

Temporary Guatemalan workers at Chiapas, Mexico.

Diagnosis by examining their status
as documented / undocumented to
engage in remunerated activities.

General Index



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REGISTRO E IDENTIDAD DE PERSONAS



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Introduction

Introduction

Population movement from Guatemala to Mexico, particularly of those who come to work in the southeastern region of the Mexican territory, is among the most significant migration flows in Mexico. The study of this labor dynamics has been of great interest in many disciplines within social research— sociology, sociodemography, economy, anthropology, etc. Furthermore, multiple research papers have been developed on different subjects, such as the role of migration in the region (Angeles, 2010); migratory patterns and sociodemographic profiles (Martinez and Bermudez, 2020; Canales, 2019; Najera, 2014); gender perspective analysis and, specifically, studies on female Guatemalan labor and its main insertion in the domestic service (Rojas and Angeles, 2012; Blanco, 2014). Most of these works place an emphasis on the vulnerability and social exclusion that characterizes work and living conditions of Central American migrants working in Mexico (Colegio de Mexico and UN Women, 2015).

From the perspective of the federal government, international organisms and academia, the study of this phenomenon is of crucial importance in order to promote a safe, orderly and regular migration. Because of this, the International Organization for Migration (IOM), the International Labor Organization (ILO), the Mexican Department of Interior, through the Migration Policy, Registration and People Identity Unit [Unidad de Política Migratoria, Registro e Identidad de Personas – UPMRIP], and the Northern Border College [Colegio de la Frontera Norte – COLEF] present the following diagnosis, which seeks to analyze the characteristics of the labor market in the Mexico- Guatemala border; offer updated figures on the labor market insertion of Guatemalan people in Chiapas, and go deeper into a few variables that could show vulnerability scenarios for temporary Guatemalan male and female worker flows.

It should be pointed out that the target population of this diagnosis refers to *temporary Guatemalan male and female workers*, who labor in Chiapas, but live in Guatemala and are constantly crossing the border, most of them on a daily basis. Although it is not a migrant population in a strict sense – due to the fact



that no change of residency has occurred – it is a dimension of human mobility with historic presence in the southern border of Mexico, which can be situated in the framework of migration studies under the category of *temporary workers*.

The variable that will be used to assess labor vulnerability is migration status, measured through the possession of migration documents that authorize the engagement in remunerated activities in Mexico. In this regard, the hypothesis of this diagnosis is that having a migration status that allows legal employment provides relatively better working conditions, while simultaneously promoting structuring patterns to such labor flows amongst municipal, local and federal governments.

This analysis also aims to establish connections between market supply and demand, specifically regarding the characteristics of temporary Guatemalan workers. For example, there is an interest in learning about the demand in each labor sector; whether accrued income is above minimum wages; whether there are employment opportunities through written contracts; and whether there is a possibility of acquiring social security or benefits.

This document, which is centered on the period between 2016 and 2019, is divided into four chapters. The first chapter reviews the socioeconomic context of Chiapas and Guatemala. The chapter provides a context of reference for the diagnosis, which takes into consideration the existence of social and economic links between both nations and populations by virtue of their geographic and cultural proximity. Furthermore, it points out the importance and participation of labor flows in this border region.

The second chapter introduces the regulatory framework that applies to temporary Guatemalan workers in Chiapas. It also includes an analysis of the behavior of these flows as regulatory changes occurred during the first decade of the XXI century, and the labor market insertion of these workers, depending on their work permits, or lack thereof.

On the other hand, the third chapter analyzes the characteristics of labor insertion of temporary Guatemalan workers in Chiapas, in accordance with information contained in the *Survey on Migration at the Southern Border [Encuesta sobre Migración en la Frontera Sur – EMIF Sur]*.

Lastly, the fourth chapter discusses areas of opportunity on public policy in the light of the evidence found in the diagnosis.

The document structure, as well as the motivation for its creation, are in line with the objectives of the Global Compact for Safe, Orderly and Regular Migration, signed in Marrakesh (Morocco) at the end of 2018, and are established in accordance with attributions of the institutions participating in this diagnosis.

Specifically, this document seeks to address objective 7 of the Pact, i.e. to address and reduce vulnerability in migration. It also contributes to the fulfillment of objectives 1 and 3, about the collection of data to draft policies with an empirical basis, and to provide accurate and timely information at all stages of migration, respectively. In this regard, it is important to identify areas of opportunity that may help to advance compliance with the International Convention on Protection of the Rights of all Migrant Workers and Members of Their Families.



Thus, this diagnosis proposes elements of analysis for the construction of arguments that contribute to understanding of these phenomena and their evolution.

Sources of information for the study of southern border mobility

The Mexican southern border is the stage of multiple population movements that have posed important challenges in terms of migration management and regulation. In order to understand the contribution and dynamics of foreign population mobility in the southern Mexican border, and its many aspects, there are a series of tools that allow analytical approximations from different angles and perspectives, which may be summarized in three categories: a) population and housing censuses and home surveys; b) administrative records (migration statistics); and c) flow monitoring surveys. Both administrative records, as well as flow monitoring surveys are sources of information used in this diagnosis.

Even though, censuses and home surveys are the main tools to analyze, collect and provide information in Mexico on the sociodemographic characteristics of people, they do not allow us to identify our target population, temporary Guatemalan male and female workers, because such instruments are *de jure*, that is, the population is counted or surveyed at their habitual place of residence¹ in Mexico. Such methodology excludes population that is not a Mexican resident. Furthermore, due to its periodicity, which is, every ten years in the case of the collection of census information, it does not allow to promptly capture changes occurring in between periods, resulting in limitations for the gathering of data on highly dynamic international mobility.

In order to capture the experiences of individuals that were not born in Mexico but are found in the country, even though they do not live in Mexico, such as temporary workers, information from administrative records and flow monitoring surveys proves useful. Regarding administrative records, these are created under an administrative logic, and are thus not created for statistical purposes. Even if they reflect the country's regular migration processes, they do not account for the whole dynamics of migration flows. The most accurate information among administrative records of international mobility are the migration statistics generated by UPMRIP from data collected by the National Migration Institute [INM, Spanish acronym], as the INM is the institution in charge of processing entries, stays and exits of foreign nationals under Mexico's Migration Law².

1 Refers to a home or dwelling serving as specific lodging for an individual, at which such individual normally sleeps and is able to exit from and return to at will (INEGI, Glossary, 2020). The residence term is entangled with that of social space reproduction, sociological concept allowing to understand the residency as the place where the individual builds and reproduces the structures of sense that contribute to his/her day-to-day life. Such construction is a complex process that may also be summarized with the question "Where do you live?"

2 Article 19. The Institute is a deconcentrated administrative body of the Department of the Interior, having as purpose the execution, control and supervision of acts under the charge of migration authority in domestic territory and the implementation of policy on that matter based on guidelines issued by the Department itself.



The analyses presented in this diagnosis include statistics regarding one of two conditions that allow an authorized stay in the southern Mexican border area: regional visitors using Regional Visitor Cards [RVC] and workers that carry a Border Visitor Worker Card [BVWC]. This information is obtained from the data of foreigners regularly staying in Mexico that were issued a migration card, according to records of migration files at the INM, which are reviewed, corrected and validated by UPMRIP in order to resolve information entry issues. The final result is the so-called migration statistics, available to the public at the UPMRIP³ webpage. It is considered the official statistical information of the Mexican state on the matter.

Regarding flow monitoring surveys, the most important instrument is the *Survey on Migration at the Mexican Southern Border (EMIF Sur)*, its main purpose is to increase knowledge about migrant worker flow that crosses the Guatemalan-Mexico border to work in Mexico –our target population– as well as the migrant population that transits through Mexico and is returned to their country of origin (Guatemala, Honduras or El Salvador) by the Mexican or US immigration authorities.

In this sense, the EMIF Sur quantifies the volume of such migration crossing events, providing information on main economic, social and demographic aspects of the people that integrate this human mobility, as well as their conditions and labor trajectories. Furthermore, it allows to obtain current updated statistical information, as gathering of such information occurs at strategic mobility points in Guatemala. It is important to establish that the survey does not represent every single crossing point, but is based on a constant monitoring to identify points with highest cross-border mobility.

For the purposes of the current diagnosis, data regarding the flow of Guatemalans migrating from Mexico (at the time of their return to their country of origin) who worked or looked for a job in Mexico is submitted to analysis. Because *events* are the basic unit of the survey, that means that a single person may cross the border more than once a week, a month or a year; the intensity of the border crossing will depend on labor activity conditions and the distance between such individual's workplace at Mexico and the place of residence in Guatemala.

The highest potential of EMIF Sur –for the purposes of this diagnosis– is that it allows to identify the flow of foreigners who work in Mexico holding a migration

Article 20. The Institute will have the following powers on migration matters: I. Implement the policy on migration; II. Oversee entry and exit of individuals to and from the territory of the United Mexican States, and review their documents; III. In the cases identified herein, process and settle matters related to entry, staying and exiting of foreigners to/from the country IV. Learning, settling and executing deportation and assisted return of foreigners, in terms and under conditions established herein and the Regulations of this Law; V. Apply penalties foreseen herein and in the Regulations of this Law; VI. Have under its charge and maintain a National Foreigner Registry updated; VII. Introduce at migration stations or at sites enabled to such end to foreigners that so merit in accordance with provisions herein, at all times respecting human rights; VIII. Coordinate operation of migrant attention groups located in domestic territory; IX. Provide information contained in databases of the different information technology systems administered thereby, to miscellaneous institutions of national security so requesting, in accordance with applicable legal provisions; and X. All other herein identified, identified in the Regulations of this Law and in any other applicable legal provisions.

3 Refer to http://portales.segob.gob.mx/es/PoliticaMigratoria/Direccion_de_Estadistica



document that allows them to engage in remunerated activities, and those who did not have any document but entered Mexico legally –holding another document– or not. Additionally, the survey allows to analyze the characteristics of labor links in both cases.

With regard to the above, it is important to establish that this diagnosis goes on into studying two key moments of mobility of the people working at the border: the first identifies labor characteristics and destinations of those who are issued a Border Worker Migration Card [BWVC], in other words, the first time of entry into our country in the year of reference. The second moment is when regular or irregular labor flows are detected, that is, those who hold an authorization document and those who do not have one, as well as activities occurring after the initial job linked to the documentation process.

It should be pointed out that information collected through the two sources used in this document is limited in the sense that they only represent a portion of the total flow of temporary workers: while the official migration statistics only contemplate those who file for a Border Worker Visitor Card [BWVC] and satisfactorily completed the filing process, the EMIF Sur only gathers information about male and female workers that crossed through points where surveying occurs; that is, a second moment other than the one offered by administrative records. However, both sources provide sufficient elements to learn about the dynamics of this flow and its sociodemographic and labor characteristics. Because of this, they are used as complementary sources capturing different aspects of a single phenomenon, labor mobility. Therefore, information provided by each source is not strictly comparable.

Lastly, it is important to remember that not all Guatemalan workers working in Chiapas have a document that allows them to engage in remunerated activities in Mexico, therefore, the two referred to instruments merely capture a portion of the total flow of those who work in the state.



The Socioeconomic context of Chiapas

I. The Socioeconomic context of Chiapas

In 2015, Mexico had a high human development index (HDI)⁴ of 0.762 and ranked 77 worldwide; however, in states such as Chiapas, Guerrero, Oaxaca and Puebla over 80% of municipalities had a low or median HDI for that same year. In Chiapas, this fact affected 63% of its population (PNUD, 2019: 44-45). In 2016, Chiapa's Gross National Product (GDP) had a 1.7% share in the national GDP,⁵ while poverty measurements confirmed that the southeast was still mostly excluded from the rest of the country,⁶ as it has been for a very long time.

In 2010, the state of Chiapas showed the largest inequality value in the country with a Gini⁷ index of 0.51, above the national median, which was 0.5. In this case, the index reflected homologous conditions: almost all the population was equally poor in most municipalities of the state, 94 out of every 100 people classified as such (Nuñez, 2016).

Life conditions in the state have contributed to the emigration of part of its population, as they seek better life opportunities. According to the 2000 census, Chiapas had a total population of 3,920,892 inhabitants⁸ and it accounted for 336,140 migrants on that year,⁹ representing 8.6% of its population. In 2010, 491,919 inhabitants had emigrated from the state, which had a total population

4 It measures the level of development of each country taking into consideration variables, such as life expectancy, schooling and income per person; with values between 0 and 1, from least to highest rating. It classifies countries into quartiles according to degree of development: very high, those with levels above 0.80; high, levels around 0.70 and 0.80; medium, for levels between 0.50 and 0.70, and low human development to countries with values below 0.55. See <https://economipedia.com/definiciones/indice-desarrollo-humano.html>

5 Refer to <http://cuentame.inegi.org.mx/monografias/informacion/chis/economia/pib.aspx?tema=me&e=07>

6 Refer to http://www.coneval.org.mx/Medicion/MP/Paginas/AE_pobreza_2016.aspx

7 The Gini coefficient measures economic inequality of a community by exploring the level of concentration existing in the distribution of income amongst the population. The coefficient takes values between 0 and 1, 1 being the worst inequality of income distribution, while the value tending to 0 shows that there are more equality conditions. Refer to <https://www.coneval.org.mx/coordinacion/entidades/Chiapas/Paginas/desigualdad.aspx>

8 Refer to https://www.inegi.org.mx/app/tabulados/interactivos/?px=Poblacion_01&bd=Poblacion

9 Refer to https://www.inegi.org.mx/app/tabulados/interactivos/?px=Migracion_01&bd=Migracion#variables



of 4,796,580 people, thus representing 10.3% of the total figure. That is, 1 of every 10 people in Chiapas had migrated, possibly due to the lack of labor opportunities.

This emigration reflects a benefit for the state's economic indicators, specifically those related to remittances. As of the first quarter of 2019, Chiapas income from foreign remittances from relatives grew to 215.2 million dollars.¹⁰ Furthermore, Guatemalan labor fulfills the needs that could be generated from the emigration of chiapanecos, thus a loss of labor force is not shown in the state.

