relationship between the Government, generally represented by the Ministry of Education and Planning Office, and FECODE, the national union. The internal violence of which teacher unionists have been special targets in recent years further undermines effective social dialogue. In Venezuela, ongoing social and political crisis has placed social dialogue in education in a secondary place in relation to other major problems in society.

3. Affiliation, social dialogue institutions and main conflicts

Strong and representative organizations have more possibilities to succeed in social dialogue and its scope (national/regional), and the number of union members influences their capacity to negotiate and reach agreements through different mechanisms, particularly consensus building and negotiations. It is also important when mobilizing to press home demands. National organizations have more possibilities to influence and reach consensus than individual organizations, even if they work under the umbrella of collective movements, as it is the case in Honduras.

These differences may be clearly seen in the case of national unions such as the ones in Mexico, Chile, Argentina and Colombia.

The Mexican SNTE affiliates all teachers, in all educational levels, and administrative and technical personnel, either employed by the federal or municipal administrations. It also has pensioned teachers as members, thereby covering 100 per cent of the labour force in education. In numbers, SNTE has 1,400,000 members distributed in 55 state *seccionales*. In Argentina, teachers' organizations have a provincial base but they are organized as a confederation in CTERA, representing teachers' organizations in more than 20 provinces. Membership is 234,000, representing 55 per cent of teachers in Argentina. In Chile, the *Colegio* has a membership of 83,000 teacher from the public and municipal sectors. All teachers with a professional title, no matter their location or type of school, may join the *Colegio de Profesores*. In Colombia, FECODE is a federation grouping 33 unions from departmental level in the country which has teacher members from all levels in the system, except the ones working in higher education. The union membership is approximately 300,000, representing 65 per cent of teachers (Grindle: 2000).

The way in which organizations rally together in order to achieve national influence provides an insight into the type of situations that may be found in Latin America. There are countries with several organizations which are not integrated and present a segmented front as in El Salvador and Honduras. Social dialogue diminishes under this situation as

can be seen when analysing national reform results. Countries like Chile and Colombia in turn have a national union affiliating all existing associations and organizations in the country. Mexico, is a case with a powerful single union speaking for all of the teachers in the country.

A comparative view of the type of organizations, number of members, prevailing institutions for social dialogue and main conflicts with the governments, provides some insights into the diversity in size and affiliation and common conflicts of the different organizations with their respective governments in the selected countries (table 3).

By far, salaries and employment conditions are the common and main union grievance in the region. In fact, much of the conflicts in the countries deal with the way in which institutional reforms, decentralization, and pay per performance, among others, affect their contractual conditions, benefits, promotion systems, and evaluation procedures.

Low salaries are at the core of all negotiations. Levels of pay are associated with increases and decreases of salaries over time and impoverishment of standards of living. Unpaid salary increases or promises have been in some cases, transformed into “historical debts” which fester as sources of conflict. ILO calculations in the 1990s (1996, 2000) and other recent studies on teachers’ pay (Liang, X.: 1999) indicate decreased salaries in most of the selected countries except for those, like Chile and Mexico, which introduced salary and employment improvements by means of social dialogue.

Except for salaries and employment conditions included in the Teachers’ Statutes (*Estatutos Docentes*) in all the countries, little or no discussions have been held on the teaching profession. Teachers’ organizations have not yet built a framework for dialogue on this issue or defined what it requires to become a professional teacher, what is needed as initial training, on what standards the profession should be built, and what constitutes the appropriate accountability issues for the profession. Information-sharing, consultations and negotiations have been around mostly defending acquired status on behalf of the teachers and on promoting teachers’ and school accountability by means of measuring learning outcomes on the side of the governments. Only recently have evaluation of teachers’ performance been accepted by some organizations (i.e. Chile, Mexico) and results of these policies are still to be seen.

Table 3. Types of association, number of affiliates, social dialogue mechanisms and main conflicts

Country	Type of organization	Number of members	Social dialogue mechanism	Main conflicts
Chile	<i>Colegio de Profesores de Chile A.G</i> National organization.	83,000 coming from the public municipal system	Tripartite: involves the Ministry of Education, Association of Municipal Governments and the <i>Colegio</i> .	Low salaries “Historical Debt” Working conditions School year extension Number of students per class Teachers assessment and teacher training
Argentina	<i>Confederación de Trabajadores de la Educación de la República Argentina</i> (CTERA) National organization.	234,000 affiliates – 55 per cent of the total number of teachers in Argentina.	Currently bipartite among local representations and provincial governments.	Low or unpaid salaries Teachers’ Statute and bylaws Strikes on employment conditions

