

THE LATEST LABOR REFORM IN THE SPANISH STATE: A SMOKESCREEN FOR THE WORKING CLASS

At the end of 2021 the government of the Spanish state, formed by a coalition of the bourgeois parliamentary parties PSOE and Unidas Podemos (of which the falsely named Communist Party of Spain - PCE, which is an anti-communist and bourgeois party to the core since its birth, forms part) and supported by the peripheral nationalist parties and other re-baptized components of the classic Popular Front, approved a series of modifications in the labor legislation. They pretended to sell this "change", in the face of their gallery and the working masses, as a supposed repeal of the 2012 reform (carried out by a PP government).

The reform was approved, without changing a single comma, after it was agreed by the government with the subsidized trade union organizations CCOO/UGT (in practice an integral part of the state) and the bosses' organizations CEOE and CEPYME. That is to say, **it had the support of the entire Spanish bourgeoisie all together**, small, medium and large business. The president of Banco Santander and real president of Spain Inc. declared about it no more and no less than this: *"On the approval of the labor reform (...) Botín has considered "very important" and "very positive" what has been agreed and that it has been done "in a consensual manner". "I think this is the way to do things", said Botín. (...)." (Europa Press, 02-02-2022).*

The reform was already blessed by the bourgeoisie and then came the parliamentary farce of its subsequent validation. To this end, one of the PP deputies, formally opposed to the reform, who was supposed to vote against it, voted in favor "by mistake", and then made a fuss about the telematic voting system. This is just another example of the **organizational trick that democracy signifies**, and how all votes are pre-cooked in the general interests of the bosses: *"The executive of the modern State is but a committee for managing the common affairs of the whole bourgeoisie."* (Manifesto of the Communist Party, K. Marx and F. Engels, 1848).

The big European bourgeoisie is pressing for reforms to be carried out in all the EU states to further homogenize legislation, coverages, contractual typologies, etc. With its currency, laws, weights and measures and in general the single market, in the EU, **the European State is currently the real State**, and the national, regional and local administrations are nothing more than branches of this State. The reform approved regarding the so-called stabilization of temporary or interim personnel in the public administrations is also part of this package. The general objective of this European policy is to try to reduce the risk of social outbreak, while taking steps towards a greater centralization of the management of industrial restructuring and of the consequences of the capitalist crisis, both at the level of each state and at the European level. The so-called stabilization is also intended to strengthen the loyalty of those members of the state structure who have and will have to carry out repressive tasks to one degree or another. **The approval of these reforms was in fact one of the requirements for the Spanish state to be able to access the first tranche of the investment package called Next Generation EU**, which all factions of the Iberian bourgeoisie are waiting like vultures to share out.

In terms of content, **the reform is a cosmetic operation** to present as permanent workers all those who until now were counted as temporary or even unemployed, encouraging "fixed-discontinuous" rather than temporary hiring and further facilitating collective furloughs (temporary layoffs) rather than

dismissals. That is, in both cases, sending workers to spend their unemployment benefits when they consider that they do not need labor to exploit, without having to fire them and pay severance pay, but being able to dispose of them as soon as necessary. This serves the bourgeoisie to avoid suffering a shortage of workers at times of high demand for labor and thus avoid a rise in wages, as has happened with the epileptic resumption of production after the confinements and the stoppages in the supply chains. Something similar is intended with the so-called "mecanismo RED" (net mechanism), aimed at making the State assume the losses and the reconversion of entire sectors. This "mechanism" has already been recently implemented in the travel agency sector, and we will probably see it in action in other sectors. The return of the priority of application of sectoral agreements over company agreements in matters such as wages, which in practice already existed by court order, has been sold as a great improvement. But **does the priority application of sectoral agreements over company agreements really mean anything for the working class?** The sectoral agreements were and are negotiated by the organizations of subsidized unionism, and besides establishing conditions of MISERY, they are systematically violated. The background to the discussion on the priority of application of the agreements is **whether the business of commissions and the HIGH LIFE that get those who sell out workers that negotiate them is carried out at the level of their state, provincial or company federation.**

Meanwhile, what of course is not questioned in any bourgeois media or subsidized trade unionism large or small, is the brutality that represents that there are more than 4,000 agreements in the Spanish state (sectoral, provincial, regional or company), with all their categories, to keep the working class well separated and compartmentalized so that wages always go down.

What the small union service companies that compete with the big capitalist companies, CCOO-UGT, have been making a big deal about is that this reform does not repeal the elimination of the 45-day severance pay or the processing wages in the case of unfair dismissal that were introduced in the 2012 reform. But, did the processing wages in case of unfair dismissal (which in practice are paid by the state, not by the companies) really serve to prevent dismissals? No, and not only did they not serve to prevent layoffs, but **they served to numb and even nullify the workers' determination for the intransigent defense of their jobs.** Those who cry for the loss of processing wages and higher indemnities are the lawyers and "syndicalists" who go to commission in the workers' trials.

According to what was announced in the press, according to what the social democracy and the trade unionists at the service of capital said, all the ills of the proletariat came from the previous reform...with the new one they would all come to an end. This is what they have been selling to the working class. But the bourgeois newspaper *Expansión*, a press aimed at the bourgeoisie and not consumed by the working class, sums up well the real content of the reform: *"The most important thing about the labor reform is that it pacifies an issue, that of the repeal or not of the previous one. (...) **The fundamental bases of the previous regulation are maintained.**"* (*Expansión*, 29-12-2021). In other words, nothing changes.