1.1 The job market in Chiapas

In the job market analysis one of the major concerns is informality, both because it shows the market's inability to absorb all available labor, as well as its low dynamism in key sectors of the economy. In a supply and demand mechanism, informality and independent labor soften the drop in employment. However this covers up precarious labor, which in a context of poverty and marginality may harm the population's standard of living.

Below is an examination of the job market situation in the state, taking into account the participation of the working population that is 15 years old and above (local population), their labor characteristics and indicators that show the job precariousness. It is important to establish the labor pattern of Chiapas labor force to have elements that will allow drawing a comparison between the local labor force and the possibilities of labor market insertion of temporary Guatemalan male and female workers in the state of Chiapas in Section 3.

WORKING POPULATION PER ECONOMIC ACTIVITY

The National Occupation and Employment Survey reports with regard to the second quarter of 2019 that the Chiapas Economically Active Population (EAP) represented 56.7% of the individuals 15-years old and above; most of which were working (96.4%). The EAP average age was 38.8 years, with an average of 8.3 years of schooling.

According to Chiapas sector structure, during the period under observation in this diagnosis (2016-2019), the primary sector –including agriculture, livestock, forestry, hunting and fishing– concentrated the highest percentage of labor notwithstanding its reduction between 2018 and 2019 (refer to Table 1). This trend should be highlighted because the state's economy is mostly built upon the primary sector, which has very little added value.

This allowed for the growth of the working population in other sectors such as the manufacturing industry (from 6.6% in 2018 to 12.7% in 2019), though it continues to represent a relatively small share. As a matter of fact, the industry's low share is one of the main problems for the state, which is why this increase is seen as a promising sign that the industry has started to develop.

¹⁰ *Ibid.*

Table 1. Percentage distribution of the working population 15-years old and above economic activity, Chiapas, 2016-2019.

Economic activity sector	2016	2017	2018	2019
Agriculture, livestock, forestry, hunting and fishing	36.5	38.0	40.7	31.7
Extraction industries and electricity	0.9	0.4	0.3	0.4
Manufacturing industry	7.4	8.4	6.6	12.7
Construction	7.4	8.1	6.9	6.5
Trade	17.7	14.7	13.8	15.6
Restaurants and lodging	5.6	5.6	5.2	6.9
Transportation, communications, mail and storage	3.7	3.4	4.4	3.7
Professional, financial and corporate services	2.2	2.6	3.0	3.4
Social services	6.1	7.0	7.2	7.0
Miscellaneous services	8.5	7.8	7.3	7.4
Government and international organisms	3.9	3.9	4.5	4.3
Unspecified	0.1	0.1	0.1	0.5
Total	100.0	100.0	100.0	100.0

Source: Based on information provided by the National Statistics, Geography and Information Technology Institute [*Instituto Nacional de Estadística, Geografía e Informática – INEGI*]. *National Occupation and Employment Survey*. “Strategic Indicators”. Second quarters of 2016, 2017, 2018 and 2019.

Also, in addition to the dynamics of the primary and secondary sector, it is important to point out the participation of the working population in trade and services –mainly miscellaneous and social– construction and at restaurants and lodging; the increase in economic share of the latter subsector is logical, as it is a major tourist destination. However tourism only benefits a few cities. Notwithstanding that the tertiary sector has an important percentage of male and female workers. A few subsectors such as trade and miscellaneous services suffered a drop during the period under analysis from 17.7% in 2016 to 15.6% in 2019 and from 8.5 to 7.4%, respectively, while a small increase in economic share in social services is barely observed, just as in professional, financial and corporate services, though the latter represents in average a relatively low percentage during the period (2.8%).

It is worth mentioning that even though Chiapas is a state with a strong agricultural presence, it has been incapable of invigorating its economy, hence the need of incorporating programs and policies that stimulate investments and job offerings that allow the working population to access gainful employment

and housing, including all sector of the economy, but prioritizing agriculture. Agriculture in terms of infrastructure must be modernized, as it is the basis of Chiapas' economy due to major production of crops and its use of local and foreign labor.

Another aspect of the squalid economic dynamism in Chiapas is seen through the small percentage of population working for the government (Table 1), a sector characterized for providing well-paid jobs with access to social security and labor benefits. During the 2016-2019 period, the state's government in average only used 4.2% of the working population, showing incipient growth.

Lastly, it should be pointed out that employment dynamics and characteristics of the job market are largely due to the fact that agriculture is the state's main activity. Thus explaining, for example, the low dynamics of its economy given the little or null added value that it represents. It is also important to point out the changes in the employment sector's structure that emerged from the growth of manufacture and social services. Thus public policies should be created having a regional point of view in mind, that take into account the importance of the primary sector as the foundation of the economy and potential of the latter two subsectors as growth triggers.

JOB PRECARIOUSNESS

In Mexico, unemployment levels are comparatively lower than in other Latin American countries, because the working age population creates its own employment given the difficulties the country is facing to generate sufficient positions to absorb the entire available workforce, though this implies a deterioration in labor conditions and income (Oliveira, 2006). This impairment process is known as *job precariousness* and it has to do with many aspects that threaten job quality, measured by the indicators described below.

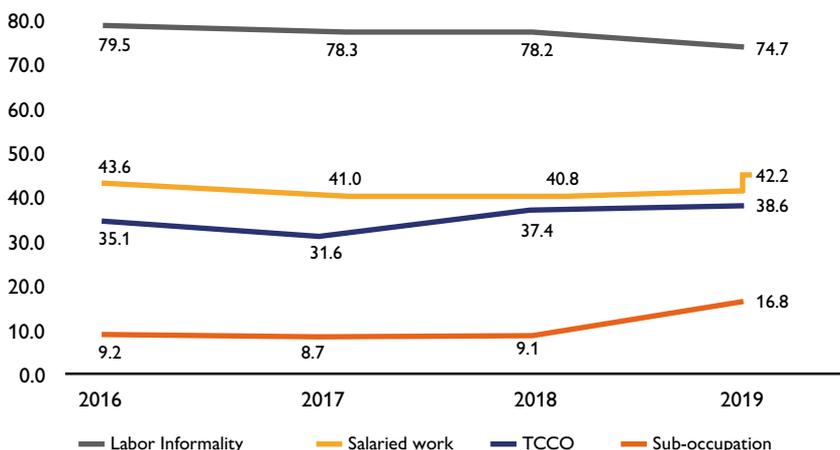
The most important feature of job precariousness is the lack of security. Precariousness has to do with a series of job risks and vulnerabilities, such as lack of stability, irregularity, in a few cases temporary employment, no contract, no benefits, and no social security. In addition to the mentioned features that display lack of protection, there are other elements related to work conditions, whether short shifts even when there is workforce availability to work longer or very low income for very long shifts. Other aspects that typify precariousness are related to the lack of opportunities such as growth, mobility and advancement (Gongora, 2018).

The National Statistics, Geography and Information Technology Institute (INEGI) periodically estimates the main indicators that account for labor precariousness in Mexico. For example, the Critical Occupation Conditions Rate [COCR]¹¹ is an

11 Is an indicator on inappropriate working conditions from the point of view of working time, income or unsatisfactory combination of both. Includes individuals working less than 35 hours a week due to reasons unrelated to their own decisions. It further includes those working more than 35 hours a week with monthly income lower than minimum wages and those working more than 48 hours a week earning up to two minimum wages (inegi, 2020).

indicator particularly sensitive in the country’s rural areas, as it reflects the precariousness of jobs, frequently more evident within such contexts. As a matter of fact, this situation is reflected in Chiapas, where the COCR increase was 35.1% to 38.6% during 2016 and 2019 (Graph 1), while the equivalent rate nationwide was reduced to 18.8%¹² in the last year. In other words, the percentage of workers under inappropriate working conditions in the entity was twice as large as the national average.

Graph 1. Critical Occupation Condition Rates (cocr), Sub-Occupation, Labor Informality and Salaried Work Rates, Chiapas, 2016-2019.



Source: based on information provided by INEGI. *National Occupation and Employment Survey.* “Strategic Indicators”. Second quarters of 2016, 2017, 2018 and 2019.

Another labor precariousness indicator is the Labor Informality Rate.¹³ It should be pointed out that labor informality is prevalent throughout the country and refers to a series of under-employment activities that may include commercial sales, services, manufacture, office work, and work rendered by independent professionals, consultants and entrepreneurs, among other activities. Graph 1 shows a drop in Labor Informality Rate in Chiapas during 2016 and 2019, from 79.5 to 74.7%. Regardless of such drop, the rate is far above the national 2019 rate of 56.6%.¹⁴

¹² Estimates as from https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_05.pdf https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_06.pdf https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_07.pdf

¹³ Refers to share of working population that is vulnerable on the labor aspect given the nature of the economic unit for which such working population works, those whose labor link or dependency is not acknowledged by the work source (inegi, 2020).

¹⁴ Estimates as from https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_05.pdf https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_06.pdf https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_07.pdf



Meanwhile, the Sub-occupation Rate¹⁵ in Chiapas increased from 9.2% to 16.8% between 2016 and 2019 (Graph 1), while the applicable nationwide rate in the latter year was 7.4%¹⁶, a considerably lower rate than in the subnational entity. This translates into a detrimental situation for the southern state, as it reflects the growth of partial or temporary jobs associated to the absence of labor security and social protection plans, that is, jobs allowing workers of any gender to satisfy their basic needs and those of their families.

In that regard, and in contrast with indicators that give account of precariousness, the Salaried Work Rate encompasses the population earning a salary, wage or daily income for performed activities. In 2019, the country's applicable rate was 64.5%,¹⁷ but such indicator in Chiapas in that same year stood below the national level by more than 20 percentage points (42.2%; refer to Graph 1), showing a huge disadvantage for Chiapas workers by virtue of the relationship that exists between the salaried work, social protection and enrollment to health services, in addition to earning a fixed income.

WORK-RELATED CHARACTERISTICS OF CHIAPAS WORKFORCE

According to the National Occupation and Employment Survey (ENOE, second quarter), the job market in the state of Chiapas in 2019 included more than two million economically active and working people (2,059,075). Within such universe, barely 133,643 people were employers, 233,307 did not receive any payment for their job, while almost one million people did not enjoy fair salary conditions, as they were earning the minimum daily wage or even less than that. In that year, more than 753,000 workers in the entity were independent workers who had been forced to create their own source of income as a means of survival.

Additionally, the informality rate was 27.2%, meaning that almost 3 out of 10 workers were in the informal market and undergoing the implications of such situation (without social protection or job security). Hence the need to promote job market formality in Chiapas to allow more workers to have access to social protection. In order to learn about the characteristics of this market with more detail and to provide a more comprehensive view, below is a description of the behavior of these and other indicators during recent years (2016-2019).

A graph of the position of occupations shows a distribution whereby more than 45% of the workforce is subordinated and remunerated, while more than 36% is independently employed. It should be pointed out that both percentages fell modestly during this period (by less than a percentage point between 2018

15 Refers to the share of working population in need and available to offer more working time than what their current job demands.

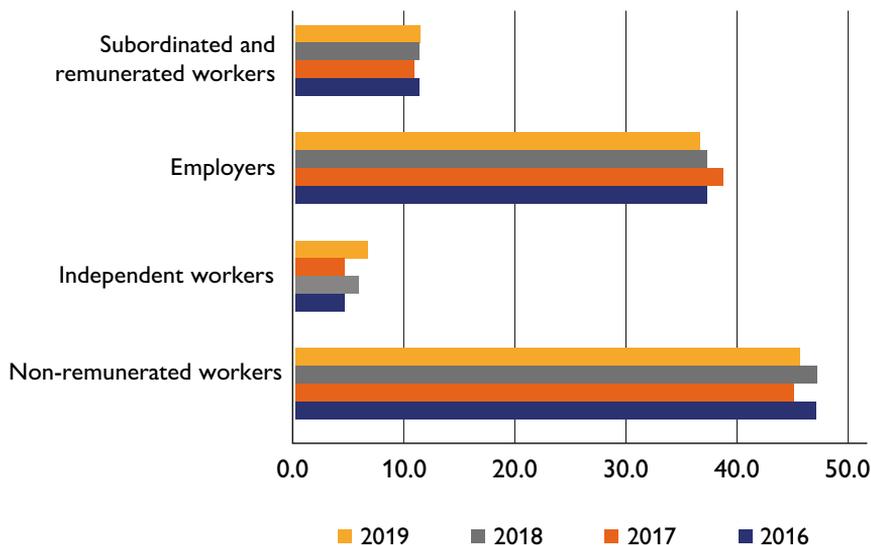
16 Estimates as from https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_05.pdf

https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_06.pdf https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2019/iooe/iooe2019_07.pdf

17 *Ibid.*

and 2019), while the share of employers increased from 4.4% to 6.5% in the same year. Additionally, the percentage of non-remunerated workers stayed the same during the 2016-2019 period, representing 11.3% of the total occupied people in 2019 (Graph 2).

Graph 2. Percentage distribution of working EAP per worker status, Chiapas, 2016-2019.