Country	Type of organization	Number of members	Social dialogue mechanism	Main conflicts
Mexico	<i>Sindicato Nacional de Trabajadores de la Educación</i> (SNTE) National organization.	1,400,000 affiliates distributed in 55 state organizations (<i>seccionales</i>)	Bipartite and tripartite: SNTE with the <i>Secretaría de Educación Pública</i> and sometimes with the Presidency. Bipartite mechanism operate also at federal state level.	Salaries and working conditions Teachers' pensions In-service training
Venezuela	<i>Federación Venezolana de Maestros</i> (FVM) Biggest and oldest teacher organization in the country.	8 federations, with a number of affiliates with varying membership	Bipartite coexistence of more than one organization which interact directly with the Ministry of Education. Social dialogue in education frozen at the national level.	Salary and bonus debts Salary upgrading Pensions
El Salvador	<i>Asociación Nacional de Educadores Salvadoreños</i> (ANDES) Biggest teachers' association in the country.	4,000 members (less than 10 per cent of all teachers)	No freedom of association, no right to go on strike, no collective bargaining. Social dialogue is limited to consultations and information sharing.	Low salaries Teachers' training
Honduras	<i>Colegio Profesional de Superación Magisterial Hondureño</i> (COLPROSUMAH) Biggest teacher organization in the country.	25,000 members	No labour union structure but professional guilds or associations. Different organizations negotiate individually with the national ministry. Final decisions depend on the President of the Republic	Salaries and working conditions
Colombia	<i>Federación Colombiana de Educadores</i> (FECODE) National organization.		Bipartite in the past. No enabling conditions for social dialogue at the time.	Teachers' pension funds Defence of Public Education Defence of teachers' rights
Costa Rica	<i>Asociación Nacional de Educadores Costa Rica</i> (ANDE) Biggest teacher organization in the country.	One national union and coexistence of other organizations with number of members ranging from 13,000 to 23,000		Unpaid salaries and salary reductions Municipalization of education pension funds School year extension Working conditions for ambitious reform plans

Bipartite institutions for social dialogue predominate over tripartite or tripartite “plus”. In Mexico and Chile there has been a combination of both type of institutions when involving the Presidency in the process of consensus building or signature of agreements. In Chile, tripartite partners involve other relevant actors (i.e. Churches; private sector) in national consultations and in joining special committees such as the National Committee for the Modernization of Chilean Education (*Comisión para la Modernización de la Educación Chilena*) and its technical committee. Something similar happened in Mexico with the *Carrera Magisterial* and the national agreement of 1992 (*Acuerdo Nacional*). Due to political conflicts or economic crisis in the other countries, involvement of other relevant actors in society in an effort to build wider consensus has been rare. It was the case in Argentina before the crisis, when national consultations on curriculum and standards were held, and in El Salvador and Honduras with the national consultations which preceded the educational reform.

4. Observance/non-observance of the principles of international recommendations (ILO/UNESCO Recommendation, 1966)

The ILO and UNESCO Recommendation of 1966 is strongly oriented towards international observance of principles dealing with recruitment and training for the teaching profession as well as with the necessary conditions for the teachers to do their job and achieve high learning outcomes with their students.

These provisions are closely related towards the aim of extending a basic level of education of good quality to all children, youngsters and adults around the world. This was one of the major outcomes of the World Conference of Education for All later re-specified as six major goals at the World Education Forum (Dakar: 2000). Two of these objectives have been adopted as the Millennium Development Goals and some of them were also subscribed as part of the Plan of Action in the Education Summit of the Americas (Santiago, Chile: 1998).

Progress towards these objectives in the region has been slow and major challenges are still to be met. There is an “unfinished agenda” of primary education. Some countries in the region have not yet achieved universal coverage and others need to increase completion rates from the current 82 per cent to over 95 per cent. This will require a major effort, since the remaining underserved school age population is mainly composed of children from rural areas and the urban slums, as well as ethnic and racial minorities facing discrimination. Repetition rates remain significantly higher than in other regions and secondary enrolment ratios mask a serious problem of repetition, dropout, and overage students in secondary education. Pre-schooling, especially for the underprivileged, is not yet a reality and much needs to be done in the area of early childhood education (Schiefelbein, E. and Wolff, L.: 2002).

Educational quality, as measured by learning test scores in the region, is also very low. The PISA (Progress in Student Achievement) study of 15 year olds’ knowledge is particularly illuminating. Forty-three countries participated, mainly from the OECD, but also including five Latin American countries (among them Argentina, Chile, Mexico). The five Latin American countries scored at the bottom of the 43 countries participating. The results of the PIRLS (Progress in Reading Literacy Study), an international study of fourth grade reading skills are also important. Colombia and Argentina scored near the bottom among the 35 participating countries (www.preal.org/GTEE).

Latin American teachers continue to be poorly trained, poorly managed, and inadequately compensated – making it hard for them to do their jobs well. It should be pointed out that their task is increasingly difficult, with large numbers of poorly prepared students remaining in school, and increasing intrusion of social problems such as drugs and violence into schools. As in other regions in the world, in Latin America the teaching profession is in crisis, with increasing demands being placed on teachers at the same time that their social and economic status is declining. A number of OECD countries are facing similar issues. The difference between Latin America and the OECD is that the region is deficient in the institutional capability and financial resources to mount a sustained attack on the problem.

Improving the quality of education requires trained and motivated teachers as well as professional competences to deal with situations in poor settings, particularly urban slums and rural and indigenous areas. It also requires the development of new education policies, particularly in the areas of educational management to solve institutional and other problems at the schools, and in the establishment of salaries and incentives that can motivate teachers to improve their performance.

4.1. *Teacher training*

The problem in teacher training, both pre-service and in-service, begins with inadequate recruitment. Usually future teachers are those with low academic levels and for many of them teaching is a second choice career. Pre-service training usually emphasizes a highly theoretical curriculum which often sacrifices practice in the classroom and thorough subject matter preparation. A wide variety of in-service training programmes have been implemented, in part to make up for the inadequacies of traditional pre-service teacher preparation, and in many cases, to provide formal qualifications to unqualified teachers. Many of these programmes are isolated from the classroom reality, with the results that they may have minimal impact on improving the skills of most teachers.

