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# **USAID Strengthening Labor Justice for CAFTA-DR Program**

**Contract No. DFD-I-03-04-00175-00**

**Quarterly Report**

**January 1 – March 31, 2011**



**CAFTA DR Program Launches Judicial Studies**

**Degree Program**

**San Salvador, El Salvador**

**March 2011**

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April, 2011

This report was written by Management Sciences for Development, Inc. under the USAID Strengthening Labor Justice for CAFTA-DR Program, Contract No. DFD-I-03-04-00175-00, for review by the United States Agency for International Development.

## Executive Summary

Management Sciences for Development, Inc. (MSD) was awarded the Strengthening Labor Justice for CAFTA-DR Program contract in March 2007. The task order (No. DFD-I-03-04-00175-00) was issued under the Rule of Law Indefinite Quantity Contract (ROL IQC). MSD is the small business implementing partner under this mechanism. The Labor Justice Program seeks to strengthen capacity for enforcement of labor laws in El Salvador, Guatemala, Honduras, Nicaragua, Costa Rica, and the Dominican Republic as required under the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR). This regional program is headquartered in El Salvador. MSD maintains a project presence in each country.

The Program was extended in June 2010 to continue the expansion of electronic case management systems, enhance professional standards through the design and implementation of a Master's Degree program, streamline judicial processes, improve the enforcement of court decisions, promote the use of alternative dispute resolution, integrate administrative and judicial procedures and continue providing technical assistance to governmental and non state entities.

### Component 1: Electronic Case Monitoring Systems

MSD designs and implements electronic case management systems which allow courts to effectively and quickly resolve labor cases. Electronic Judicial Management Systems (EJMS) are in place in Guatemala, El Salvador, Costa Rica and the DR. In this quarter, the program conducted the following activities under this component:

- **Costa Rica:**

In Costa Rica, the Program finalized plans to install an Electronic Filing system at *Megadespacho de Goicochea* (Megadespacho). The Program also provided technical assistance to the Costa Rican labor courts located in Alajuela and Heredia. This assistance focuses on bringing the Costa Rican labor courts in compliance with GICA standards (*Gestión Integral de Calidad y Acreditación-Poder Judicial*).

- **Dominican Republic:**

Program IT staff designed a modification to *Supremo Plus*, the local information system used to manage criminal cases, which will allow the labor courts to use the program. Additionally, the CAFTA DR program prepared a plan for restructuring the courthouse staffing plan which will allow the court to more effectively manage cases.

- **El Salvador**

The CAFTA DR Program finalized testing and installation of the *Sistema de Gestión de Tribunales Laborales* (STGL) for Salvador's Integrated Court Center, First and Second Labor Courts, the Office of Case Reception and Distribution and the Office of Legal Notices.

- **Guatemala**

The Program installed computer equipment and furniture at the Labor and Social Security Offices located in Antigua and Cuilapa.



**Training Session on GICA Standards in Costa Rica**

- **Honduras**

The program finished mapping court house administrative processes and trained courthouse employees at the *Centro de Documentación e Información Judicial Dominicano (CENDIJD)* on the new administrative processes.

### **Component 2: Raising Professional Standards in the Labor Judiciary**

MSD provides technical assistance and training to judges, lawyers and court house support staff on electronic case management, oral trial techniques and labor law. This includes developing two Master's degree programs in labor law.

- **El Salvador**

The Program launched the Master's Degree Program in Judicial Studies.

- **Guatemala**

The Program facilitated a Memorandum of Understanding (MOU) between USAID and Istm University. This MOU will allow the Program to design a Master's Degree Program in Judicial Law for Guatemalan law students and legal professionals.

- **Nicaragua**

In January and February, the program provided specialized courses on workers' rights to members of the *Comisión Nacional Académica de Derecho de Nicaragua* (CONADER Universities).

### **Component 3: Procedural Streamlining**

MSD designed and implemented a strategy to strengthen and streamline judicial procedures through the use of ADR and modernization of documentation systems, as well as the introduction of the internet-based labor justice observatory. This quarter, program-funded researchers working at the Labor Justice Observatory in El Salvador and the Dominican Republic delivered drafts outlining the results of their research. Their research analyzes the use of precedence in adjudicating cases at the trial and appellate levels. The final research will be compiled in a publication and made available to legal professionals through the observatories. In late January, the Program began finalizing the design and installation of a Single Service Station for courthouse employees located at the Salvadoran Attorney General's Office.