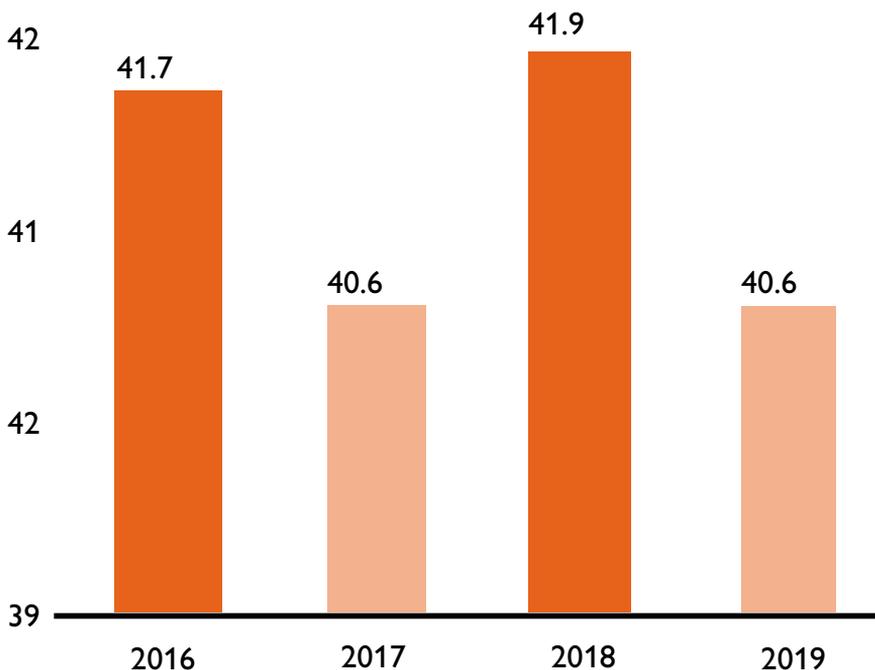
Source: based on information provided by INEGI. *National Occupation and Employment Survey*. “Strategic Indicators”. Second quarters of 2016, 2017, 2018 and 2019.

On average, workers in 2019 devoted 40.6 hours a week to the work shift, a smaller amount when compared with the previous year, for workers spent 41.9 hours a week in 2018 (Graph 3). That is, work shift hours in Chiapas were in line with the maximum working hours of the day shift ordained by the Federal Labor Law, to wit, eight hours a day for five days a week.¹⁸

¹⁸ See <https://www.gob.mx/profedet/articulos/jornada-de-trabajo?idiom=es>



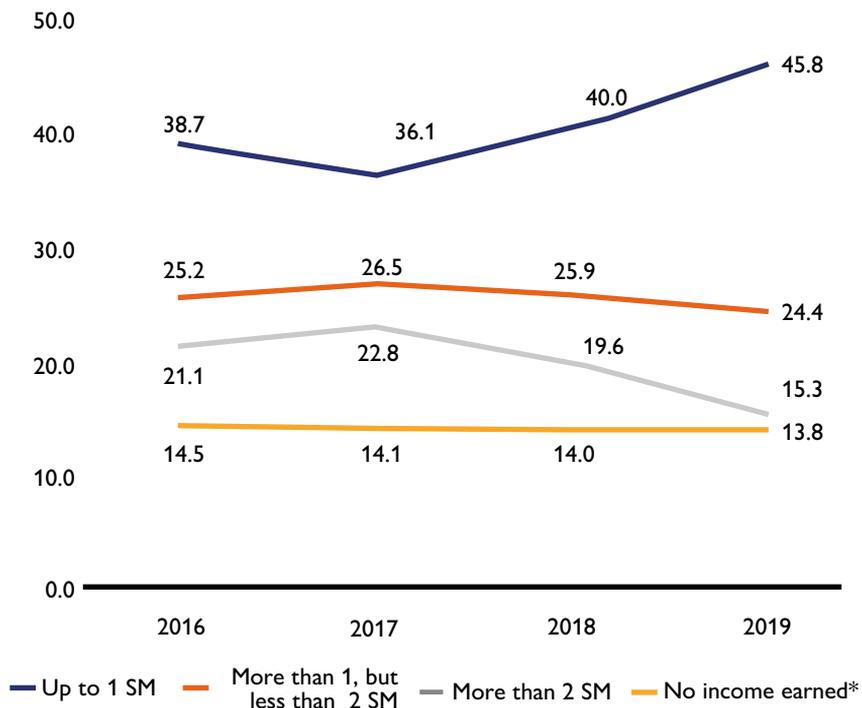
Graph 3. . Percentage distribution of working EAP per average of working hours per week, Chiapas, 2016-2019.



Source: based on information provided by INEGI. *National Occupation and Employment Survey*. “Strategic Indicators”. Second quarters of 2016, 2017, 2018 and 2019.

However, income as a principal indicator of job quality, showed a noticeable decline during the observed period: in the four years, the percentage of workers earning up to 1 minimum wage increased notably (from 38.7% to 45.8% between 2016 and 2019). This trend is inversely proportional for those who earn more than 2 minimum wages, in which case the reduction went from 21.1% to 15.3% in those years. Additionally, the share of workers earning more than 1 up to 2 minimum wages was reduced (Graph 4).

Graph 4. Percentage distribution of working EAP per minimum wage [MW] income level, Chiapas, 2016-2019.



*This series is composed of non-remunerated dependent workers, such as people performing remunerated activities on their own account, such as subsistence agriculture.

Source: based on information provided by INEGI. *National Occupation and Employment Survey*. "Strategic Indicators". Second quarters of 2016, 2017, 2018 and 2019.

No changes in worker access to health services were seen during the period under analysis, but it should be highlighted that the percentage of those having access is very low. It only represents 15.9% of the working population (Table 2). If we only consider the subordinated and remunerated population, such percentage increases more than twice. 34.6% of the population had access to health institutions in 2019; 47.4% enjoyed of labor benefits (without considering access to health institutions), and 39.0% had signed a written agreement.

Table 2. Percentage distribution of working population 5-years old and above per degree of access to health services, Chiapas, 2016-2019.

Degree of access to health institutions	2016	2017	2018	2019
Access	15.3	15.6	15.9	15.9
No access	84.6	84.3	83.9	84.0
Unspecified	0.1	0.1	0.2	0.1
Total	100.0	100.0	100.0	100.0

Source: based on information provided by INEGI. *National Occupation and Employment Survey*. "Strategic Indicators". Second quarters of 2016, 2017, 2018 and 2019.

Taking into account the indicators reviewed in this section, it may be stated that labor precariousness is a feature of the Chiapas job market that increased in the years under observation. The above is based on the behavior of a few indicators analyzed during 2016-2019, such as the increase of workers engaged in critical occupation conditions, that is, those with a need to work longer hours a week to earn a larger income, but their job place offers not such possibility, or those who earn very little in an ordinary shift (up to less than a minimum wage) or, even, in a 48-hour a week shift (up to two minimum wages).

Another aspect of precariousness is observed in the increase of under-occupied workers, that is, workers that need and are able to offer more work hours than what is demanded by their current job, such as part-time work, in a few cases.

On the other hand, one of the main features of precariousness observed throughout the state is, definitively, a deteriorating income upon as the population that earns up to a minimum wage has increased while percentages of those earning above minimum wage has reduced.

Similarly, the low percentage of workers with access to healthcare representing less than 16.0% is evident. This is a point of concern, given that access to healthcare in Mexico is guaranteed when people are employed in the formal sector.

Thus, all Chiapas job market indicators so far reviewed are evidence of precariousness at different scales; despite of these, Chiapas has been a major pole of attraction to workers from the north of Central America, particularly Guatemala.

1.2 Background of Guatemalan labor mobility to Mexico

The socioeconomic context of Chiapas makes us think that it is not a destination that, apparently, offers significant advantages on labor-related terms. Therefore, it would be expected that labor mobility to such state does not necessarily represent an improvement of living standards. However, Chiapas has been a major job market for the Guatemalan population because the southeastern Mexican region shares many of its characteristics with Guatemala. In addition both countries keep cultural and family ties and for some populations Mexico offers better working conditions.

Growing coffee in Chiapas and the expansion of this product motivated labor migration at the border from the mid XIX century. Ever since, a major flow of temporary workers has consolidated through time. Furthermore, during the first half of the XX century, the harvest of sugar cane initiated at the Soconusco region, followed by cotton, but at the end of 1970, cotton production entered into a crisis thus harvesting of other crops was initiated, such as mango, banana and papaya, which are amongst the most relevant products up until today (Dardon, 2016).

This mobility for working purposes is favored by the demand of cheap labor at the Mexican southern border in agricultural activities for men and in the domestic service for women. Job opportunities in Chiapas are almost secure, very few do not find a job, in contrast, job opportunities in their communities of origin in Guatemala are scarce. As a matter of fact, workers with higher education levels tend to migrate to the United States, while those with less education go to Mexico, due to possibilities of labor market insertion in this country (Johnsson, 2014).

On the other hand, poverty and inequality rates in Guatemala are high. This can be seen among indigenous populations who are at the most disadvantage. Between 2006 and 2014 the percentage of people earning US\$5.5 a day in this country increased from 43.4 to 48.8%, thus an additional two million people entered poverty during this period, while 8.7% of the Guatemalan population was suffering from extreme poverty in 2014, representing almost half a million more than in 2000.¹⁹

But not only poverty has been the reason of this historic mobility. The deep cultural links shared by both countries, in addition to geographic proximity, maintain a tradition of huge dynamics in terms of mobility, though not necessarily representing an improvement in living standards for temporary workers that travel from Guatemala to work in Chiapas.

Though originally this mobility was associated to agricultural cycles, as a survival strategy for many farmer families from western Guatemala, benefiting -- at the same time -- the economics of the Soconusco region (Angeles, 2010), with the passing of time such flows have been incorporated to other economic sectors

¹⁹ See <https://www.bancomundial.org/es/country/guatemala/overview>



in the Chiapas border regions, such as trade, services and construction, given the diversification of the regional job market and the expansion of the tertiary sector, just like in the rest of the the country.

With the information from EMIF Sur, the crossing dynamics between Guatemala and Mexico have been analyzed, Tapachula and Frontera Comalapa being the main Chiapas municipalities that welcome Guatemalan workers²⁰ (Martinez and Bermudez, 2020).

The profile of temporary Guatemalan workers has also been documented, including their performance not only in the agricultural sector, but also in construction, lodging and services sector. However, a reference is made that coffee price fluctuation and the loss of peso against dollar exchange rate has had an influence in transnational migration (Martinez, 2020).

Other authors have questioned the social and economic incidence of migration flows at the Mexican southern border and their participation in development of economic poles in the region (Coraza and Arriola, 2020). Beyond the impact of migration in destination communities and the role of migrants in this process, the truth is that both in Mexico and in Guatemala, international mobility has been the survival strategy for thousands of homes.

²⁰ Consider to those declared having worked during their last stay in Mexico.



Border workers and the use of related documents

2. Border workers and the use of related documents

The status of having a work permit is the variable used to establish a relation to situations of vulnerability that temporary Guatemalan workers face in Chiapas. In order to understand why not all workers file for documents, a review of the criteria under which migration documents are issued in Mexico and its different uses is necessary, given the fact that it shapes its use by the Guatemalan migrant population.

This section analyzes characteristics of mobility at the Mexico-Guatemala border in depth, including standards and laws regulating entry, stay and exit from one territory to the other. The economic dynamics at this border are regulated by applicable international migration regulations, due to the fact that a large share of cross-border flows is performed temporary workers.

The demand of workforce in coffee farms in Southern Mexico kept the dynamics of hiring Guatemalan people who covered for the lack of national workers. According to Angeles, quoted by Ancheita, the Mexican migration authority issued collective permits to owners of coffee farms, directly, so that they could hire their workers directly, thus encouraging abuse which, in a few cases, was reported. This resulted in the implementations of change regarding the worker's documenting process to the issuance of individual permits (Ancheita, 2013:103).

Since 1997, the National Migration Institute has issued a document allowing Guatemalans to work in Mexican fields. The Agricultural Visitor Migration Form [AVMF] allows to only work in the state of Chiapas and, as its name indicates, only in the agricultural sector. During this stage, workers travelled with their relatives that were not work permit holders, though in reality they were additional labor force.

Even if an AVMF permitted people to work in the agricultural sector, economy at the border required a variety of profiles that were not viewed as a flow in need of a work permit, even if they engaged in economic activities. Following the damage caused by hurricane Stan in 2005 to the states of southern Mexico and the slow recovery of infrastructure, the need for labor by the construction sector as well as the organization of labor flows was evident, as migration documents did not authorize to Guatemalans to work in such activity sector.

Within this context, a Resolution²¹ was issued in April 2008 for the publication of a Border Worker Migration Form [BWMF] substituting the former AVMF. Such migration document not only extended the benefit to Belize nationals, but also allowed a to migrants to work in any activity sector in the states of Chiapas, Tabasco, Campeche and Quintana Roo.

Thus, though benefits extended to Belize nationals, most border workers continued being Guatemalan. In addition to the broadening of activity sectors covered by the permit, one of the main differences between AVMF and BWMF is that the latter was issued to companions of workers without authorization to engage into remunerated activities, resulting in the acknowledgment of this group of people, without resolving their right to being acknowledged as labor force.

Even though BWMF increased the possibility to get a job in other economy sectors, it depended on a job offer and a letter backing up such offer.

In order to regularize as most Guatemalan workers as possible, who were not residents of Mexico, border worker documentation programs were put in place at Chiapas coffee grower farms, as well as campaigns advertising the new migration form and its advantages between November 2009 and January 2010.

Such migration form was in force until the enforcement of the May 2011 Migration Law, when it was acknowledged for the first time within a superior regulatory framework. Thus, the new condition for remaining in the country was authorized under the concept of a *Border Worker Visitor*, which in the wording of the law does not only include Guatemala and Belize nationals as beneficiaries of this new entry condition, but also nationals from the US, as it was stated in the following terms: "...authorizes a foreigner national of the countries with which the United States of Mexico shares territorial limits..." (Article 52, Fraction IV, 2011 Migration Law).

Contrarily from other conditions of stay, the application of this law required no waiting period to enter into effect, due to the fact that they only change was in the name of the document; no modifications in the issuance requirement were applied.

In practice, the issuance of a Border Worker Visitor Card (BWVC) only occurs at the Mexican southern border because, notwithstanding the law its broad scope, administrative provisions on the matter limited its issuance to Guatemalans and Belizeans.²² One aspect that made the use of the document more flexible was the elimination of the requirement to report any change of employer or activity within 30 days following such occurrence, allowing the bearers of a BWVC to get another job during the effective period of the migration document, without administrative obstacles.

21 General Population Act (1978) failed to identify border worker people as a group to be documented as such, therefore, in 2008 a resolution was issued; however, it did not amend such law.

22 Both, the Migration Law and its Regulations, download in administrative provisions of general nature the limiting to federal entities where ingress and transit of BWVC bearers will be allowed. It should be mentioned that this document requires resolutions between countries for documenting their nationals and, in the case of the United States of America, mobility becoming more flexible, as it is a country requiring no visa and such nationals may enter as Visitors allowed to engage into remunerated activities.