Once in the school system, teachers face continuing difficulties. Incentive structures, including teacher compensation, do not encourage good professional performance. Incentives for teamwork including the idea of mentoring new teachers – and the sense of common school mission it fosters – are usually lacking. Principals lack the skills, incentives, salary recognition and authority to assess staff competence and create coherent school teams. Reforms are often centrally designed and handed down to teachers with minimal resources.

Efforts have been made in the region to increase the academic demands on those embarking on a teaching career, and on working teachers who have not been awarded a degree by a higher education institution, but teacher training is still inadequate and the substance and quality of pre-service and in-service teacher training remain beset by serious problems, including:

- the programmes' curricula and methodologies place a great deal of emphasis on theory, foregoing real practice in the classroom and training in specific subjects;
- teacher trainers are not sufficiently skilled, and the programmes generally lack uniform quality standards and are not monitored;
- teacher training candidates are not of the highest quality, and neither are their skills upon graduation;
- often, teachers do not apply what they learn to their work in the classroom and teaching practices remains almost unchanged from previous eras.

Agreements and consensus building need to evolve around the issue of improving teacher quality and teacher training. Social recognition by society and other professions is also essential to professionalizing the career. Current policies on recruitment, more intensive pre-service training, incentives for teachers to work harder, such as higher salaries, rewarding them when students score better, sanctioning them if students do poorly, and creating teacher salary ladders which reward competence, need to be accompanied by a broad set of complementary policies and programmes.

According to recommendations of recent reports, pre-service training needs to be combined with strong practice and novice teachers need more guidance. Teachers must be given the opportunities to learn if they are to respond to sharpened incentives. This means that in-service training has to be reformulated around classroom behaviours rather than theory. Action is needed to break down the isolation of teachers in their classrooms through creating within schools an environment for sharing experiences and learning, and giving teachers adequate time to prepare their lessons. Incentives or rewards given to schools and/or groups of teachers rather than individual teachers can encourage the teamwork and cooperation necessary for effective teaching. Teaching has to change from rigid teaching styles and approaches, with an emphasis, especially at the secondary level,

of dictating and copying on the blackboard to a broader repertoire of context appropriate approaches. Bureaucratic and routine activities must be reduced to a minimum and enthusiasm increased. Teachers will need to structure content better, clarify their objectives; exhibit stronger understanding of the subject; raise their level of enthusiasm; and, perhaps most importantly, raise their expectation of student achievement, especially among disadvantaged groups. Only when these practices change can it be said that teacher training, career ladders, and incentives are having an impact (PREAL: 2003).

4.2. Teachers' careers and incentives

In most of the countries, except Mexico with the *Carrera Magisterial* and to a certain extent Chile with the National System for Performance Evaluation, there are no incentives linked to performance. Seniority continues to be the only criteria for salary improvements or moving up in the salary scales (*escalafón*). The other alternative deals with obtaining a position as school-director and thus abandoning classroom work.

Careers have different levels (generally between four and seven) and teachers may advance from one to the other by combining different factors – generally seniority, training, and in some cases merit. Teachers can generally advance to higher positions but this does not necessarily mean salary increases.

Salaries usually reflect positions in the career. In most of the countries, except for Mexico, teachers' salaries are made up of a base salary and an additional percentage associated with seniority or level of qualification. Management positions are remunerated through a differentiated base salary or an additional percentage for responsibility. In some countries, like Chile and El Salvador, designations to these positions are for a period of five years, then renewable for an equal period of time. In Chile, a school director can apply again for the position. In El Salvador time extensions for these positions are possible with the agreement of the Teachers' Councils, Student Councils and School Board of Governors.

Common characteristics of teachers' careers in Latin American countries

- Design of the professional career is generally formed of 4 to 7 steps in a scale (*escalafón*) where mobility is automatic or responds to a combination of factors which include seniority, training, merit, among others.
- Employment stability for teachers with tenure.
- Promotion can only be achieved by applying for administrative or management positions.
- Evaluation is usually through qualifications centred on seniority and training.
- There are no assessments linked to performance.
- Salary structures based on a base remuneration plus special bonuses. Salary increments are granted once teachers advance from one level to the other. Seniority is a key element for progress to higher levels of the professional career.
- Salary improvements are generally linked to administrative tasks rather than improved teaching performance.
- Little or no relationships between performance and salaries and few incentives to improve performance.

In those countries where employment stability is part of the statutes, teachers' organizations role is reduced to the negotiation of salary improvements. The Chilean case is a rare example of teachers who had lost their benefits during the military regime and regained them by means of a renegotiation of the statutes which included salary improvements and employment stability. Social dialogue played a key role in this recuperation. Mexico is an interesting model based on negotiated salaries as part of the teachers' career and the teachers' union participation in the governing boards which implement career decisions.

In all the countries, teachers working for private schools are subjected to private contracts and do not experience the rights and duties of the public sector. Seniority is the only valid factor in case a teacher moves from the private to the public sector.