#### **Activities planned for the next quarter:**

- Install the Electronic Filing System for the Costa Rican Megadespacho.
- Finalize and complete installation of the SGTL for courts located in San Salvador's Integrated Court Center.
- Initiate course work for the Master's Program in Judicial Studies in Guatemala.
- Complete and publish research conducted at the CAFTA DR Labor Justice Observatory.
- Expand technical assistance on GICA compliance to the Costa Rican Superior Labor Court.

## Component 1: Electronic Case Monitoring Systems

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*Result 1.1: Electronic case tracking and judicial management systems in thirty-three (33) courts in five (5) CAFTA-DR countries.*

### **Judiciary Management Systems**

The electronic case tracking and judicial management system allows courts to resolve cases efficiently and provide information necessary for reforming other areas of labor law. This quarter, the program conducted activities in Guatemala, El Salvador, Costa Rica, and Honduras.

#### **Costa Rica**

##### **Goicochea Labor Court**

A meeting was held by the Program on February 8, 2011 as follow up to a request by Costa Rican Magistrates Orlando Vega and Julia Varela for more time to define parameters for developing an electronic case filing system.

During the February meeting, the magistrates introduced substantial modifications in the program's implementation strategy for the Costa Rican courts. The magistrates asked the full court to convert the San Jose Second Judicial Circuit into a specialized court and also authorize the transition of the entire court to a paperless system. Consequently, the electronic case filing system designed by the program will be developed for both the private and public courts.

In an effort to support the development of the electronic cases filing system for both private and public courts, Magistrate Varela requested that the program establish an end date for the entire project instead of digitizing current cases. Consequently, the Program will be prepared to turn over an electronic file system and fully functioning hearing rooms to the Costa Rican courts by April 4<sup>th</sup>.

This change meant a program delay in the delivery date for the system from February to April. As of writing, program staff was uploading current cases into the courts databases and the court committed to assigning an internal team to continue with this work. The program will now coordinate with the court's Computer Science Department technical staff to train courthouse staff in the use of the electronic case filing system in March and April.

March's activities focused on the creation of an electronic filing system for *Megadespacho*. The program initiated several activities including: an evaluation of the caseload processing times, selecting the sample to be used to calculate processing times (organized by stages), training three (3) judges<sup>1</sup> assigned to hear new cases in use of the virtual office, and providing informational sessions for legal professionals (i.e. law firms, legal counsel for government agencies and trade unions) on the electronic filing system. Approximately thirty (30) participants attended each lecture. Magistrates Aguirre and Varela participated actively in these lectures, which led by CAFTA DR program staff and the Judicial Branch's Computer Science Department.

##### ***Gestión Integral de Calidad y Acreditación-Poder Judicial (GICA Standards)***

This program assists the Costa Rican labor courts comply with GICA standards, an adaptation of the ISO 9001 management standards.<sup>2</sup> The program hired three (3) engineers to provide technical assistance at the Alajuela, Heredia, and the Superior labor courts.

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<sup>1</sup> Two (2) the judges were from the private employment courts and the other judge presides over a the public employment courts.

<sup>2</sup> More information on ISO 9001 standards is available at <http://www.isogar.com/iso9001/qualintro.htm>.



Workshop on GICA standards in Costa Rica

In February, the program provided training on GICA standards to judges and court house clerks working at the labor courts of Alajuela and Heredia. This workshop was provided by the *Centro de Gestion de la Calidad (CEGECA)*, an entity established by the courts to coordinate with the program on GICA's compliance process. The sessions included a presentation by Magistrate Rolando Vega on GICA compliance.

Subsequently, the program will conduct diagnostics and analyze activities with process mappings to examine each court's level of compliance and recommend necessary improvements. The final goal is for the courts to be accredited and compliant with GICA standards by September 2011.

This quarter, Engineers Dennis Acón (Alajuela Court), Jorge Rodríguez (Heredia Court) and Carlos León (Superior Labor Court) joined the program's efforts to provide support for GICA compliance activities.