Notwithstanding that major progress has been achieved in acknowledging and documenting Mexico’s southern border workers, less favorable conditions for some labor flows continue to prevail; this is the case of Guatemalan domestic workers most of whom are unable to produce an employer letter to obtain their immigration document or Guatemalans working in the service sector for small businesses or in the informal trade who generally enter the country with a Regional Visitor Card (rvc) without authorization to engage in remunerated activities.

Table 3. Summary of regulatory changes to the documentation of border workers.

Authorization document	Period of Issuance	Activity Sector	Beneficiaries
Agricultural Visitor Migration Form (AVMF)	1997- March 2008	Agricultural only in the state of Chiapas	Only Guatemalan (nationals) workers
Border Worker Migration Form (BWMF)	April 2008 - May 2011	Any activity sector in Chiapas, Quintana Roo, Tabasco and Campeche	Guatemalan or Belizean nationals starting at 16 years old with a labor offer The spouse and children were documented as economic dependents without authorization to work
Border Worker Visitor Card (BWVC)	June 2011 to date	Any activity sector in Chiapas, Quintana Roo, Tabasco and Campeche ²³	Foreigners, nationals of the countries with which the United States of Mexico shares borders (of at least 16 years) The spouse and children entering as relatives without authorization to work

Source: based on migration regulatory frameworks.

²³ Both the Migration Law and its regulations discharge on administrative provisions of general nature the outlining of federal entities where entry and transit of BWVC holders will be allowed.



It is important to point out that migration documents do not guarantee the labor rights of migrants, as the responsibility to guarantee compliance with the Federal Labor Law and its provisions on protection to workers is the responsibility of the Department of Labor and Social Prevision.

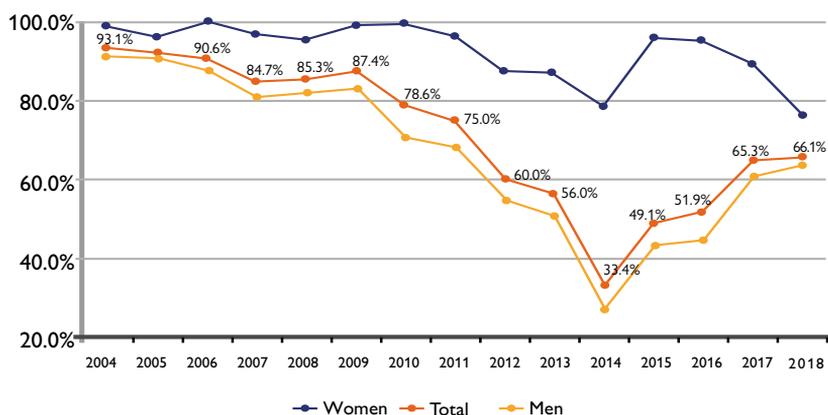
However, holding a migration document guaranteeing not only regular and orderly entrance, but the performance of economic activities, makes those individuals from Guatemala and Belize who intend to work less vulnerable to extortion or abuses in comparison to those in an irregular situation. Also, documents make this work force visible and empowered to assert its rights.

2.1 Temporary workers and document conditions in the state of Chiapas

Mobility at the Mexican southern border is intense, particularly in Chiapas, where migrants with different purposes and interests converge, and those who are not in the migration category are border workers, or else, regional visitors. In both cases, they regularly enter Mexico, but only the Border Worker Visitor Card (bwvc) authorizes engagement in remunerated activities; however, even though those documented with a Regional Visitor Card (rvc) are not authorized to work, they engage in economic activities in order to increase their income and thus their living standards.

According to EMIF Sur data, the percentage of Guatemalans working in Mexico without authorization between 2004 and 2009 was exceedingly high (Graph 5), not a rare fact when administrative provisions in force in such years are placed into context, as it was not until early 2008 that work was limited to the agricultural activity, which may be a factor that influenced this trend, particularly if activities were developed in sectors other than agricultural.

Graph 5. Percentage of events of Guatemalans working in Chiapas without authorization, 2004-2018.



Source: based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2004-2018.

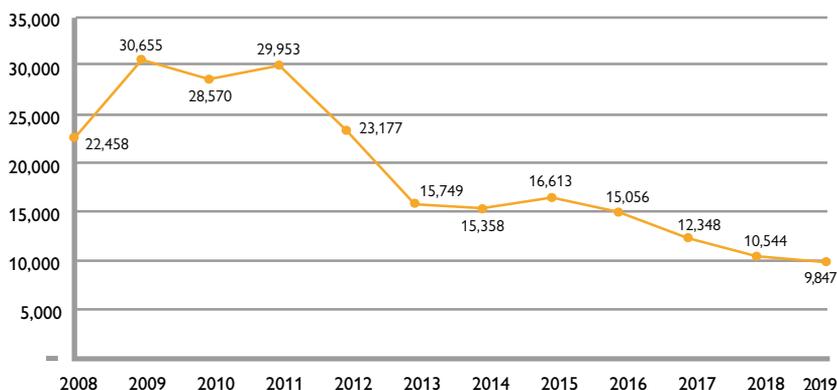
It could have been expected that as from 2008, with the modification to the regulatory framework, the share of unauthorized workers was reduced as a result of the broadening of work spectrum when issuing the BWMF; however, that did not occur but until 2010. There are two reasons that explain the above:

The first is the increase of work permit's scope to all economy sectors, though the employer letter requirement to issue an BWMF was a new limit to access documents to work lawfully. This situation affected, mostly female workers most of whom were domestic workers (Graph 5).

The second reason is that between implementation of the AVMF and BWMF a transition process occurred between 2008 and 2009, thus observing no reduction but until the following year.

Even though regulatory modifications broadened the field of activity to Guatemalan and Belizean border workers, the expected effect to increase the documentation of such flows reached its peak after two years, and then it started to continuously slide down. This may be explained by different factors (Graph 6). First, the 2008 economic crisis which began in the United States of America, outspread its effects to Mexico –as well as many other countries– affecting regional job markets. In case of the southern border, the most affected being the coffee farms that triggered a drop in labor demand.

Graph 6. Issuance of employment authorization documents to Chiapas temporary workers, 2008-2019.



Note 1: From January to March 2008, the information refers to the Agricultural Visitor Migration Form (AVMF) in effect force since 1997 and was only issued to Guatemalans; from April 2008 up to October 2012, it also takes into account Guatemalans and Belizeans documented with Border Worker Migration Form (BWMF). As of November, it includes nationals from Guatemala and Belize who are documented with the Border Worker Visitor Card (BWVC).

Note 2: information includes migration forms issued to holders and their economic dependents travelling along.

Source: based on the *Monthly Migration Statistic Bulletin* 2016-2019.



Another factor that could have an incidence in the reduction of the number of documented workers is that, though Guatemala has high poverty and inequality rates, in recent years the economy of the country has shown some stability, with a GDP growth of 2.8% in 2017, 3.1 in 2018 and 3.6% in 2019, which translates in an improvement to the wages in the agricultural sector, in addition that the Guatemalan currency (quetzal) has won ground in regards to the Mexican peso. In January 2008, a quetzal was worth 1.4 Mexican pesos, while in December 2019, the exchange rate went as far as 2.5 Mexican pesos per quetzal. Additionally, the state of Chiapas has not had an increase in its GDP for years, and is one of the states with the lowest income per inhabitant, as shown in the previous section.

In addition to above-described factors, the low levels of documentation between 2013 and 2014 are the result of a card issue tax, which was reverted in 2015 due to a waiver of charges to those that were able to demonstrate an income equivalent to a minimum wage. Also, the agricultural economy was affected by the coffee rust plague, the “El Niño” weather phenomenon and reduction of government support to producers between 2014 and 2015.

2.2 Sociodemographic characteristics of documented southern border workers

In order to understand the trends of the worker flow described above and before analysis their sociodemographic, we must look at the characteristics prevailing in the place of origin of these workers at the time they get their first job following the issuance of a migration document.

Between 2016 and 2017 (sic), around 80% of workers who were issued a bwvc were from bordering Guatemalan departments, such as San Marcos, Alta Verapaz and Huehuetenango, as from 2018 it also includes the department of Quetzaltenango. In 2019, Huehuetenango ceased to be the main place of origin and San Marcos took over as the main source of workers.

However, this has changed little by little, as departments such as Chiquimula and Izabal, that are farther from the Mexican border (almost at the border with Honduras) also take prominence (Table 4), which may be related to the social and economic contexts that affect the neighbor country.



Table 4. Documented Guatemalan temporary workers as per place of residence, 2016-2019.

Year	2016	2017	2018	2019
Total Guatemalan Department	14 802	12 336	10 540	9 826
San Marcos	3 489	2 877	2 635	2 703
Alta Verapaz	3 419	3 060	2 773	2 404
Huehuetenango	5 064	3 867	2 583	1 906
Quetzaltenango	964	718	661	856
Chiquimula	186	46	134	451
Retalhuleu	351	320	305	347
Suchitepequez	249	253	385	329
Escuintla	118	101	166	145
Izabal	79	317	188	144
Guatemala	87	74	169	96
Baja Verapaz	135	112	110	92
Quiche	373	334	229	75
Other department	288	257	202	278

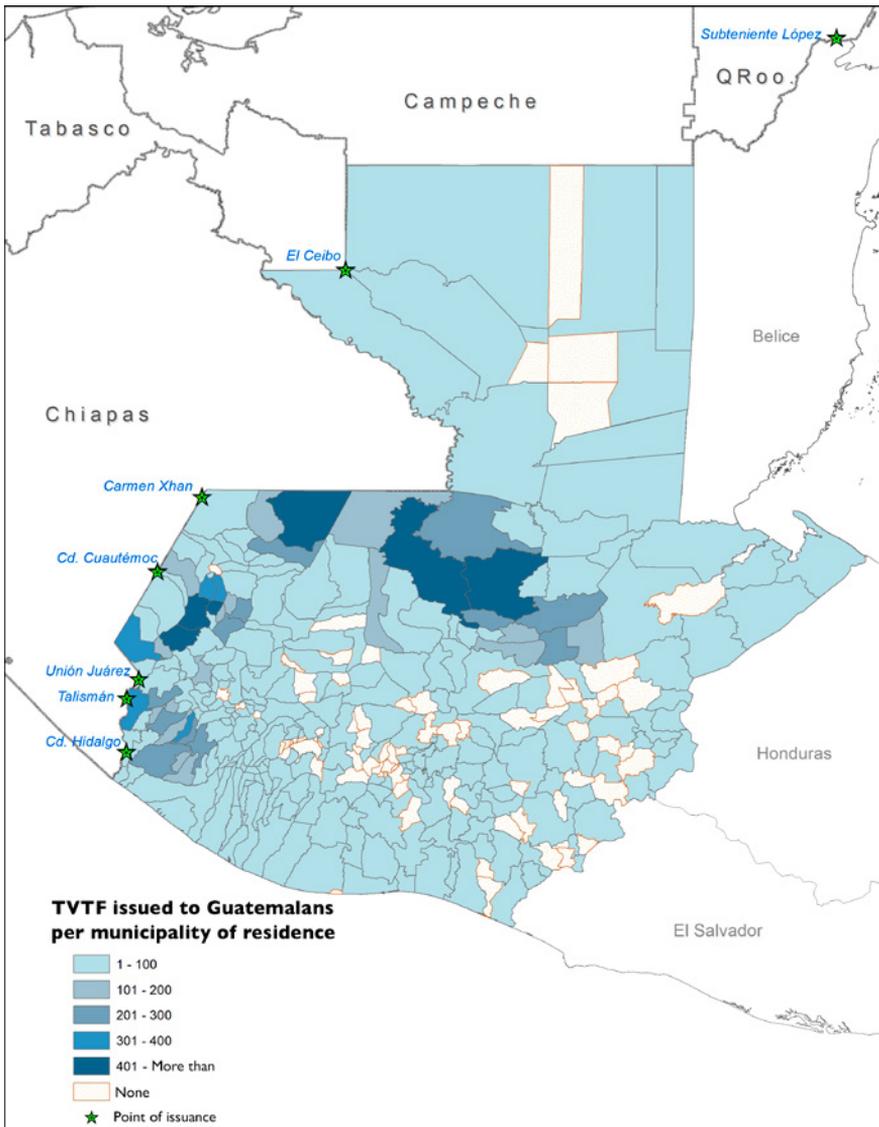
Source: based on the *Monthly Migration Statistic Bulletin* 2016-2019.

Though added information per Guatemalan department of origin basically shows a border-related component, an analysis at the municipality level shows that between 2016 and 2019 the origin of workers loses its border component while municipalities inland country position themselves higher, characterized by high levels of poverty and analphabetism.