Some of the selected countries, and particularly Colombia, Chile and Mexico, have introduced policies trying to create better working conditions and provide more intensive subject matter training. They have also negotiated, sometimes successfully and sometimes not, new teachers' statutes which include assessment, salary increments based partly on performance, and selection based on objective criteria. Lessons learned from these experiences and challenges to be considered include:

- *Teacher assessments can provoke strong opposition.* Teacher resistance has been behind decisions not to establish a pay-related performance-assessment system in many of the selected countries. In Honduras, the regulations on teachers' performance have not been applied because of opposition from teachers' unions, which went on strike for a long period of the school year. Dealing with such opposition requires strong political support and substantial financial resources, as well as teachers' participation in the process. Perhaps external institutions could also participate, thus offering a greater guarantee of objectivity and transparency in the assessments.
- *Strengthening the teaching profession by linking salaries to performance will require a change of attitude and practice on the part of teachers and the education community in general.* Similarly, it will require that society reevaluate teaching in ways that offer appreciation and rewards for a job well done. Rewarding performance and attracting good teachers will demand significant monetary and non-monetary incentives. Without them it will be impossible to change the present system, much less secure the necessary level of cooperation from teachers (PREAL: 1999).

4.3. Salaries and working conditions

4.3.1. Salaries

There have been some initiatives in the region to improve this situation by introducing systems of teaching assessment and incentives for good performance and some countries have made special efforts to increase current salaries. Nonetheless, experience shows that designing and implementing effective incentives to secure better outcomes remains problematical. Teachers' unions and many teachers are opposed to assessments, and there are no broadly agreed criteria to measure good teaching (teaching standards). Experiments with offering monetary and non-monetary incentives for improved teacher performance present mixed results. Some few examples of non-monetary incentives such as professional recognition, scholarships or other means of motivating better teaching and creating a sense of professional worth are illuminative in some countries as, for example, Colombia, Chile and Mexico.

From the unions' point of view, the issue is low teachers' salaries. Some studies suggest that the union positions on this issue are correct while others report that teacher pay is comparable to that of others with similar characteristics of the labour force (Grindle: 2002).

A comparative study of teacher salaries in 12 Latin American countries (Liang: 1999) suggests that it is difficult to make general statements about the level of teacher pay across the entire region and there are few studies on the subject (ILO: 1991 and 2000). The main findings of Liang are that by simply comparing teachers' annual income with their comparable counterparts, teachers are found to have lower income in the 12 Latin American countries under study which included, among others, Chile, Colombia, Costa Rica, El Salvador; Honduras and Venezuela.

Teachers, although paid less, are found to work on average significantly less than others (only 35 hours per week, compared to almost 50 hours per week for other workers). When hourly wage was used as a dependent variable, much of the difference disappeared and in some countries teachers were paid more than their counterparts in the labour force with similar gender, education, public/private sector association, and affiliation with unions. The ILO (2000) points out that the study does not indicate if teachers' overall hours of work outside the classroom are taken into consideration.

Liang also found that teachers' salary is much more predictable than in other professions. In most countries, teachers are paid according to a uniform scale in which salaries depend mainly on the amount of formal education and the number of years of teaching experience. In the 12 countries the study looked at, education and experience are the two main determining factors of teacher pay. Interestingly, teacher pay is also affected by gender, school location, private/public sector, and association with unions. Male teachers are paid more. Teachers working in rural or other "difficult" areas are paid between 10 and 30 per cent less than their urban counterparts.

In most Latin American and Caribbean countries, officially published teacher pay scales usually have a fairly strict way of calculating teacher pay that leaves little room for discretion. The fact that rural teachers are paid significantly less is also troublesome. Since it is unlikely the official pay formula will explicitly penalize service in difficult areas, the pay differential may result from a cumulative effect of reduced access to in-service training and fewer opportunities for administrative advancement for rural teachers.

Liang found that in Central America, public teachers are paid more than private teachers, whereas in South America private teachers are paid more than public ones. And in the two countries where the study was able to observe the relationship between union affiliation and pay, there is a significant premium associated with union membership. Finally, two thirds of the teaching labour force is found to be females, and teachers also tend to come from lower socio-economic background and from larger households compared to others, controlling for schooling and other characteristics (Liang, X.: 1999).

The findings of this and other studies show that the issue of teachers' salaries is complex and controversial. Most probably it will continue to rank high in the unfinished agenda of social dialogue no matter the country. Social dialogue should not only underscore negotiations on this issue but should also pay attention to teachers' participation in policy improvement and policy options. Information-sharing is crucial for this purposes and it has not been wisely used in accordance with international recommendations in this area.

4.3.2. Teaching and learning conditions

Teaching and learning conditions are still far from being good in the region, particularly in the public school system. Most of the time, teachers continue to work with 40 to 45 students per classroom, little or no extra facilities are offered to the school, and there is a lack of textbooks and teaching materials. Most teachers receive no paid time for lesson planning and classroom preparation. Novice teachers seldom receive guidance from more experienced ones. There are few or no negotiations on opportunities to upgrade knowledge and pedagogical skills, upgrade the knowledge in subject areas with greater shortages or facilitate the introduction of educational reforms, curriculum innovations, new techniques or new textbooks.

Most countries have not succeeded in defining standards for the teaching profession and very few have been able to link incentives – monetary or non-monetary – to professional performance as happens in other professional fields. This does not mean that such innovations do not exist. The applicability of such incentives needs to be further

experimented with and evaluated in the region. The process and results of such evaluations should be discussed with teachers and teachers' organizations. Up to now, in the vast majority of the cases, teachers' unions and teachers' organizations have resisted and opposed these policies and, in a similar way, have contested the means and ends of the reforms. Consensus building is a must in this area if progress is to be made.