### **Dominican Republic Labor General Secretariat**

During this quarter, the Human Resource Department, Personnel Evaluation Department and the Information Technology Department located within the Supreme Court and the National Judiciary School coordinated with the program to design activities for the Labor General Secretariat.

The Human Resource Department and the National Judiciary School will develop position descriptions for personnel that will be relocated to the Labor General Secretariat. Staff will be placed based on personnel evaluations and staff training. Additionally, the Technology Department began modifications planned for *Supremo Plus*<sup>3</sup>.

The program delivered the following products to the Dominican Labor courts:

- **Draft Administrative Procedures Manual:** the manual was delivered to the Technology Department for use in the initial adaptations of *Supremo Plus*. The manual was also provided to the National Judiciary School. The school will use the manual to design a preliminary training manual for courthouse staff assigned to administer *Supremo Plus*.
- **Structure Proposal:** the proposal was provided to the Secretariat which included position descriptions. The position descriptions were also provided and discussed with the Personnel Evaluation Department.
- **Administrative procedures:** the program designed administrative procedures based on guidelines established in Play Script's<sup>4</sup>. The procedures were subsequently delivered to the Personnel Evaluation Department to complement the profiles.

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<sup>3</sup> *Supremo Plus* is the information system used by the Dominican Criminal courts to cases. The program is adapting the system to allow the labor courts to also use the system. This adaptation of *Supremo Plus* will allow the court to maintain continuity between the courts.

<sup>4</sup> Playscript procedures are documents which detail how an activities proceeds from one step to the next. For more information please see <http://www.processchart.com/features-playscript.htm>.

In February and March, program consultants Altagracia Peguero and María Polanco led workshops with the Technology Department of the Supreme Court on the following topics: procedures for the handling of cases (ordinary, special and summary); admissibility of cases and court petitions; a system for numbering and identifying courthouses; first and second notices; process accumulation and pending actions and sentence implementation.

In February, program Architect Germán Sachica visited the Santiago de los Caballeros Courthouse to examine the spaces to be occupied by the Labor General Secretariat and adjust the space distribution proposal to the Supreme Court of Justice's available budget.

## **El Salvador**

### **Raising Awareness & Training**

In February, program consultant Javier Lloret conducted workshops on the use of SGTL-2. The workshops were held for five (5) groups over two (2) days. The workshops sought to reduce the staff's resistance to using SGTL-2. The workshops also sought to create a paradigm shift to facilitate adjustment to the new technology, as well as reinforce teamwork, encourage quality work, and focus efforts of courthouse staff on providing better services to users.

In February, the program delivered and installed equipment at the following Salvadoran justice institutions: Integrated Court Center for Private and Social Law, the Office of Case Reception and Distribution, the Office of Legal Notices and five (5) labor courts.

### **Office of Legal Notices**

The implementation of SGTL-2 began in San Salvador's Integrated Court Center, where tests were conducted at the Office of Legal Notices. The tests revealed the need for improvements in the Information System that generates legal notices. Consequently, manual changes were implemented. Program staff conducted subsequent tests and recorded the status of pending notifications. Program staff observed anomalies in the notification records. These anomalies were corrected. Connectivity tests were also conducted with the Substantiation Office of the Second Labor Court (*Oficina de Sustanciación del Juzgado Segundo de lo Laboral*), whose staff was also trained to use the system. This allowed the program to assist Substantiation Office personnel in matters of reception, resolution, and forwarding of suits and writs, as well as the monitoring of tests on the forwarding of legal notices to the Office of Notifications.

In March, the program provided technical assistance to the Office of Legal Notice, the Assistant Supervisor of the Office of Legal Notices and the staff of the First Labor Court and the Second Labor Court to improve delivery of legal notices. Program staff evaluating the system detected inconsistencies in the number of notices sent per litigant. This duplication generated delays in processing a case. Program staff discovered that many discrepancies in the forwarded requests occurred because they were generated inaccurately by courthouse administrative staff. The courthouse employees are still not fully skilled in the use of SGTL-2. Consequently, the program provided employees with additional training to reinforce their familiarity with the system. After the training, program evaluators observed visible improvement in the accuracy of the notices.