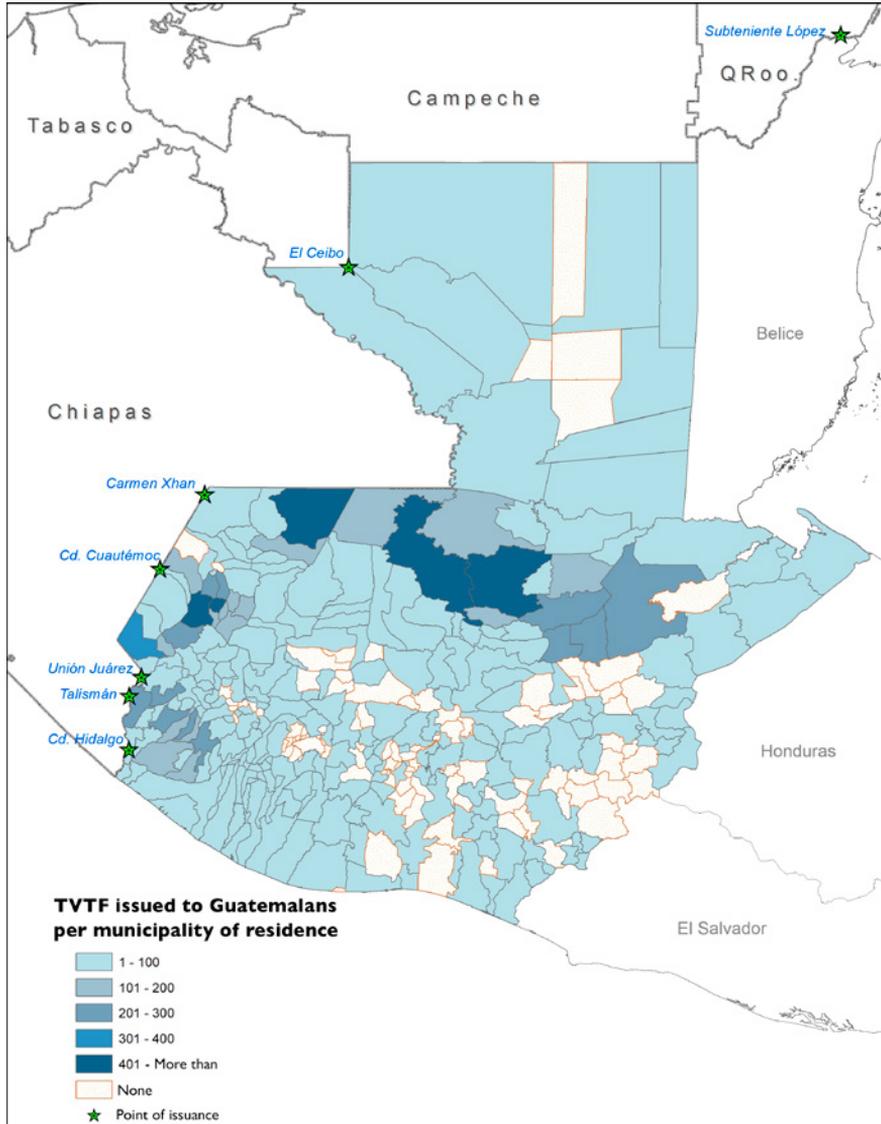


Map I. Documented Guatemalan temporary workers per department of origin, 2016 - 2019

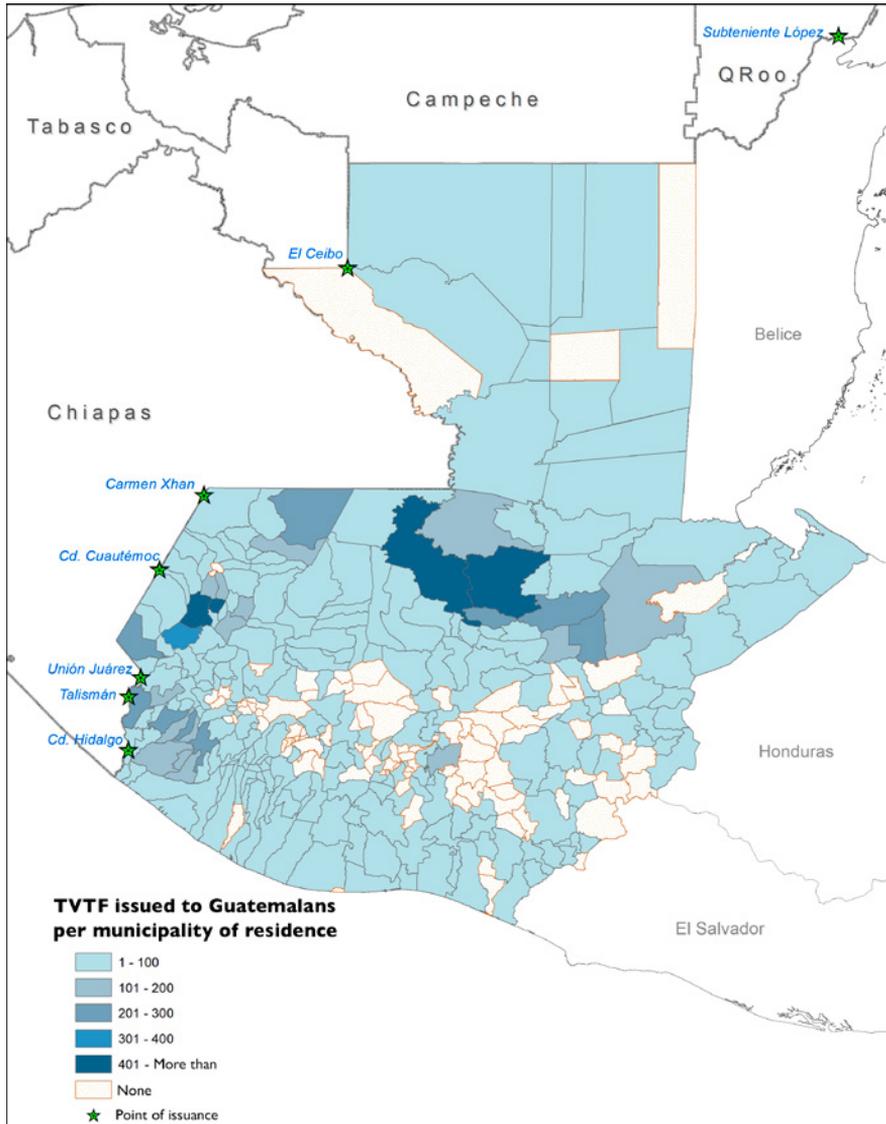
2016



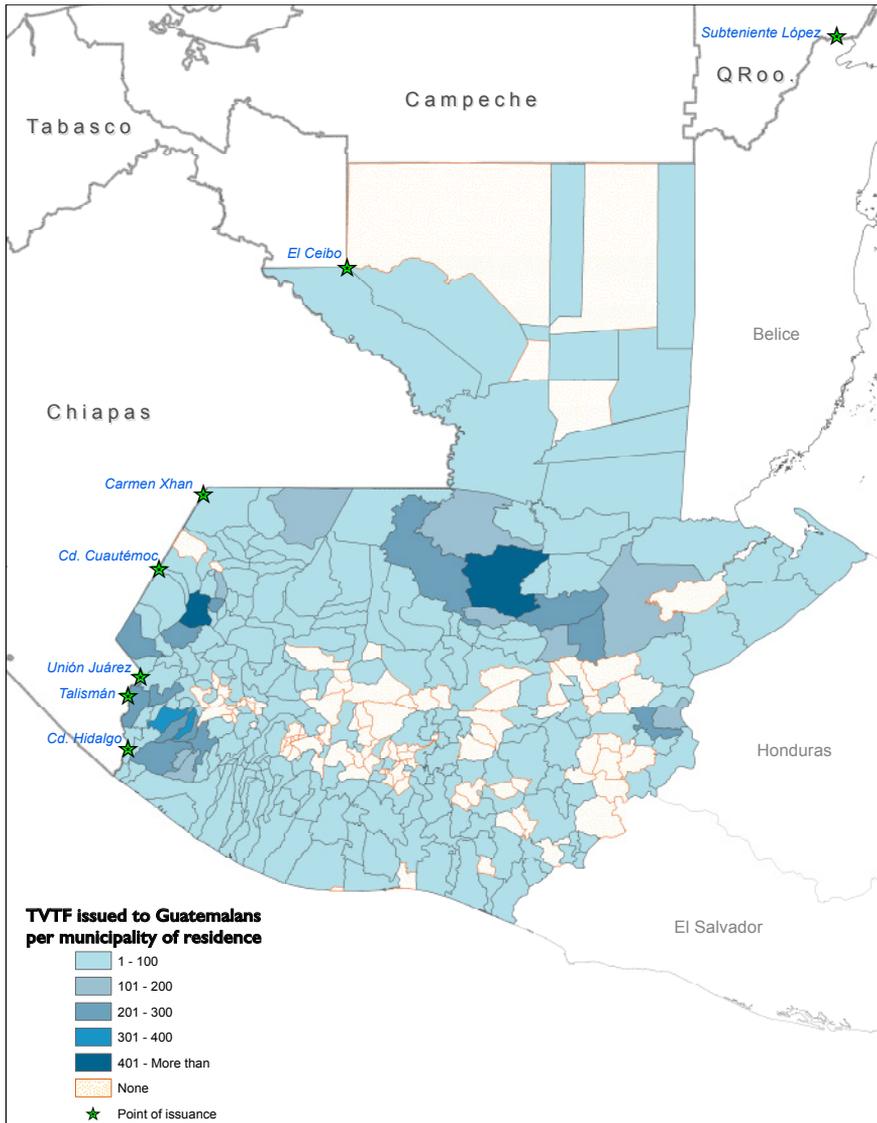
2017



2018



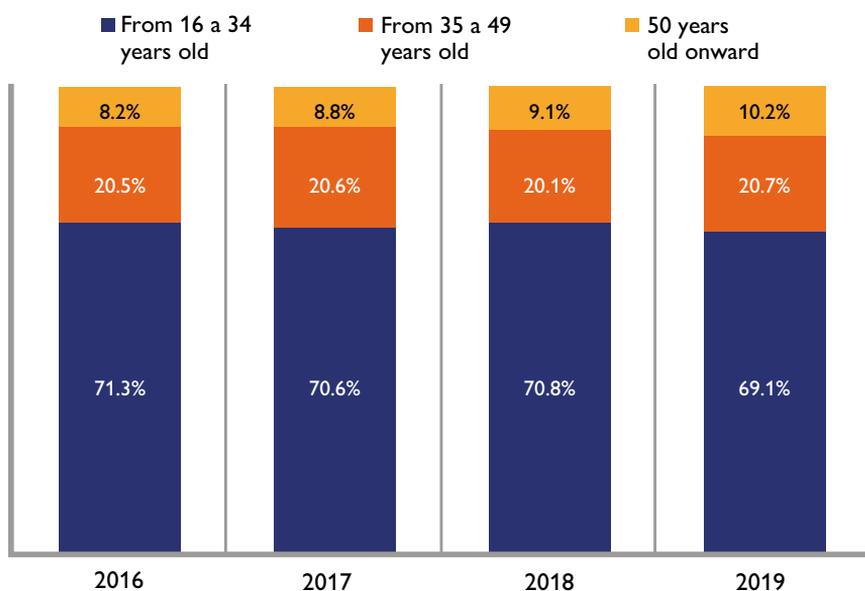
2019



Source: based on *Migration Statistics. Synthesis, 2016-2019.*

As to sociodemographic characteristics, it is observed that during the period under analysis, about 13 women for every 100 men were issued a bwvc and crossed the border to work as a documented person in Mexican territory, reflecting a mostly male migration basically linked to the agricultural activity prevailing in the region. An analysis to the age structure, allowed us to identify that most of them are a young, a little more than 70% are between 16 and 34 years old, which is in line with the physical energy required to work on agriculture (Graph 7).

Graph 7. Percentage distribution of temporary Guatemalan workers who have been issued a document to engage into remunerated activities classified by age, 2016-2019.



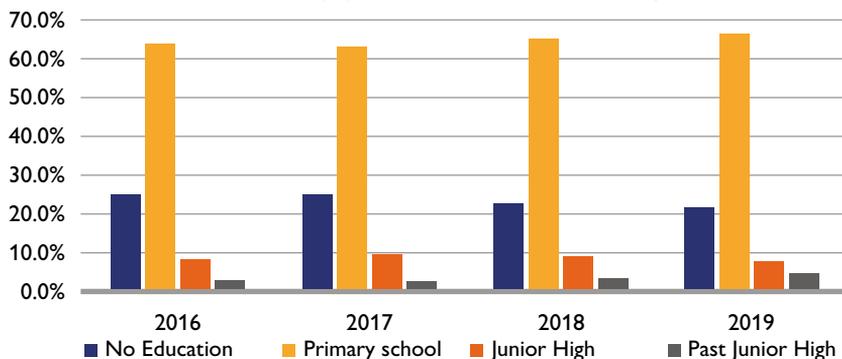
Source: Border worker database, 2016-2019. UPMRIP.

Another important piece of information is the high share of workers who are not educated, as this is often tied to poverty. Though slowly falling by going from 25.4% in 2016 to 21.7% in 2019 (Graph 8), at the same time this characteristic is consistent with the level of skills required for the jobs that are offered to migrants. The prevalence of above profile is not random, as those filing for a BWVC are, in general, large groups of Guatemalans who are intending to work at farms and very few get to be employed anywhere else, that is how the profile of



initial documentation is reflected.

Graph 8. Percentage distribution of temporary Guatemalan workers who have been issued a document to engage in remunerated activities per education level,

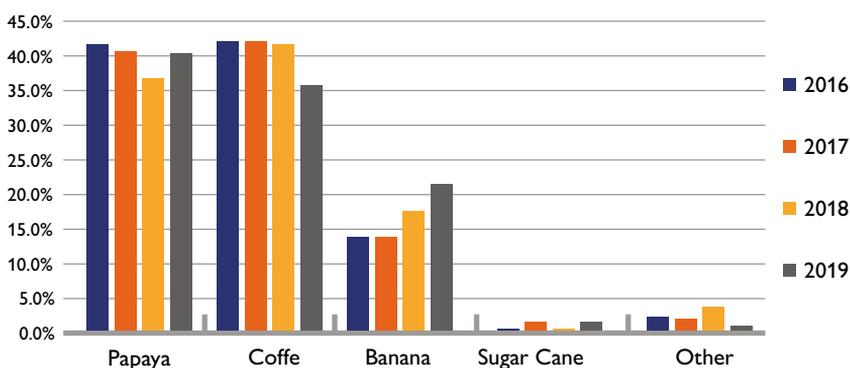


2016-2019.

Source: Border worker database, 2016-2019. UPMRIP.

Regarding occupation, practically all (99%) border workers that were issued a bwvc planned to engage in agricultural activities, specifically crops of coffee, papaya, banana, and very few of them, sugar cane. Sugar cane is clearly a seasonal activity in Chiapas between the months of November to February. It should be pointed out that labor insertion in traditional crops such as coffee has lost its relative relevance by going from 41.1% in 2016 to 35.5% in 2019, while crops, such as banana, are trending (Graph 9).