There is a reason why the bosses agreed to approve it and defended it tooth and nail. This reform has been a decision of the State, of the entire bourgeois State, including subsidized trade unionism. The president of the CEOE himself intervened no more and no less than in the CCOO Confederal Congress of October 2021, a couple of months before signing the reform, making such sincere statements as the following: *"for us, you are not the bogeymen [it's a pun with the acronym of CCOO, also called "cocos", bogeymen], you are the Comisiones Obreras (...) we will have different ways of looking at it, ways of how we can fix it, of how we can solve it, but I assure you, and keep in mind, that the Spanish companies, the large, medium and small entrepreneurs, the entrepreneurs of Spain, when they sit down in this case with Comisiones, with UGT, (...) and even when we sit down with the Government, I assure you that we will be able to get this great country we have, which is called Spain, which is worthwhile. Thank you very much, good luck"*. For this work the subsidized unionism counts on the help of the bourgeois state, which after passing in 2021 from 8.9 to 13.8 million euros in subsidies to these "unions", has again increased the item to 17 million euros in 2022 (Europa Press, 08-03-2022).

While inflation rises (with a year-on-year CPI, deliberately calculated at a lower level, already almost 10% in March, and with much higher increases in the price of several of the products that the working class actually consumes) the puppets at the head of the Spanish government have no qualms in affirming that wages should not be increased by the same percentage to prevent the rise in the CPI from *"permeating the rest of the economy"*. (La Vanguardia, 11-01-2022). And the lapdogs of subsidized unionism propose the use of either average or core inflation (lower than the CPI) to calculate the increases they agree to. (La Vanguardia, 24-01-2022). All of them keep repeating like parrots the absurd thesis that Marx had already refuted to Weston in "Wage, Price and Profit" (1865) about the supposed influence of rising wages on prices. The only thing that really happens, as it is exposed in this fundamental text of Marxism and as all the spokesmen and economists of the bourgeoisie try to hide, is that *"the general rise in the rate of wages will ultimately result in nothing else but a general fall in the rate of profit"*. The lie a thousand times repeated for so many years in all the bourgeois media (including all the subsidized trade unionism) that the rise in wages would redouble inflation, only hides the fact that **inflation, without at least equivalent wage increases, what it really leads to is a WAGE DECREASE**, and a redoubling of workers' exploitation, to the sole benefit of the bourgeoisie.

The Spanish bourgeoisie has in the PSOE a great defender of its class interests. Almost all the labor reforms in the Spanish state have been approved by the PSOE (and not only after the transition, but also during the Second Republic - Law of Mixed Juries¹, Law of Vagrants and Thugs², etc.). -). It is enough to make a brief review of the governments that approved the most important reforms prior to that of 2021:

- 1980 UCD: Workers' Statute (reduction of vacations, severance payments, etc.).
- 1984 PSOE: Flexibilization of temporary hiring.

- 1992 PSOE: Greater flexibility in temporary hiring.
- 1994 PSOE: Introduction of the temporary work agencies (TWA) and facilities in collective dismissals.
- 1997 PP: Creation of the first severance payment of 33 days per year (instead of 45).
- 2001 PP: Creation of 8-day severance indemnities for temporary contracts.
- 2002 PP: Creation of "express" dismissal.
- 2006 PSOE: Extension of dismissal compensation of 33 days per year.
- 2010 PSOE: Generalization of objective dismissal (20 days per year) and severance pay of 33 days per year.
- 2012 PP: Elimination of the indemnity of 45 days per year and of the processing wages in case of unjustified dismissal.

The capitalist crisis and the imperialist war entail and will entail a worsening of the working and living conditions of the working class. **It will not be the elimination of any reform, nor the return to a previous situation, that will put an end to this situation.** Those who raise this type of "struggles" only intend to cloud the eyes of the working class and use it for parliamentary purposes.

The labor reality of the working class is always much worse than what the bourgeois law reflects. Even in the daily economic struggle, if the working class, faced with a legal modification imposed by the bourgeois state, were to take as a reference point for its demands the moment prior to that law, then it is obvious that we have lost before starting and that the bourgeoisie will always manage to consolidate its previous cuts by simply taking them a little further. Let us take the example of the retirement age: in the Spanish state it was raised from 65 to 67. Should the demand of the working class of the Spanish state then be to fix it again at 65? No, the immediate trade union demand should be to be able to retire at 50-55 years of age with 100% of the salary.

What the working class needs is to turn the workplaces into class struggle nests in which, through direct action and strikes, it can prevent the Employers from applying all that their law allows them and more. Extending and progressively unifying these struggles towards a single table of demands for the whole working class, which we can impose through a real GENERAL STRIKE. Only by breaking with the corset of subsidized unionism and organizing ourselves at the union level at the level of class unionism can we aspire to stop the cuts or achieve improvements, even if they are momentary while capitalism lasts.

The reality is that in capitalist society **we proletarians have nothing to lose but our chains**. Only by taking up the weapon of Marxism and organizing ourselves in the International Communist Party can we aspire to definitively eliminate the root of this situation and of all crises and wars: wage labor, money, the market, and the commodity condition of the working class. In the "Thread of Time" that we publish below, written in 1949, this important nail is hammered down, so that the scarecrow of the struggle against the supposed "bosses' offensives", present and future, does not divert us from our historic objective: **THE ANTI-CAPITALIST SOCIAL REVOLUTION**.

¹ **Law of Mixed Juries (Ley de Jurados Mixtos)**: Joint commissions formed by employers and workers which regulated labor conditions and arbitrated to *"prevent conflicts between capital and labor"* and which in practice served to legally castrate workers' struggles. This is a continuation of the Joint Commissions of the 1920s, which began during the dictatorship of Primo de Rivera with the participation of UGT.

² **Law of Vagrants and Thugs (Ley de Vagos y Maleantes)**: this law was, in fact, a legal weapon to persecute and arrest workers in struggle.