### **Office of Reception and Distribution of Cases and Writs**

As of January 10th, 2011, the SGTL-2 is operating in the Office of Case Reception and Distribution. The program trained sixteen (16) system operators in the office and provided the required equipment. During this training the system underwent its first tests. Subsequently, the equipment installed in the Office of Document Reception was connected with the SGTL-2 system. Courthouse staff members assigned to operate the system were also trained to use the SGTL-2. Additionally, Salvador Eduardo Leiva Méndez, the official in charge of distributing documents and writs, was trained in case distribution techniques. Finally, the program undertook the task of monitoring and controlling the input of new cases and writs in SGTL-2.

The transition between the previous system, designed by the Supreme Court Administrative Systems Unit (*Unidad de Sistemas Administrativos - USAD*), and the SGTL-2 was gradual but completed during the course of two (2) weeks. Initially, inputs were made into USAD system and subsequently into SGTL-2; eventually inputs were made only into SGTL-2.

### **Recording of Proceedings**

In February, the recording of legal proceedings was tested with the support of the Second Labor Judge, Dr. Martínez, MSD consultant Miguel Méndez, and law clerks. Three (3) tests were performed: two with lateral cameras and another with a combination of a frontal camera and a side camera; the tests were recorded onto a DVD. The next step will be to organize a workshop with labor judges and MSD program staff to examine the options and define the camera model that should be installed in all hearing rooms. At this time the most viable option seems to be the use of a single camera, replacing the analog model with a digital model that has better resolution and greater angle width.

### **Labor Issues Court**

The implementation of program activities in Salvadoran labor courts has been gradual. Initially, the program began loading information on active cases and providing training for each post individually. Officials operate the SGTL-2 system on their own, while the program continues to exercise control and monitoring functions and make necessary adjustments. During this quarter, the system was installed in the First and Second Labor Courts and implementation began in the Fourth Labor Court.

Preparatory work has also begun for the implementation of SGTL-2 beyond San Salvador. The software will also be installed at courts in Sonsonate and San Miguel. A visit was also made to the Santa Tecla Court; however, due to space constraints, a meeting has been requested with the President of the Supreme Court Hall on Civil Matters, Magistrate María Luz Regalado, to advocate for a better working location for the Court. Currently, the program has been unable to arrange a meeting with the Magistrate.

### **Guatemala**

#### **Oral Proceedings Protocol**

In March, the Salvadoran consultant Miguel Méndez provided technical assistance to develop an oral proceedings protocol. He developed the protocol based on prior assistance provided to the Guatemalan courts on conciliation and oral trial techniques. The consultant later conducted interviews with Judges and clerks, and discussed oral trial proceedings, and observed hearings at the Fourth, Ninth and Twelfth Labor Courts.

#### **Courtroom Hearing Room Equipment**

This month the furniture provided by the program to equip hearing rooms, conciliation rooms and judicial offices of the Courts of Antigua and the Cuilapa Santa Rosa Court were installed. The program began construction of the Judicial Laboratory for the Judicial Studies School. The installation of the audio and video systems is expected to begin next quarter. The program has initiated procedures to procure equipment, furniture and ancillary devices for the laboratory.



**Workshop on oral proceedings in Guatemala**

## Space Allocation for Courthouse

The Judicial Body has rented a building in Guatemala City that will lodge the city's sixteen (16) Labor Courts and its two Courts of Appeals. Consequently, the Supreme Court Magistrate Mynor Franco has requested the program's technical assistance to define the distribution of space available in the new building.

## Honduras

The approach adopted to improve a court's ability to process a case has focused on administrative processes. The program actively seeks to streamline case processing by adopting proven case management methods for the courts. Consequently, recruitment and deployment of engineers has been vital to the program's success. In order to reinitiate activities in Honduras, the program advertised several positions, a senior and junior industrial engineer, in the Honduran newspapers. Résumés were collected and candidates were selected based on qualifications. These candidates were subjected to an exam by program consultant, Franklin Acuña.