Graph 9. Percentage distribution of temporary Guatemalan workers who have been issued a document to engage in remunerated activities according to the



crop type they work with, 2016-2019.

Source: Border worker database, 2016-2019. upmrip.



Guatemalans are expected to insert themselves in the Mexican agricultural sector, as it constitutes one of the main sectors of economy and is the main generator of employment and investments in Guatemala. The main crops of Guatemala include banana, sugar cane, coffee, followed by, papaya, similar to the crops with which Guatemalans laborers work in Chiapas; thus, there is a capitalization of their know-how in their place of origin.

The main deficiencies observed amongst Chiapas temporary working population is related to deficient labor conditions in the different productive units of the region, but also those referring to living standards at their place of origin are extremely visible. It may be argued that low education levels of temporary workers constitute an element that affects the documentation process with Mexican authorities and their submission, at time of negotiations regarding their working conditions in Chiapas.





Labor situation of temporary Guatemalan
male and female workers in Chiapas:
A Point of View
from the Documentation Status

3. Labor situation of temporary Guatemalan male and female workers in Chiapas: A Point of View from the Documentation Status

This chapter presents an analysis of data contained in EMIF Sur. Specifically, from the flows of people who return to Guatemala following completion of a labor shift or work stay in Mexican territory. These are temporary workers residing in Guatemala who travel frequently to Chiapas to work, sometimes on a daily basis.

Past investigations show that this is mostly a flow of workers that stay in Chiapas for short periods of time, and that insert themselves in activity sectors such as agriculture and livestock, construction, domestic services, and trade (particularly street commerce) that are more attractive than the jobs that they would find in Guatemala (COLEF *et al.*, 2019). Also, these temporary male and female workers make up a social group that, through mobility, achieve their social (and labor) insertion in a local area where border crossing is a day-to-day recurrent phenomenon (Canales, 2019).

For the purposes of this diagnosis, the key analytic variable was the condition of working documents²⁴. The migrant flow was divided into two groups: the first comprises movements of people holding documents to work in Mexico, and the second movements by those who hold no such documents. The former group includes people with a Border Worker Visitor Card (BWVC²⁵, formerly BWMF²⁶) while the latter group includes those who hold not such document, whether because they have other document allowing them to enter and stay but not to work in the country (among others, the Regional Visitor Card, RVC²⁷) or have no document whatsoever.

Through an analysis to the documented-to-work status, we sought differences in access to job market and work conditions, as well as potential vulnerability

24 The study population was defined as displacement of people working during their last stay in Mexico that were born in Guatemala and are resident of such country.

25 Currently, BWVC allow Belizeans and Guatemalans to work in the southern border states if they have a written job offer (Mexican Government, 2020b).

26 Documents to work in Mexico have been similarly issued since 2008, when they were known as the Border Worker Migration Form (BWMF) and the Local Visitor Migration Form (LVMF); the current name is from the issue of the 2011 Migration Law, which entered into effect in such aspect in November 2012 (COLEF *et al.*, 2017). Administrative statistics where BWMF are reported include, since November 2012, BWVC (Migration Study Center, 2013).

27 TVR allow Guatemalans, Belizeans, Salvadorians and Hondurans to visit Chiapas, Campeche, Quintana Roo, Tabasco and Yucatan for seven days every time they enter (Mexican Government, 2020a).



situations that could be detrimental to those not holding valid documents. 2016-2019 was the set time frame; however, in a few areas we made deeper inquiries about the latter year. Choosing this period allows for an analysis of EMIF's standardized information and eliminates the effect of some amendments to the documentation process.

As mentioned in the prior chapter, Guatemalans using a migratory document with a permit to work in Chiapas represent a minority; these workers have tended to use the Local Visitor Card (TVL), a document that allowed them to enter Mexico on a regular basis, but without working authorization (Castillo and Nájera, 2014). This has been a trend that our country's authorities have tried to reverse in recent years, with some progress, but also with shortcomings, because both irregular crossings and informal working are long-standing practices in the region. In fact, between 2016 and 2019, the percentage of work-related commute trips of people holding an RVC, to the detriment of those using the BWVC has increased (Martínez and Bermudez, 2020), though not at levels witnessed during the prior decade.

Based on the above considerations, this chapter analyzes the size and scope of the phenomenon based on data on flows from Mexico as detected by EMIF Sur, and the sociodemographic characteristics of people comprising such flows; also, the time of stay in Mexico and its relation to the person's profile and his or her labor status; later, the chapter identifies the main departments of origin in Guatemala and municipalities and destination localities in Mexico and, lastly, it introduces the labor activity in Chiapas of such flow of temporary workers.

All these core issues are analyzed based on the use of documents to participate in remunerated activities in Mexico, in order to detect those aspects that could be associated with their use.

3.1 Numbers and sociodemographic characteristics of migration flow initiated in Mexico, according to documented/undocumented status

Guatemalan labor mobility to Mexico has been dynamic from the outset, but there was a remarkable increase in the flow of workers (with or without documents to participate in remunerated activities) that began in 2010 and reached 645,000 events in 2013; later on, the flow dropped to 263,000 events in 2018 and lastly, in 2019, it increased to 300,000 events (Graph 10). Such effect on flow may be a response to the Mexican peso losing value against the quetzal because, in practice, the number of quetzals that a person could obtain per 100 pesos diminished during the period under analysis: while 100 pesos represented, on average, 63 quetzals in 2009, the same number of pesos only represented 40 quetzals in 2019.

Another factor helping to explain this trend is the agricultural market crisis—coffee and other commodities—that led to a major drop in the food and livestock sector (Martínez and Bermudez, 2020). Where coffee production is concerned, persistent pest attacks on crops, price drops and the lack of farm subsidies have

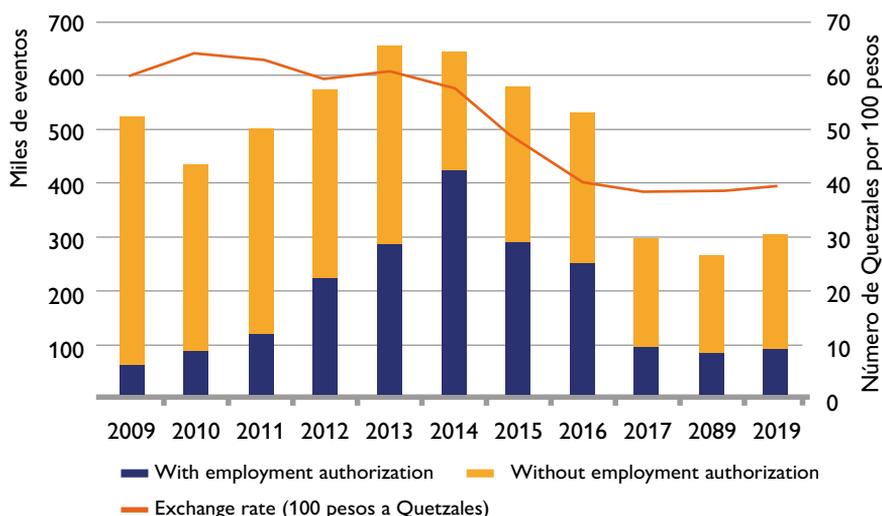


engendered one of the worst crises in coffee production in the last years (efe, 2020), leading to a reduction in the number of workers engaged in such crop, including male and female Guatemalan temporary workers.

Regarding the possession of a document granting a permit to work in Mexico, 12.3% of the movements of people in 2009 took place with a migration form authorizing engagement in remunerated activities in the country, reaching its peak value in 2014 (65.9%). Thereon, the flow started diminishing, just as the share of people having such kind of documents. In 2019, the percentage fell to 31.5%, a trend that was in line with a lower number of issued bwvc. Official statistics allow us to see that, between 2013 and 2016, 15,742 cards were issued every year on average; however such figure dropped to 10,366 in 2018 and 2019, resulting in a decrease of 34.2% (UPMRIP, 2020).

Such data show that the overall flow of temporary Guatemalan workers has decreased and that such drop is represented by the group of documented people who hold a permit to engage in remunerated activities. If we use 2013 (when the peak was observed) and 2019 as points of reference, we may appreciate, in general terms, a drop of 66.4% in authorized flows and one of 43.8% in those who had no working document.

Graph 10. Evolution of temporary Guatemalan workers flow according to use of documents to engage into remunerated activities and exchange rate, 2009-2019.



Source: upm , Conapo , Conapred , sre , Bienestar , stps and Colef , Survey on Migration at the Mexican Southern Border (Emif Sur) 2009-2019; Banco de Mexico (2020)

Meanwhile, the classification by age and gender of the flow of temporary workers showed a predominance of male movements during the period from 2016 to 2019 (Graph 11). One of the reasons is that men are the primary home providers (Nájera Aguirre, 2017).



The analysis based on documented/undocumented status shows a contrasting evolution amongst those holding a BWVC and those who do not. In case of the former, a concentration of 30 to 39 years old men was observed in 2016, while those with no authorization gravitated toward the younger age group (those between 15 and 24 years old). This difference could be the result of prior experience of labor mobility and personal contacts with those who provide work at farms, as well as the possibility of acquiring a job once migration documents have been issued.

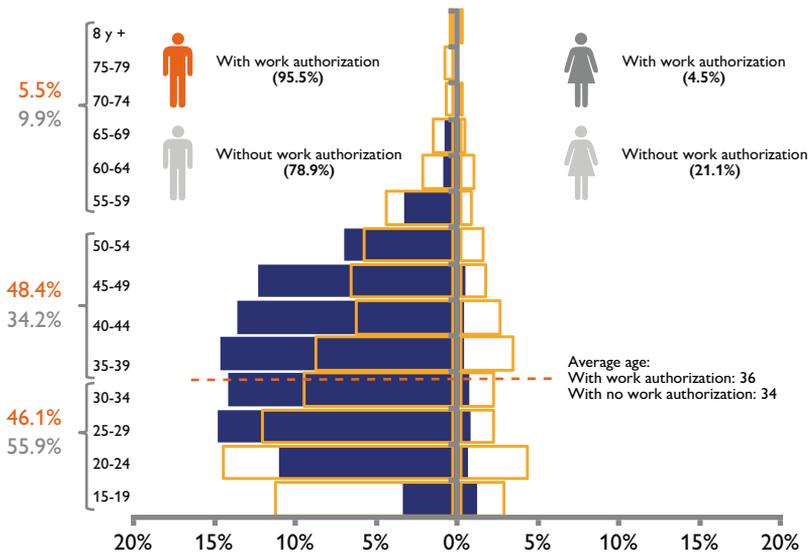
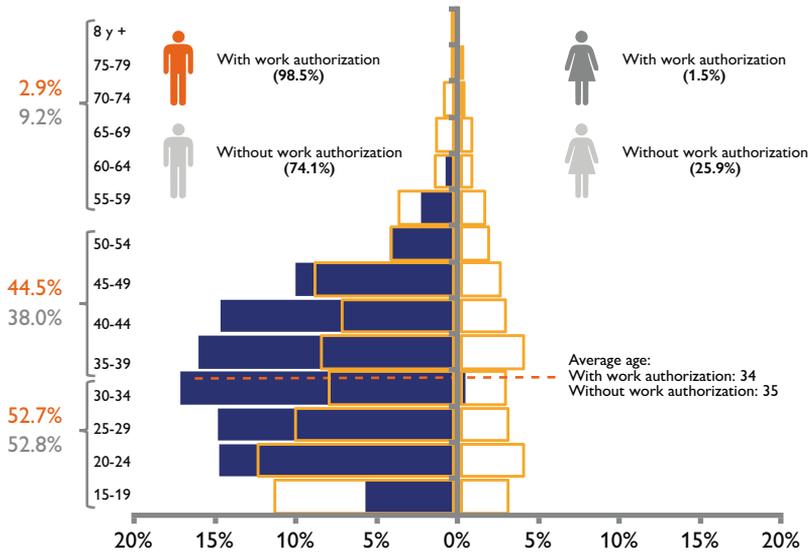
In 2017, the percentage of younger workers holding a work authorization (15 to 24 years old) diminished while the percentage of people without authorization remained at roughly the same level. Notwithstanding that the trend was inverted in 2018, the flow of workers holding no authorization continued to drop in 2019, with exceptions. For example, attention is called to the 25-to-29-years-old age group that displayed constant growth during the period, the last year representing more than that of those holding an authorization. An influencing factor could be the shortage of labor opportunities for younger age groups in activity sectors that document workers, such as agriculture and livestock.