4.3.3. Decentralized management

Decentralization has been deeply contested by the teachers' organization. The same has happened with privatization. Nonetheless, after a decade or more of decentralizing and introducing private mechanisms for financing and school management, a new consensus is arising about these two processes. Not that they should be turned back or ended but that a serious effort should be done in order to examine stories of success and failure in the changing patterns of educational management. Decentralized management and enhancement of school autonomy seem to have had better results for those countries where the transfer of responsibilities to local governments and even the schools have been done for the sake of improving the quality and equity of public education and strengthening local control over financial and human resources. Some positive experiences in this area have been those of associations of parents and local teams involved in running the schools in El Salvador and Honduras, as well as local actors, governments and NGOs taking responsibility for managing available resources.

Another successful story seems to be that of Mexico, a federal country, which anticipated and legislated on the potential problems to be faced by the teachers under a decentralized managerial strategy. The opposite case is Argentina, where the transfer of the schools to provincial governments was more a strategy to introduce structural and fiscal adjustments in the economy, and where little or no concern was paid to the consequences these measures could have on the quality and equity of education, nor on the teachers' salaries and working conditions. Similar results emerged from decentralization in Colombia and Costa Rica.

Strong States with regulatory policies to compensate social inequalities or to preserve teachers' employment conditions, as well as strong teachers' organizations with policy options and managerial strategies, have proved to succeed particularly in the cases of Chile and Mexico. Processes have failed when policies are implemented on the bases of applying market criteria to public services. Success stories predominate in the case of those countries (i.e. Chile, Mexico, and Colombia) where decentralization has been combined with regulatory frameworks and public policies to compensate for inequalities and preserve teachers' rights. Increased devolution of authority to schools and communities seem to have had better results in the case of those countries which have a focused approach and count upon a professional group of reformers to manage new programmes (i.e. Chile, El Salvador). Decentralized management and school autonomy have been more successful when linked to central Government oversight, training, standards, achievement tests, parent involvement, and adequate financing. Moreover, in cases where decentralization and school autonomy have been negotiated among actors, they seem to have a positive impact on learning and school retention (Espinola: 2001; and Wolff, Schiefelbein and Schiefelbein: 2001). It has also contributed to regulate salaries and working conditions as has been proved by modifications introduced in teachers' statutes in Chile, for example. New statutes regulating employment conditions have been a key element of social dialogue and, most probably, will continue to be on the agenda as consensus has not yet been reached on various issues.

Adequate public policies for the involvement of the private sector in school management have proved to offer some advantages in costs, quality, diversity and, sometimes, equity. However, government oversight of private education in a number of countries – including Argentina, Colombia, and Venezuela – is sorely lacking in

consistency and technical capacity. In Argentina, public subsidies have often gone to elite schools rather than to private schools serving poor communities. Chile's experiment in vouchers for primary and secondary education, where private institutions now account for 45 per cent of enrolments in primary and secondary education, has induced some good research yielding important lessons (Wolff, et. al: 2002). For purposes of this study there is also scope for greater dialogue on such processes and within private schools between unions and management.

In short, private provision of educational services is an important, growing, and often positive option, but it needs transparent and consistent rules of the game, and thoughtful government oversight, if society is to benefit.

III. The way forward

1. Scaling up

Two main lessons should be considered for updating the agenda of social dialogue in education in the Latin American region.

The first one deals with efforts, inputs and partnerships among different actors to achieve the goals of educational change in Latin America. The second deals with the obstacles and successful stories of how teachers through their organizations can be effectively integrated into educational planning, implementation and evaluation of educational policy and reform.

Efforts and inputs during the past decade have been impressive in terms of improving legislation and investing in the improvement of the quality, equity and efficiency of educational systems. Nonetheless, these have not been enough to meet existing challenges.

Seen from the side of teachers' participation in policy making, implementation and evaluation of educational policy, there is still a deficit in the participation of teachers' organizations in educational changes. To a certain extent, reforms look as if they had been designed and implemented to solve a series of issues which have to do with teachers and teaching without considering the appropriate channels for them to participate in educational reforms. As a result, teachers feel little ownership of current reforms and have little incentives to change their practices.

Part of the problem is the almost exclusive focus that teachers' unions place on raising wages and employment conditions, a situation which may be changing as evidenced by successful stories of social dialogue in countries where the leading teachers' unions have tied requests for better working conditions to increased responsibility for teacher performance and student learning.

Another part of the problem deals with the lack of a shared framework on the teaching profession. Most countries have not established standards for teachers and only a few evaluate performance. The lack of assessment makes it hard to manage teacher quality and to provide incentives for teacher development. It makes it even harder to share information and negotiate on policy issues that may contribute to an overall improvement of the educational system or reward good teaching and attract good candidates to work in public schools.

A third major area for reform is to create a stable climate for dialogue where it does not exist and especially to establish or strengthen social dialogue institutions.

In order to remove existing obstacles and move from narrow material claims, however important they may be, to substantial issues of policy reform, efforts should be made in the following directions:

- educational reforms need to involve all the actors that affect or are being affected by the changes;
- broad consultative processes should replace closed door procedures in policy design, implementation and evaluation;

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- agencies and actors leading the reform process need to have clear ideas and be consistent in opening the dialogue to all interested parties if consensus is to be reached;
 - new approaches for improving education have to be developed in association with teachers' unions;
 - governments cannot continue to see teachers' organizations as an obstacle to change, nor can the unions form the core of the resistance to education reforms.

2. National good practices transportable to other settings

The following are good practices transportable to other settings. They are closely linked to policy improvements and achievement of reform goals. They have in common that results are derived from parties involved in social dialogue who have voluntarily reached agreements or built social consensus on reform issues.