The program expected to complete the mapping of courthouse processes and the Labor Hearing Chamber (*Sala Laboral Contenciosa*) in January. However, Engineer Juan Menjívar's contract ended this quarter and the program began recruiting his replacement.

In order to compensate for the resulting delays, Engineer Franklin Acuña continued interviewing the personnel of the Integrated and Illustrated Tegucigalpa Labor Court (*Juzgado Integrado de Letras de Trabajo de Tegucigalpa*) to develop the mapping of current administrative processes that provide support to jurisdictional process. During the month the following interviews were completed:

- Process interview with Coordinating Judge Bárbara López.
- Interviews with the Archive's operational personnel for the purpose of process analysis.
- Interviews with personnel responsible for the central archive, for the purpose of evaluating existing controls and work methods.
- Interview with Judges María Elizabeth Perdomo y Lourdes García for the purpose of analyzing their processes and work methods.
- Interview with Assistant secretary Ana Pérez for the purpose of analyzing the work methods and processes used in her specific post.

These interviews will be used to prepare the maps of current processes. During this quarter, the program requested that the court provide information for use in a baseline analysis. Program staff members located in Honduras are developing program activities based on this information.

In defining a strategy for Honduras, the program is considering the optimization of the current process in the Labor Court. The processes presently used, in spite of being manual, are well-suited to certain aspects of national legal process and court personnel work within a framework of very simplified administrative procedures. As an example, the resolution notification method used in Honduras is better organized than similar methods used in other CAFTA-DR countries. This has allowed Honduras to manage 200 cases a month which are processed in approximately six (6) to seven (7) months and handle 1800 open cases. The ability to quickly process cases indicates that the Honduran courts have established an effective administrative process.



Representatives of the Judicial Body and the CAFTA DR program staff tour new labor court facilities in Guatemala.

Based on the strategy above, the program proposes to provide a computer system that performs the administrative tasks presently carried out by personnel. This would allow the staff to work on substantive procedural tasks, achieving greater efficiency and better response times. The current process is not complex, and providing officials with this tool could offer excellent results.

The greatest challenge for the design and development of an electronic system to control the flow of court cases and workloads is the short remaining time of the program. The implementation of the electronic system will require additional time given the limited development of technological expertise within the Honduran judiciary. The amount of time the program lost due to Honduras' political situation had a substantial impact on the timely execution of the work plan.

Another issue is the space limitation for the establishment of sufficient hearing rooms. At this time judges preside over about 600 hearings a month; in order to maintain the number of hearings, it is suggested that judges' offices be provided with Liberty<sup>5</sup> recording equipment. This would dedicate the main hearing room mostly to cases in which greater numbers of staff or litigants need to be present. The Information Technology Department is willing to provide the necessary hardware to carry out a pilot test with Liberty's authorization.

**Result 1.2: Electronic monitoring of case and management systems implemented in courts of appeals and supreme courts in at least three CAFTA-DR countries**

**Dominican Republic**

Similar to the strategy proposed for Guatemala, in the Dominican Republic the program proposed updating the Jurisprudence Indexation System in view of the delays for the Center's implementation. To update the system in the area of labor jurisprudence, the program has provided the support and supervision of consultant Marjorie Bosque and students from the *Pontificia Universidad Católica Madre y Maestra* (PUCAMAYMA), who shall fill out index records that will then be reviewed by the Center's attorneys.

Snapshot from the Jurisprudence and Indexation System

As of mid-February, 2,562 judgments have been indexed with the support of the students; 1300 cases still remain to be inputted by the students. It should be noted that only 315 of these judgments have been reviewed and incorporated into the system, which indicates the existence of a delay in the work of the Center's attorneys.

The goal established in December 2010, was to index (4000) judgments by March 8th, 2011. In view of that goal and the end of support from PUCAMAYMA – except for one student who will continue her indexing work – the indexing work will be reinforced by the incorporation of the three (3) CENDIDJ attorneys and of Marjorie Bosque. Each member will be expected to make at least twenty (20) daily index entries, resulting in (100) daily index entries. The review work will be carried out by Flavia Villegas, supervisor in charge of the Center's attorneys, who will be committed to checking at least twenty (20) index entries a day. In this manner it is anticipated that by the beginning of April, (4000) analyzed judgments will have been conclusively indexed.