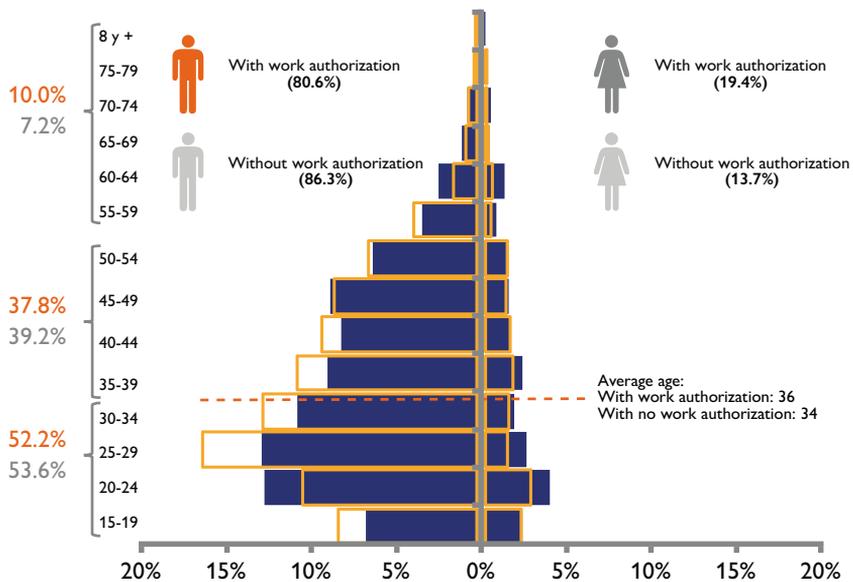
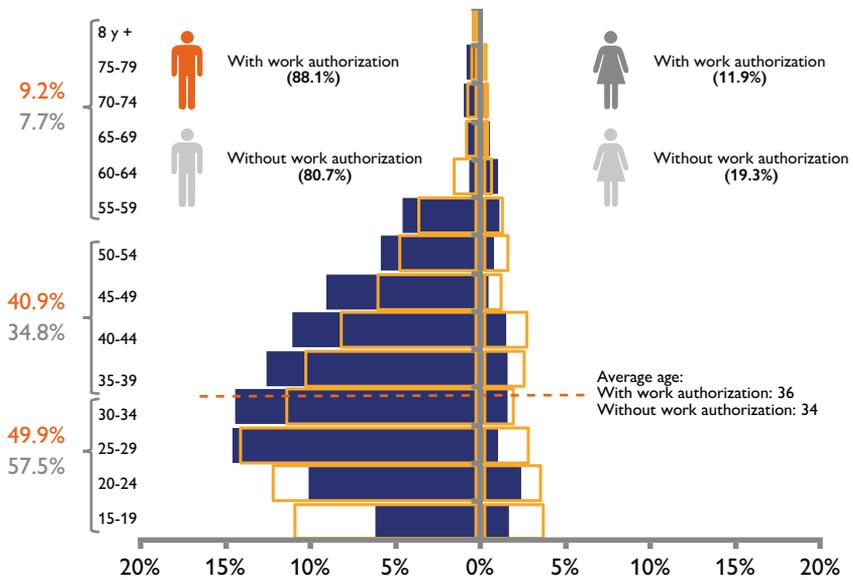
Regarding female worker flows, most of them had an undocumented status in 2016 and were similarly spread in all age groups, except in groups aged between 20 and 24 and those aged between 35 and 39 years old, the two brackets where the largest concentrations occurred. This trend held true in 2017. 2018, was not worthy in two ways: there was an increase of workers without authorization in the 15-to-19-year-old-group, and an increase of workers holding an authorization to work, mainly among those who are aged between 15 and 24 years old, a trend that began in 2017 and consolidated in 2019. The above shows a trend toward greater flows of females being documented to work; notwithstanding the existence of a large percentage of that population without authorization, female worker flows became essentially authorized in 2019, with a remarkable presence of workers between 60 and 64 years old in this condition.

The trend toward becoming documented correlates with legal and social changes that have been fostered to seek equality between men and women, now considered entitled to work and no longer deemed “companions”.

The growing participation of documented women at work is a major finding within the general context of a reduced flow of documented people with permit to work in Mexico. We should bear in mind that in the analysis of EMIF Sur data, an increase in the number of movements of people does not necessarily imply an increase in the number of people; however, in this case the percentage increase does reflect a growth in flows in absolute figures, as 3,622 events were estimated in 2016, while these increased to 18,357 in 2019, meaning that a growth of 406% can be observed. Therefore, in this aspect, it is highly plausible that the number of Guatemalan women working in Mexico with an authorization document actually increased.

Graph II. Population pyramids representing flows of temporary Guatemalan workers based on their documented/undocumented status to engage in remunerated activities, 2016-2019.





Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2016-2019.



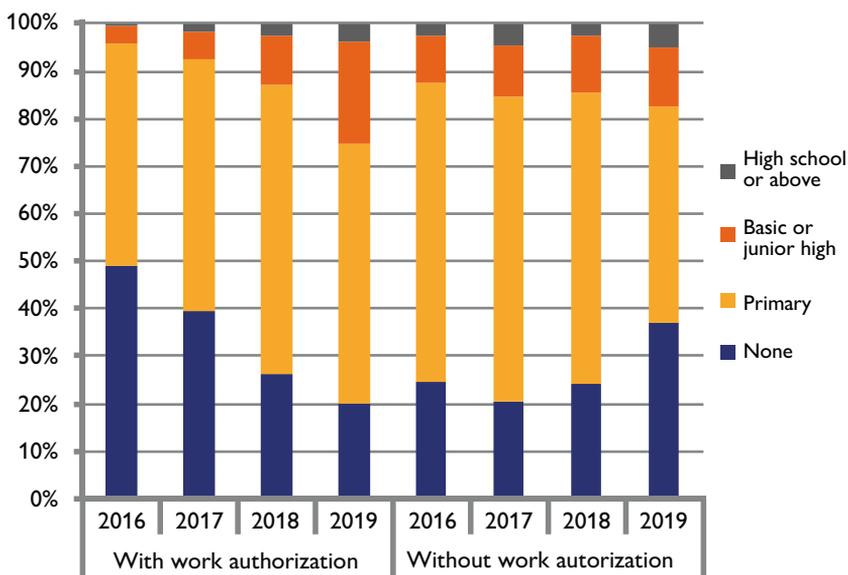
Graph 12 shows the relationship between education levels and documented/undocumented status. At the inception of the period under analysis (2016), almost half of the flow of people with a work permit had no formal studies (48.8%); in 2019, that flow represented only 20.2%, as a result of an increase of workers with primary and high school education, or above, with a prevalence of those with basic and junior high schooling (which increased from 3.8 to 21.7%).

In 2019, general schooling levels were low in both cases; however, the percentage of workers without schooling was almost double in the group without work authorization (37.2%) versus that in the group holding such a document (20.2%). Also, the percentage of workers with basic or junior high-school level studies, and high school level or above, was considerably larger for those holding a BWVC when compared to those who did not (25.5 versus 17.6%).

Specifically, among the flow of people without work authorization, the most important change occurred between 2018 and 2019, when the percentage of workers without education increased while the percentage of those with basic education diminished.

Other than that, it may be pointed out that authorized temporary workers have a higher education level; in contrast, there is an increase of people without education amongst those who hold no work authorization.

Graph 12. Percentage distribution of temporary Guatemalan workers flow classified by education level and documented/undocumented status to engage into remunerated activities, 2016-2019.



Source: Percentage distribution of temporary Guatemalan workers flow classified by education level and documented/undocumented status to engage in remunerated activities, 2016-2019..



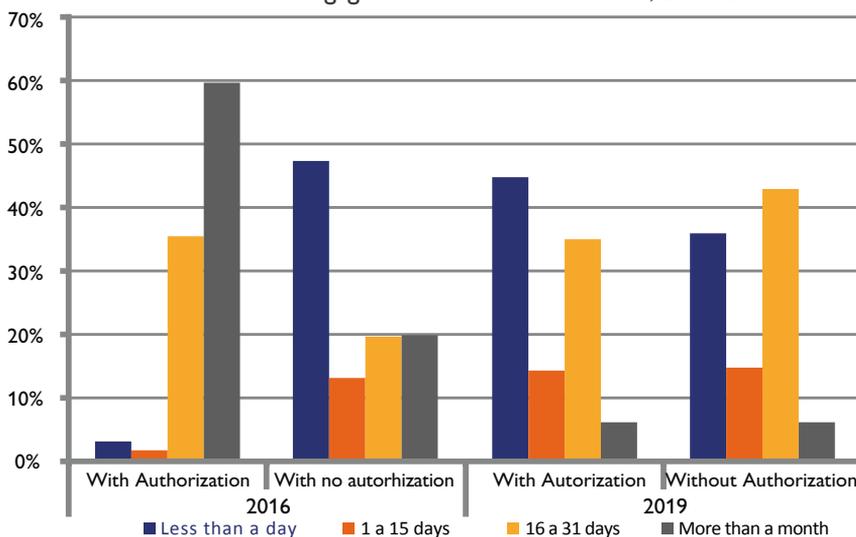
3.2 Period of stay in Mexico

An analysis of the period of stay in Mexico supplements that of the dynamics of flow of Guatemalan people working in this country, because changes in the periods of stay and the frequency of movements of people may affect the volume of the flow without modifying the number of individuals taking part in the phenomenon under analysis, as well as indicators about the characteristics of such population. As an example, there could be an increase in the percentage of women in the overall flow that may be explained by higher circularity and not by an increase in the number of women.

Independently of the volume of movement of people, we should highlight changes associated with lower greater mobility, that is, in the case under study in this diagnosis, is the labor insertion and possibility of ending up in a job with higher precariousness or vulnerability risk than anyone holding authorization to work in Mexico or otherwise. In this sense, this section analyzes the period of stay reported by individuals classified in segments: less than a day, from 1 to 15 days, from 16 to 31 days, and more than a month.

Graph 13 shows the flow distribution based on periods of stay and work authorization documented/undocumented status for the years 2016 and 2019. As a general observation, we see a trend of short stays in temporary workers holding an authorization to engage into remunerated activities in contrast to temporary workers that hold no work authorization who tended to stay longer.

Graph 13. Percentage distribution of temporary Guatemalan workers flow classified by length of stay in Mexico and documented/undocumented status to engage in remunerated activities, 2016-2019.



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border (EMIF Sur) 2016-2019*.



In 2016 considerable differences occurred. Amongst those holding an authorization, less-than-a-day stays represented 3% of the overall flow, and 47% amongst those who had no authorization. In contrast, stays of more than a month represented 60% and 20%, respectively. Such differences may be explained because most of those with authorization to work reported having participated in the agriculture and livestock sector (93%), which is understandable, as agricultural processes or cycles demanded to this group of workers a continuous period that could last weeks, such as in coffee harvesting.

In 2019 stays of less than a day represented 45% amongst those holding an authorization, and 36% of those who held no authorization. On the other hand, percentages of stays longer than a month remained equal (6%). These results are partially explained by the fact that the percentage of workers in the agriculture and livestock sector holding work authorizations dropped (40%).

In relation to occupation, we identify an increase in the number of people holding a work authorization who engaged in trade activities and spent up to one whole day during their last stay. The same can be said for construction workers and domestic service workers. For workers holding no authorization to engage in remunerated activities, construction, trade, transportation and agriculture were the activities with greater insertion.

In addition to occupation, the period of stay also correlates with the individual's profile, partly due to segregation per type of occupation between men and women. In 2019, movements of men were characterized by their insertion in the agriculture and livestock sector (57.9%), while most women inserted themselves in domestic service (43.5%) and in trade (32.9%). In both cases, these were usually short-stay engagements (refer to Tables 1a, 1b, 1c and 1d under Exhibit).

In summary, we have to underscore that knowing the periods of stay in Mexico of Guatemalan male and female workers proves useful tools to understand changes in flow dynamics, allowing identification of advantages that people filing for a BWVC may have. Although no substantial differences in distribution of flow in stay periods per work authorization are observed from data introduced in this section, we do observe that events of documented workers in short stays are linked to more precarious activities, while workers involved in longer stays are related to occupations that seem to offer more job advantages, although here it would be necessary to include geographic variables in the analysis.

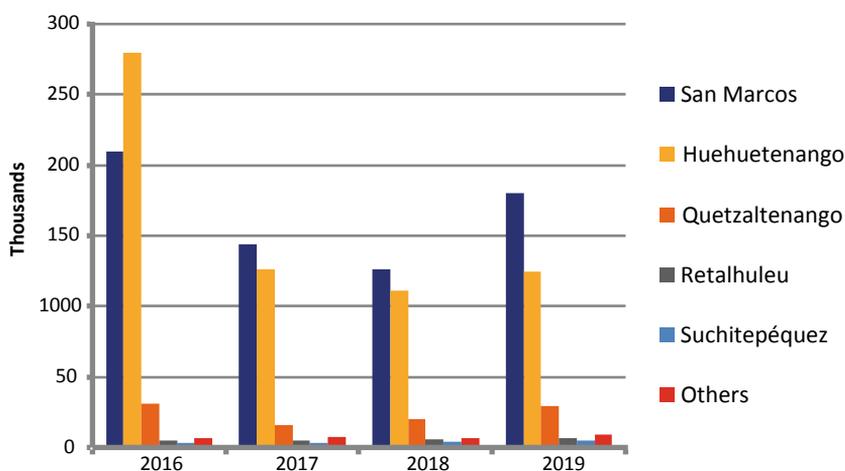
3.3 Places of origin and destination of temporary flows

Prior investigations have explored the geography of cross-border mobility, taking into account variables such as the length of stays and indigenous or ethnic status (Canales, 2019; COLEF *et al.*, 2019). This section is dedicated to analyzing whether this mobility is also configured through the use of a document authorizing engagement in remunerated activities. Specifically, our purpose is to determine whether the geographic variable holds a relationship with the use of documents: for

example, whether there are geographic areas of origin where the practice of using documents to work in Mexico is common practice amongst temporary Guatemalan male and female workers, or any other areas experiencing exactly the opposite.

Before delving into the subject of analysis, it should be noted that Guatemalan people that move to work in Mexico mainly come from three departments. In 2016, more than half were from Huehuetenango (52.8%), more than one third from San Marcos (39.6%), and to a lesser extent from Quetzaltenango (6.6%) (see Graph 14). In 2019, the origin of movements of people was similar, but San Marcos positioned itself as the main department of origin (51.9%) and Huehuetenango lost presence with only 35.8% of flow. In in-between years, the situation remained similar; so, for all years under analysis, 95.5% of movements of people originated from those three departments, if not more.

Graph 14. Percentage distribution of temporary Guatemalan workers per department of origin, 2016-2019.



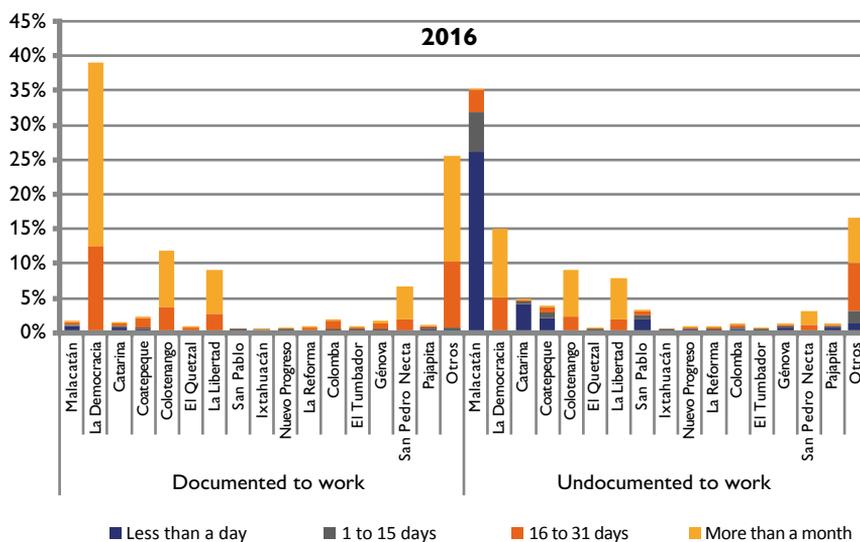
Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2016-2019.

