

The Mexican government fails to protect women from pregnancy testing and other discriminatory treatment in export-processing factories (maquiladoras) along the U.S.–Mexico border. In “No Guarantees: Sex Discrimination in Mexico's Maquiladora Sector,” released today, the Human Rights Watch Women's Rights Project finds that major U.S.-based and other corporations routinely subject prospective female employees to mandatory urine testing, invasive questions about their contraceptive use, menses schedule or sexual habits in order to screen out pregnant women and deny them jobs. Human Rights Watch also finds that some maquiladoras mistreat or force to resign women who became pregnant shortly after being hired.

Mexico's maquiladora sector is dominated by U.S. corporations, which own at least 90 percent of the factories. Maquiladoras are a source of billions of dollars a year in export earnings for Mexico and employ over 500,000 workers, at least 50 percent of whom are women. Maquiladoras owned by major corporations, including General Motors, General Electric, Zenith, Panasonic, W.R. Grace, Sunbeam-Oster, Carlisle Plastics, Sanyo, and AT&T, were all found to require pregnancy exams as a condition of employment, thereby subjecting women applicants to a different hiring criteria than men. In response to a letter from Human Rights Watch, the Zenith Corporation noted, “[I]t is common practice among Mexican and maquiladora employers in Matamoros and Reynosa to inquire about pregnancy status as a pre-existing medical condition,” and admitted to screening out pregnant women from its applicant pools in order to avoid the costs of company-funded maternity benefits.

Based on interviews with women from more than forty maquiladoras in the states of Baja California, Chihuahua, and Tamaulipas, the report concludes that the majority of the companies investigated in the report conduct pregnancy testing using their own medical personnel or those in nearby private clinics. Maquiladora personnel told women applicants that if they were pregnant they would not be hired and if they became pregnant they would be fired. Although the outright firing of pregnant women is uncommon, Human Rights Watch documented cases of maquiladora personnel forcing pregnant workers to work unpaid overtime; reassigning pregnant employees to more physically difficult work; and refusing to give pregnant women workers seated or lighter work assignments — all in an effort to force them to resign.

"The Mexican government should not tolerate maquiladora development at the expense of women's human rights," according to Dorothy Q. Thomas, director of the Human Rights Watch Women's Rights Project. "Sex discrimination is prohibited by Mexican and international human rights law. We are troubled that U.S. and other corporations openly practice sex discrimination, and that the Mexican government allows this discrimination to flourish unchecked." ...

[L]abor officials also fail to condemn consistently discrimination in those instances where women were already employed. Some labor officials saw themselves as being unable to monitor vigorously maquiladoras for compliance with the federal labor code for fear of reprimand from higher officials in Mexico City, because the maquiladoras were seen as an untouchable source of employment and foreign-income earnings. ...

-Human Rights Watch, “Mexico’s Maquiladoras: Abuses Against Women Workers”
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