<sup>5</sup> Liberty is a courtroom audio visual and recording system designed by Spanish engineers which can easily adapted to courts in Central America.

## **Guatemala**

In January, the Constitutional Court provided the program with a database of labor decisions; however, this database was incomplete. A review was therefore undertaken to identify missing judgments. Subsequently, (1800) judgments were indexed during the months of February and March. Since certain adjustments were being made to the Indexation System during that same period, these recently indexed judgments will be loaded onto the system at a later time. During the next period, the program expects to consolidate sentence classification and begin loading data to the Indexing System developed by program IT staff.

## Component 2: Raising Standards in the Labor Judiciary System

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The Strengthening Labor Justice for CAFTA-DR program works closely with legal institutions, courts and law schools to improve the training of judges and other system operators in the area of labor law.

*Result 2.1: Master's Program in Legal Studies designed and implemented in at least two CAFTA-DR countries*

### El Salvador

On March 30, 2011, the Master's Degree in Judicial Studies was officially launched with the participation of the Deans of the Higher Education Institutions (*Instituciones de Educacion Superior - IES*) and their representatives, as well as Ms. Rosa Maria Colorado of USAID and Dr. Rommell Sandoval, assistant director of the program. Academic activities for the degree program are expected to begin on May 30, 2011.

### Guatemala

On February 22, 2011, the program signed a Memorandum of Understanding (MOU) with the Istmo University of Guatemala to establish a Master's Program in Judicial Studies. The Honorable Dean and Representative of ISTMO University, Engineer Manuel Ángel Pérez, Dr. César Solanilla Chavarro, and Dr. Rodolfo Vigo, program consultant and Director of the Master's Program in Judicial Studies, were present at the event which was held at the Intercontinental Real Hotel in Guatemala City.



The CAFTA DR Program signs an MOU with Guatemala's Istmo University to design a Master's Program in Judicial Studies (pictured left to right)

Rodolfo Vigo, PhD, Director of the Master's Program  
César Solanilla, MSD CoP

Manuel Ángel Pérez Lima, Istmo University Director  
Guido Ricci Muadi, Istmo University Law School Dean

On February 22-23, 2011, meetings and exchanges were carried out to promote the Master's Program in Judicial Law. The meetings sought to achieve the following goals:

- Present the curricula for the Master's Program in Judicial Studies;
- Describe the teaching methodology to be implemented, as well as the schedules and expected periods of physical attendance and virtual presence;
- Discuss the program's impact on Guatemalan society;
- Obtain a commitment from justice sector institutions to grant partial scholarships to professionals that work in those institutions.

*Result 2.2: Curriculum reform for law programs in at least five universities in two countries*

### Nicaragua

The first workshop on curricular reform was held on March 31 and April 1, 2011, under the direction of Ms. María Antonieta Josa and Ms. Marisol Trujillo Rizo. Twelve (12) universities associated with the National Academic Commission of Law of Nicaragua participated in the activity.

*Result 2.3: Postgraduate level specialization courses designed and offered in at least five universities in two countries*

**El Salvador**

The program is providing support to the National Judiciary Council to train a pool of law professionals who will be eligible to become labor judges and labor defenders. Another project being implemented with the Council is the establishment of a Judicial Laboratory. The Laboratory is used as a moot court for judges to gain practical experience in handling labor cases.

On Monday, March 28, 2011, the Council Plenary, meeting in extraordinary session, received the preliminary list of candidates selected to participate in the Labor Law Certificate Program. The top fifty (50) candidates scored above average on the qualifying exam, and official data about the results will become available at a later date. During the next quarter, on April 7, 2011, the Certificate Program will be launched at the National Judiciary Council headquarters.

**Nicaragua**

During the month of February, Modules VIII and VI on “Worker's Social Rights in the context of his Working Relationship” were held as part of the Specialized Postgraduate Course on Labor Law with emphasis on oral techniques and due process, under the direction of César Solanilla Chavarro. The Modules were held on February 24-25 and on February 28-March 1, respectively.

Module VII of the Postgraduate Course was held from March 22 -25, 2011, under the direction of Dr. Rodolfo Vigo.