- (i) Linking teacher pay to performance: Mexico's *Carrera Magisterial* seeks to increase professionalism in teaching, keep teachers in schools and improve teachers' standard of living by linking salary to good teaching. Compensation is based on professional skills, teacher performance and constant upgrading. It targets current primary and secondary teachers and it was designed by the SEP and the Mexican Teachers' Union-SNTE.
- (ii) Teachers' Recognition in Colombia: After careful negotiation with the national teachers union, Colombia established an ambitious national teacher recognition programme that selected one school from each of the country's 2,000 educational districts to receive a prize and community recognition for good standards. One teacher from one winning school was singled out for special distinction, based in part upon student recommendations. Although the programme succeeded in raising national consciousness on teachers' quality, it was terminated after a year for political reasons.
- (iii) El Salvador's model of community education, EDUCO: the programme seeks to promote community participation in education in order to expand coverage and improve school operations in rural areas. It focuses primarily on pre-primary and primary schools. EDUCO schools are managed by rural parents' associations (ACE) that receive government funding to administer schools, maintain facilities, hire teachers and obtain teachers materials. EDUCO schools currently have an enrolment of over 200,000 students. Preliminary evaluations have shown that teachers' commitment with the communities is high and teachers' absenteeism is lower among EDUCO schools. The model resulted from consultations held in the early 1990s among the Ministry of Education, civil society organizations and teachers' organizations.
- (iv) Chile's improvement of the Teachers' Statute: this comprehensive career plan resulted from negotiations involving bipartite and tripartite mechanisms for social dialogue which aimed at the modification of teachers' salaries and employment conditions. Negotiations took almost a decade and agreements were object of three parliamentary laws. The first one, signed in 1991, regulated employment conditions, a common structure for salaries and employment stability for teachers employed by local authorities and private schools. The second law was signed in 1995 and introduced modifications concerning local educational planning and adjustments in the labour relations between teachers and employers. The final law was passed in

2001 and involved the Presidency of the Republic and the national union. It established salary improvements and new criteria that linked progress in the teaching profession to assessments and voluntary accreditation of competences.

- (v) Chile's Teachers' Assessment Programme: this programme was agreed on a tripartite basis involving the Ministry of Education, the National Association of Municipalities and the *Colegio de Profesores*, and was included in the Teachers' Statute. After a series of negotiations, the assessment strategy and instruments prepared by teachers and experts will finally be applied during 2003. Assessment will not link teachers' pay to performance for the time being. There is another system to assess performance which links teachers' incentives to student's performance. This is the National System for Assessment of Performance and offers, based on results, financial incentives to those schools which improve students' achievement in reading, writing, maths and sciences. Students' performance is measured on the basis of the *Sistema de Medición de la Calidad de la Educación* (SIMCE).
- (vi) Argentina's Educational Pact for the Quality of Education: an agreement which involved a provincial union (*Sindicato de Córdoba*), the national organization CTERA and the provincial and federal Government. The overall experience took place in the context of the transfer of the schools to the provinces and local will to improve the quality, equity and efficiency of the provincial system by means of effectively using its autonomy from the central Government. Although the project failed due to financial reasons, it is a good example of consensus building among actors and technical involvement of the local union in the debate on policy issues, as well as in the implementation and evaluation of reforms.

3. Conclusions and recommendations

3.1. Conclusions

Although it is hard to generalize and even harder to attempt to draw policy conclusions on a country basis, at least two general conclusions may be drawn from this survey.

Concerning social dialogue much remains to be done yet to build negotiated solutions and social consensus in Latin American countries. Although legislation has changed during the 1990s and the legislative framework improved during the past decade, enabling conditions for social dialogue still have to be constructed for most countries in the region.

Teachers' organizations need to develop and strengthen their technical capacity for negotiation and consensus building and governments improve their capacity to provide access to relevant information to these organizations and to other social actors if participation in social dialogue is to be increased.

Appropriate institutional support is to be developed in some cases and strengthened. Only a few of the governments have created a climate for social dialogue or engaged in an effective exchange of views which can lead to an increased participation of teachers and teachers' organization in policy design and evaluation. Teachers' participation in educational reform is a must for the success of this process. No reform is possible if it does not involve the participation of these actors. Increased participation is part of the equation. The other half has to do with the teachers' situation.

On this concern, most of the countries have made an important effort in terms of improving the quality and equity of education. Within these efforts, there are good examples of improvements in teachers' conditions and redefinition of their role to meet

policy reform challenges. Nonetheless, in the majority of the countries, this has not been enough to cope with the requirements of international standards, nor achieve educational goals which are fundamental for development.

Additional efforts must be made to make the profession appealing for young and talented teachers to devote themselves to the public school system or to schools working with the poorer groups in socially deprived areas. Important challenges are yet to be met in terms of providing teachers with adequate support and professional recognition and reward the teaching profession which continues to decline and deteriorate in the majority of the countries. On this concern, measures need to be introduced to help recruit and retain high quality students for the teaching profession. Studies need to be done to examine the teaching profession and standards in other regions. The teacher profession needs to be strengthened by raising salaries, establishing monetary and non-monetary incentives for good performance and compensation mechanisms for hardship work in deprived areas. Professional development should be enhanced by means of improving initial formation, pre-service and in-service training, as well as reforming training programmes and making teachers more accountable to the communities they serve. For these purposes, social dialogue needs to be strengthened and mechanisms and structures enhanced to promote consensus building and participation among the parties.