Legal professionals attend course on “Employees Social Rights in the Context of his Working Relationship” in Nicaragua

*Result 2.6: Creation of judicial laboratories for court training in at least four CAFTA-DR countries*

**Guatemala**

During this quarter, the program delivered computer equipment and software to the Guatemalan judicial laboratory. The program expects to install an audiovisual and recording system for the hearing room next quarter.

**Honduras**

The program is soliciting quotations for the procurement of audiovisual and recording equipment for the Honduran judicial laboratory. Additionally, the program is recruiting an organizational management specialist to design training modules on case management and oral procedures.

**Costa Rica**

The program is soliciting quotes for the procurement of equipment and software. These quotations will be used to draft a scope of work for the local procurement of software and equipment.

## Component 3: Procedural Streamlining

*Result 3.3.1: Technical assistance for universities and/or nongovernmental organizations to undertake legal research related to labor law and provide training in alternative dispute resolution and oral proceedings.*

During this quarter, the Labor Justice Observatory's research goal was to generate a first report that addressed the following areas: economic context, a description of the cases introduced in the trial and appellate courts, and the analysis of two judicial precedents from a high court in each CAFTA-DR country. The Dominican Republic and El Salvador each presented a finished draft of their findings. Progress is being made on research of the development of precedents in Costa Rica and Honduras and on litigation scenarios in Guatemala and Nicaragua. The program expects the research to be fully completed during the next reporting period.

*Result 3.3.2: Technical Assistance for the Republic of El Salvador's Attorney General's Office to facilitate assistance and representation for workers.*

### El Salvador

During this quarter, the staff of the Workers Rights Defense Unit was moved to the Vicente Machado Building, following delivery of required equipment and furniture by the program. These facilities have been open to the public since January 24th, 2011. After the move, an inventory of case records was performed in which they were classified according to guidelines formulated by Assistant Prosecutor for Labor Germán Muñoz. During the classification, various anomalies were discovered. Most significantly, program staff discovered that many cases remain in the enforcement phase (i.e. payment of lost wages, reinstatement to position), but with no significant advances. These files have been delivered to the Attorney General's Office for their inclusion in the General Archive.

The program continued developing the Single Service Station (*Estación Única*) with current operators testing the system. As a first step, the unit staff received training, as detailed below:

- January 10-12: Workshop on Special Labor Laws, directed by Mr. Germán Muñoz
- January 13-14: Workshop on the information management system of the Attorney General's Office (*Sistema de Información de Gestión de la Procuraduría General de la República – SIG PGR*). At this workshop, pilot tests of the Single Service Station were carried out and the results of case evaluations were analyzed by Mr. Germán Muñoz and program consultant Miguel Méndez Palomo.



Defense of Workers' Rights Unit located in the Salvadoran Attorney General's Office

### Establishing a Single Service Station for the Attorney General's Office

The program has made significant process under this activity. The following activities are noteworthy for the program:

- The number of active operators at the Single Service Station has been gradually increased; at the time of

reporting the number of attending operators has grown to six (6).

- Attention to the task of receiving and serving users has been strengthened.
- Communications with case defense attorneys has been improved through the use of telephone extensions.
- Support provided by the administrative support team to examine documents prepared at the single station has improved.
- A secondary waiting area was set up outside of the Vicente Machado building to prevent overcrowding of the main service and waiting area. This has contributed to an improvement in client service.

However, at this time several issues still need improvement, such as:

- Maintaining the use of SIG PGR system in spite of an increasing number of users at the Single Service Station. For example, when confronted with a case of collective firing of workers, the first action requested by the operational team was to proceed with the manual reception of cases; this was not authorized.
- Services provided to users. Some users have complained that after concluding their procedures at the station, operators have mistreated them.
- Providing information to prepare the report of indicators on the volume of documents processed each day, sorted by shift operator and document type (petitions, requests for advice, claims). The availability of this information would provide greater objectivity in evaluating opportunities for improvement. Though the information was recently requested from the PGR, it has still not been provided,
- Maintaining the effective use of the ticket dispenser and a screen indicating the upcoming customer to organize the provision of services to users. At this time, and due to an increase in the number of cases, provisional tickets with handwritten numbers are being used, and workers are being classified by company. However, changing the order of provision of service based on criteria that differ from the time of arrival to Unit facilities could generate dissatisfaction among the users.
- At the present time, close to sixty (60) percent of users give up after attempting to use the Single Service Station. Accordingly, a small user exit survey will be conducted, interviewing users on services received and, should the user have given up, on the reason(s) for doing so. The survey results will be used to evaluate improvement opportunities.
- Logistics of daily start-up of operations of the Single Service Station. Currently, no established procedure exists for start-up, such as updating the turn screen based on the numbers in the ticket dispenser, and checking that SIG PGR system is loaded at the individual stations so that service may be provided.



The *ticket dispenser* is used to organize users and allow the court to better serve the public.

Defense of Workers' Rights Unit -Attorney  
General's Office

During the next quarter, the program expects to begin activities related to the implementation of the Single Service Station for case defenders with the objective of facilitating direct contact between the worker and the attorney.

## APPENDIX I: List of Training Activities

SPECIFICS ON TRAINING EVENTS January, 2011 – March, 2011																				
Event Classification						Participant Classification														
Component	Result	Country	Date	Event Name	Name of Consultant/Lecturer	Gender	Magistrates	Judges	Judicial Branch Personnel	Public Defenders	Attorneys	Judicial Collaborator	Teachers	CNJ Technical Personnel	Prosecutors	Students	FGR	Others	Subtotal	Total
		ES	January 05-12, 2011	Lawsuit Argumentation Workshop	Lic. Miguel Méndez Palomo	H				2					1			3	6	15
						M				4		1								
		NIC	January 13-14, 2011	Module VII; International Labor Law	Dr. Lance Compa and Dra. Ángela Cornell	H					22								22	41
						M				19										
		NIC	January 17-18, 2011	Module VII; International Labor Law	Dr. Lance Compa and Dra. Ángela Cornell	H					22								22	41
						M				19										
		CR	January 25, 2011	Preparations to begin the accreditation process for the GICA 2011 Norm: Organization of the Judicial Office of the Superior Labor Court	Carolina Rojas Jeremías Vargas	H	2	3	6									3	14	32
						M	1	7	7											
		ES	February 07 to February 18, 2011	Sensitization Workshop for Court and Integrated Center personnel	Lic. Fernando Llort	H		1				7				1		6	15	24
						M									6					
		NIC	February 14-16, 2011	Module VIII Worker's Rights Interpreted as Fundamental Rights	Rodolfo Arango	H					22								22	41
						M								19						

**SPECIFICS ON TRAINING EVENTS January, 2011 – March, 2011**

Event Classification						Participant Classification															
Component	Result	Country	Date	Event Name	Name of Consultant/Lecturer	Gender	Magistrates	Judges	Judicial Branch Personnel	Public Defenders	Attorneys	Judicial Collaborator	Teachers	CNJ Technical Personnel	Prosecutors	Students	FGR	Others	Subtotal	Total	
		NIC	February 21-23, 2011	Module VIII Worker's Rights Interpreted as Fundamental Rights	Rodolfo Arango	H					22								22	41	
						M					19								19		
		GUA	February 22, 2011	Signature of the MOU between the USAID Program for Strengthening Labor Justice in CAFTA-DR and ITSMO University	Licda Marjorie Bosque	H							5						6	20	
						M							3						6		9
		ES	February 24, 2011 to March 25, 2011	Practical Sessions on Oral Techniques	Lic. Miguel Méndez Palomo	H					1	5				1		1	8	12	
						M		1				3							4		
		GUA	February 03, 10, 18 and 25, 2011	Workshop on Jurisdictional Criteria	Licda. Marjorie Bosque	H	7												7	12	
						M	5												5		
		NIC	March 23 to 25, 2011	Module VII Legal Interpretation and Argumentation	Rodolfo Vigo	H					22								22	41	
						M					19								19		
							<b>15</b>	<b>12</b>	<b>13</b>	<b>6</b>	<b>206</b>	<b>22</b>	<b>8</b>		<b>1</b>	<b>2</b>	<b>0</b>	<b>33</b>	<b>320</b>	<b>320</b>	