3.2. Recommendations

- (1) Improvements are needed in the availability and quality of information on teaching conditions in the region on a comparative basis.

There is an impressive lack of information on the teachers' conditions, marked by few studies, limited coverage and reliable of data. There is even less on social dialogue. Improving the availability and quality of data at national and regional levels is urgent and important for governments, unions and other actors to gain a clearer understanding of progress towards policy goals. Updated information may also contribute to fill gaps in the process of enhancing teachers' participation in consultation and negotiation processes. Systematic and updated information on salary structures and employment conditions of teachers' on a country by country basis is needed for comparative analysis. Good analysis on the impact of policy reforms on teachers' conditions is also needed for a better monitoring of the observance/non observance of international standards as well as for reviewing and improving current recommendations.

- (2) Work is required on a shared framework of international standards, based upon good research and objective data, so as to enable the countries to introduce new or improved mechanisms of social dialogue in education.

Part of this is has already been done through the frameworks of EFA and those particularly referred to in the ILO/UNESCO Recommendation, the conclusions and recommendations of CEART, and conclusions of the ILO's 2000 meeting on lifelong education and new functions for educational personnel. Existing recommendations should be revisited and improved on the basis of new information and the results of global monitoring reports. In addition to this, a special effort should be done to share these frameworks with governments and teachers' organizations and introduce these elements in ongoing and future negotiation and consultation processes. Informed dialogue is the basis for consensus building and democratic agreements and quality information is essential for these purposes.

- (3) Progress on social dialogue in education at the national and regional levels should be monitored on a country by country basis.

Progress towards improving social dialogue in education needs to be assessed on a regular basis at national and regional level in order to produce sound policy recommendations and keep pace with the educational changes in the region. Strategies for national and regional monitoring and follow up would be useful in order to assess the observance of international standards and build on existing mechanisms to accelerate progress. Monitoring progress both in social dialogue and achievements and obstacles for educational reform is also a good way to increase transparency and accountability, essential for social dialogue to work.

- (4) Identification and dissemination of good practices on social dialogue in education is needed as a means to strengthen capacities for consensus building and initiating a sense of international accountability towards international commitments and standards.

Good ideas, when communicated effectively, can enrich the thinking of decision makers and opinion leaders on education policy. They can also contribute to raise awareness on educational problems and on teaching conditions. They are useful in identifying practical policy alternatives and adapting successful stories from country to country. Few efforts have been made, nationally and regionally to identify and disseminate lessons learned through good practices. A special effort in this direction could be a good strategy to improve and enhance social dialogue in education on a national, regional and global basis.

Bibliography

Books, articles and reports

- Andersen, M.E.: "Social policy dialogue: A window of opportunity for reform and transformation in the 21st century", BID (Independent Consultant), julio de 2000.
- Assael, J., et al.: *La experiencia del sindicalismo magisterial chileno de concertación y conflicto en el sistema educativo*, En Tiramonti, G. Sindicalismo Docente.
- BID/CLAD: *Análisis comparado de las relaciones en la administración pública Latinoamericana* (Argentina, Costa Rica, México y Perú), Informe Resumido, Trabajo elaborado por José Bonifacio y Graciela Falivene, julio de 2002.
- Castro Valverde, C.: *Sindicalismo y gobierno. Una agenda para el diálogo en torno a la reforma educativa. El caso de Costa Rica*, Borrador de Informe, Grupo de Trabajo Sindicalismo Docente y Reforma Educativa, junio de 2003.
- Cox, C.: *La reforma educacional chilena. Contextos, contenidos, implementación*, PREAL Documento 8, Santiago, Chile, 1997.
- El Salvador. *Sindicalismo y gobierno: Una agenda del diálogo en torno a la reforma educativa. El caso de Honduras*, Borrador de Informe, Grupo de Trabajo Sindicalismo Docente y Reforma Educativa, junio de 2003.
- Faletti, T.: *Federalismo y descentralización educativa en Argentina: La constitución, los gobernadores y el Consejo Federal de Educación*, GTSD/PREAL, www.preal.org/GTSD.
- Gajardo, M.: *Reformas educativas en América Latina. Balance de una década*, PREAL Documento 15, septiembre de 1999.
- Grindle, M., et al.: "Despite the odds: Contentious politics and education reform", Capítulo V.: *Contesting Education: Teachers' Unions and the State*, Harvard University, 2002.
- ILO: *Recomendación relativa a la situación del personal docente*, Actividades Sectoriales, Diálogo Social, Recomendación 1966, CEART, www.ilo.org.
- ILO: *Reunión Paritaria sobre la Educación Permanente en el Siglo XXI. Nuevas funciones para el personal de la educación*, Ginebra 10 al 14 de abril de 2000, www.ilo.org/public/spanish/dialogue/sector/techmeet/jmep2000/conclude.htm.
- ILO/UNESCO: *Recomendación relativa a la condición del personal docente de la enseñanza superior*, 11 de noviembre de 1997, www.unesco.org/education.
- International Labour Office (ILO): *Teachers in developing countries. A survey of employment conditions*, Geneva, 1991, in Liang, X., op. cit., 1999.
- ILO: *Impact of structural adjustment on the employment and training of teachers*, Geneva, 1996.
- ILO: *Lifelong learning in the twenty-first century: The changing roles of education personnel*, Geneva, 2000.

-
- Liang, X.: *Teacher pay in 12 Latin American countries. How does teacher pay compare to other professions, what determines teacher pay and who are the teachers*. World Bank, Discussion Paper, August 1999.
- Lowden, N.: *Education in Colombia. The elusive quest for effectiveness*. Draft report. No dates.
- Lycette, M.A.: "Lessons from the World Bank experience with consultation and participation in Latin America and the Caribbean", BID, noviembre de 2000.
- Martinic, S., et al.: *Economía política de las reformas educativas en América Latina*, CIDE y PREAL, Santiago, Chile, agosto de 2001.
- Morduchowicz, A.: *Carreras, incentivos y estructuras salariales docentes*, PREAL Documento 23, mayo 2002.
- Navarro, J.C.: *¿Quiénes son los maestros? Carreras e incentivos docentes en América Latina*, BID, Washington, 2002.
- Navarro, J.C., et al.: *Perspectivas sobre la reforma educativa. América Central en el contexto de políticas de educación en las Américas*, HIID, USAID, BID, Washington, 2000.
- Ornelas, C.: *La carrera magisterial en México*. Capítulo IV en *Sindicalismo Docente & Reforma en América Latina*, Colección Temas Sociales Vol. 7. FLACSO, junio de 2001.
- Organización Regional Interamericana de Trabajadores (ORIT): *La educación como elemento estratégico en la disputa por la hegemonía en la sociedad*, 2002.
- PREAL: *Lagging behind. Report card on education in Latin America*, 2001.
- PREAL: *Time to act. Report card on education in Central America and Dominican Republic*, Final Draft, 2003.
- Picazo, I.: *Sindicalismo y gobierno: Una agenda para el diálogo en torno a la reforma educativa. El caso de Chile*, Borrador de Informe, Grupo de Trabajo Sindicalismo Docente y Reforma Educativa, junio de 2003.
- Pinkazs D., et al.: *Sindicalismo y gobierno: Una agenda para el diálogo en torno a la reforma educativa. El caso de Argentina*. Borrador de Informe. Grupo de Trabajo Sindicalismo Docente y Reforma Educativa, junio de 2003.
- PREAL: *Lagging behind. A report card on education in Latin America. 2001*, Partnership for Educational Revitalization in the Americas, November 2001, and Draft document for the Report Card on Education in Latin America, 2003.
- Tiramonti, G.: *Sindicalismo docente y reforma educativa en la América Latina de los 90*, PREAL Documento 19, Santiago, Chile, mayo 2001.
- Simón, M.: *El diálogo social en los países Andinos ¿Nuevo camino para los sindicatos?*, Oficina de Actividades para los Trabajadores (Equipo Multidisciplinario para los Países Andinos).
- Ibarrola, M. y Loyo, A.: *Estructura del sindicalismo docente en América Latina*, Capítulo III en *Sindicalismo Docente & Reforma en América Latina*, Colección Temas Sociales, Vol. 7, FLACSO, junio de 2001.

UNESCO/SANTIAGO: *La Situación de los docentes durante las dos últimas décadas y desafíos hacia los próximos 15 años*, UNESCO, 2000.

UNESCO, EFA Global Monitoring Report: *Education for all. Is the world on track?*, UNESCO, 2002, Paris, France.

Vaillant, D.: *Formación de formadores. Estado de la práctica*. Preal Documento 25, Santiago, Chile, diciembre de 2002.

Wolff, L., Gonzalez, P., et. al.: *Educación privada y política pública*, PREAL/BID. Editorial LOM, Santiago, Chile, marzo de 2002.

Wolff, L., Schiefelbein, E., et al.: *La educación primaria en América en América Latina: La agenda inconclusa*, Preal Documento 24, Santiago, Chile, agosto de 2002.

Web sites

General

www.natlex.ilo.org

www.ilo.org

www.ental.org/dialogo.htm

www.ilo.org/public/spanish/dialogue/sector/techmeet/ceart/recs6i.htm

www.unesco.org/education/educprog/am.recom_s.html

www.ilo.org/public/spanish/dialogue/sector/techmeet/ceart

www.ilo.org//public/spanish/dialogue/sector/techmeet/jmep2000/jmepri.htm

www.ilo.org/public/spanish/dialogue/sector/techmeet/jmep2000/conclude.htm

www.iadb.org

www.preal.org

www.preal.org/GTSD

Chile

www.colegiodeprofesores.cl

www.mineduc.cl

www.nodo50.org/sindpitagoras/educacion.htm

www.udechile.cl/undin2/actuales/noti2366.shtml

Argentina

www.ctera.org.ar

www.me.gov.ar/leyfederal

www.clarin.com

www.200.26.107.200/ediciones/200201187elpais.asp

www.fmmeduccion.com.ar/editoriales/045oct02.htm

www.tribunadocente.com.ar

México

www.snte.org.mx

www.sep.gob.mx

www.rector.udg.mx/InovacionEducativa.htm

www.reforma.com

Venezuela

www.fevemaestros.org

www.tsj.gov.ve

www.eldia.es/2001-04-27/venezuela/venezuela2.htm

www.gobiernoenlinea.ve

Colombia

www.fecode.edu.co

www.mineduccion.gov.co

www.seduca.gov.co

Costa Rica

www.nacion.co.cr

www.aspe.org.co

www.mundlink.com/archivomag/magisterior25/

El Salvador

www.laprensa.com.sv