Regarding the use of documents to work in Mexico and its potential relation with the places of origin, Graph 15 shows a distribution of flow per place of origin (at municipality level), according to the use of documents to work for 2016 and 2019. In 2016, La Democracia, Huehuetenango, was at the top, as 38.7% of movements of workers with documents to work in Mexico were from that municipality; on the other hand, the largest flow of undocumented people, came from Malacatán, San Marcos (34.9%). The latter locality is approximately 13 km from Talismán, Chiapas (and 20 km from Tuxtla Chico), while La Democracia is about 20 km from Ciudad Cuahtémoc, Chiapas (refer to Map 2). Both origin districts have a nearby office where the BWVC may be filed for, so distance cannot be considered a factor that hinders card application filing.



In 2019, the trend had a different distribution with respect to 2016, as Malacatán became the main place of origin of documented flow (24.3%), and La Democracia of undocumented flow (23.6%). this change is partially the result of the heavy drop of the flow from Huehuetenango that, as shown in Graph 14, went from 277,000 movements of people to 122,000, and although the flow from San Marcos was diminished, it did so to a lesser extent, as it went from 207,000 to 177,000 movements of people.

Graph 15. Percentage distribution of flow of temporary Guatemalan workers per Guatemalan municipality of residence, length of last stay in Chiapas, and use of work permit, 2016 and 2019.

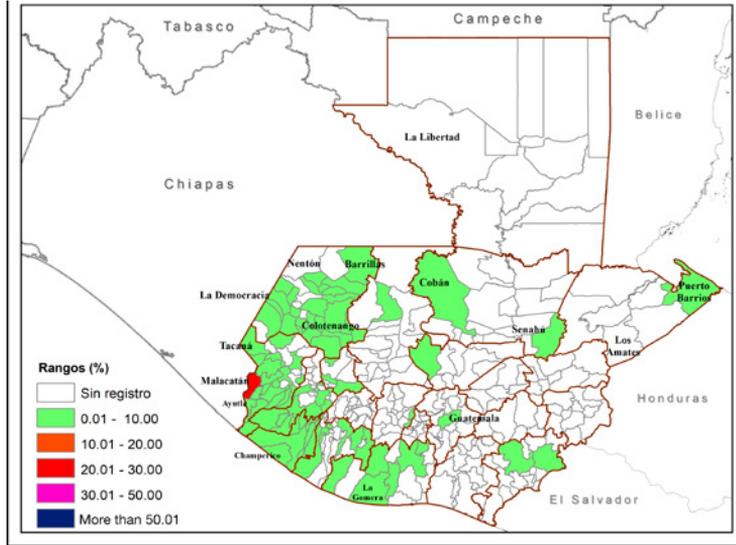


Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2016-2019.

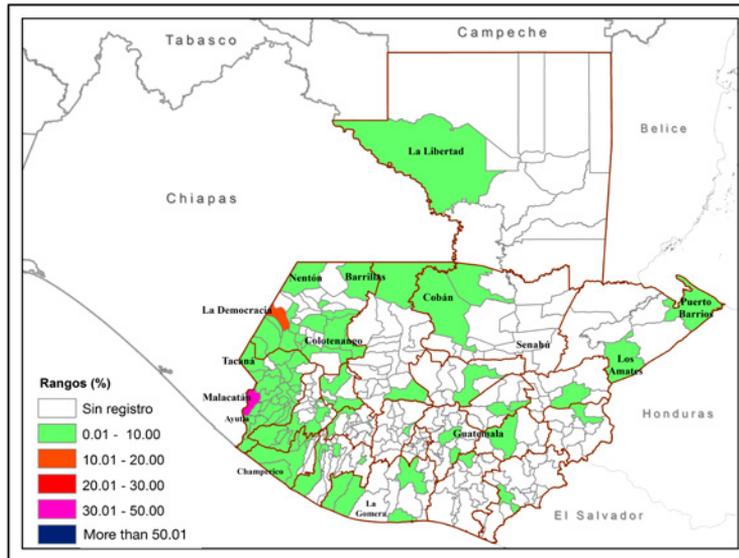


Map 2. Percentage distribution of temporary Guatemalan workers per Guatemalan municipality of origin and use of document to engage into remunerated activities, 2019.

With employment authorization



Without employment authorization



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border (EMIF Sur) 2019*.



Graph 15 also shows distribution of flow based on the length of the last stay in Mexico. In 2016, the group of undocumented workers with a short stay (less than a day) in Chiapas originated, mostly in Malacatán and Catalina; however, for documented workers, La Democracia stands out as the department from where movements of people associated to longer stays originated. In 2019, the trend reverted, as movements of workers using documents to work from Malacatán increased, mainly with stays of less than a day. But a drop in movements of undocumented workers can also be observed, a situation which makes us assume that that is the same population or at least population with the same profile that, for some reason, chose to use the card to work in Mexico at the closing of the period.

In general terms, we see flows of authorized workers moving from the northeastern portion of the state to gather in shore municipalities and the border zone with better connections to cities in Chiapas. In contrast, the flow of workers holding no authorization showed a dispersion regarding their origin municipalities, not only with regard to 2016, but in comparison with people with authorization.

In order to delve deeper into the analysis per use of document, Graph 16 includes the main Guatemalan departments of origin (San Marcos and Huehuetenango) and the municipality of destination in Chiapas during 2019. For workers from San Marcos, the main place of destination was Tapachula, with approximately 42% of flow, without differences between movements of people with and without document; the second place of destination was Suchiate, where a lower concentration of documented people (30.3%) can be observed, while the flow of people without documents increased to 37.5%.

Meanwhile, Frontera Comalapa was the main destination of workers from Huehuetenango, representing 36.0% of documented flow, and 43.1% of undocumented flow, while the second place of destination was La Trinitaria, where one of the most important differences regarding the use of a document to work was observed, as the percentage of workers using such document amounted to almost twice the number of those without it (22.2% and 11.3%, respectively). However, in general terms, these places of origin and destination show that there were more similarities than differences when considering the geography of flows based on documented/undocumented status.

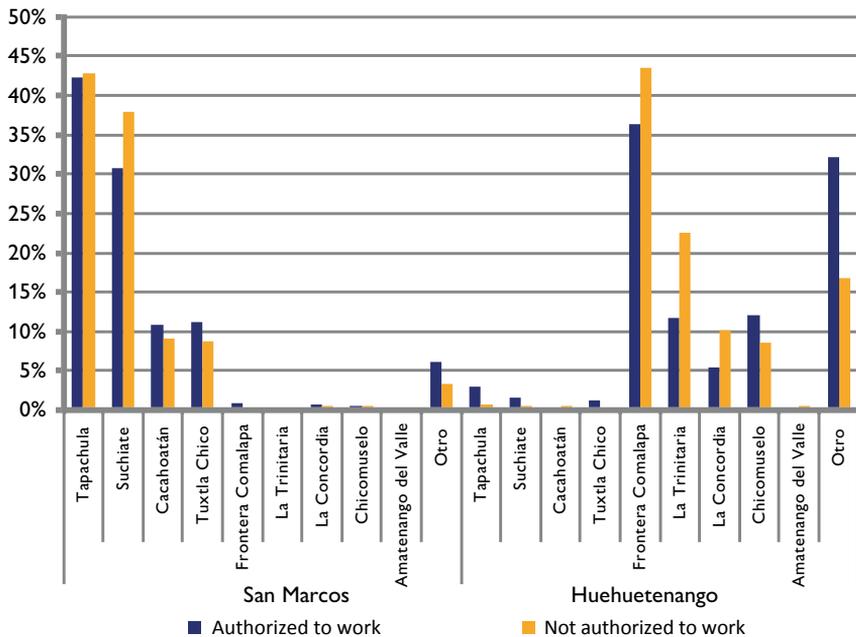
Lastly, in order to supplement the analysis of factors associated with the use of documents to work in Mexico, we turn our attention to EMIF Sur surveys, where people are asked whether they have any document to enter into Mexico other than BWVC, and the reasons why they have not filed for the latter. Graph 17 shows the results arranged per Guatemalan department of origin; it highlights that in 2016 the most common response was the difficulty of filing. In Huehuetenango alone, 29.5% of interviews gave a different reply (that the filing was costly)²⁸. In

²⁸ Though the percentage identified by this last figure is low, it should be pointed out that any holder of a card earning an amount to a single current minimum wage is exempted from paying such filing charges. Refer to <https://www.gob.mx/inm/documentos/preguntas-frecuentes-para-obtener-tarjeta-de-visitante-trabajador-fronterizo>



the following years the scenario changed, as an increasing percentage of people reported having not filed for lack of knowledge about it, to such a level that, in 2019, 90.1% of people originating from Huehuetenango without a document to work in Mexico argued that they did not know or had no knowledge of how to file for it, while amongst those from San Marcos, the applicable percentage fell to 15.7%, and to 34.4% among those from Quetzaltenango.

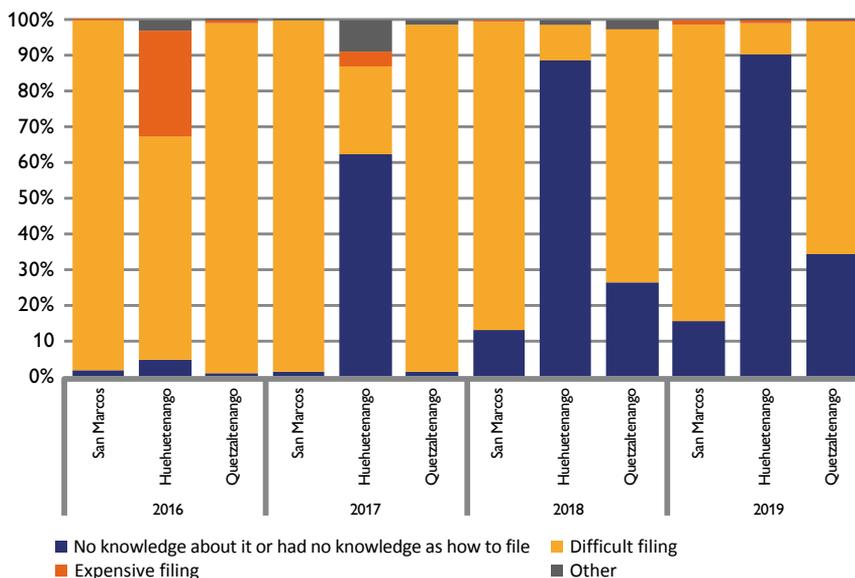
Graph 16. Percentage distribution of flow of temporary Guatemalan workers per Guatemalan department of residence, place of destination in Mexico and use of document to engage in remunerated activities, 2019



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, Survey on Migration at the Mexican Southern Border (EMIF Sur) 2019.



Graph 17. Percentage distribution of temporary Guatemalan workers showing reasons why they failed to file a bwvc and main Guatemalan departments of residence, 2016-2019.



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2016-2019.

Note: This graphic shows people that had a document to enter Mexico, but no work permit.

The results shown engender questions that should be answered in subsequent analyses and that should inform public policy. Above all, such matters hinge around the reasons why those individuals from two departments with a long-standing tradition of engaging in temporary work in Mexico, such as San Marcos and Huehuetenango, claim lack of knowledge about a documenting mechanism that has been used by generations. Or is it the case that we find ourselves before a generational replacement with little labor experience at the southern border? Or else, have training mechanisms of temporary workers worn out?

Based on the above, it is recommended that if use of BWVC amongst Guatemalan workers is promoted there should be, as a principle, a focus on major flows such as those from San Marcos and Huehuetenango, mainly directed toward Tapachula, Suchiate, Frontera Comalapa and La Trinidad. In this sense, it is specifically suggested to launch a campaign at crossing points targeting people linked to places of origin and destination above described.

3.4 Activity and labor conditions in Chiapas

The closing portion of this chapter focuses on analyzing the labor situation. Up to this moment we have shown some information about the type of occupation of temporary workers; about department origin and about sociodemographic profile, classified as documented or undocumented to work in Mexico. We showed that, in the past, agricultural workers were the majority of documented people; however, this situation is changing and in 2019 we see greater diversity in the type of occupation. In this last section of the chapter, we go deeper into analyzing labor insertion and work conditions based on whether people hold a Border Worker Visitor Card or not.

In order to analyze the situation of temporary Guatemalan workers in the Chiapas job market, it is essential to review economic sectors where such labor force participates according to its characteristics. To this end, Graph 18 shows the economic participation of this flow by activity sector, based on the use of documents that grant authorization to work in Mexico, while Tables 1a, 1b, 1c and 1d (see “Annex”) show the characteristics of such people.

Since the agriculture and livestock sector is the most important in the entity, and just as it happens with local labor, temporary Guatemalan workers are also mainly concentrated in such sector. However, as documented in prior sections, the evolution during the period from 2016 to 2019 shows a drop in participation of workers in the agriculture and livestock sector as a reflection of a reduction in the number of movements of people, in such a manner that its relative weight in the total flow went from 72.8% to 51.9%. It should be pointed out that the flow of agricultural workers is characterized by the use of documents to work and that in 2016 it represented 96.8% of movements of people, while participation of documented workers to engage in any other economic sectors did not represent even 1% (Graph 18). However, the evolution toward 2019 shows relevant changes, as the share of agriculture and livestock workers holding of a bwvc dropped to 53.3%, allowing the weight of economic share using a document in other sectors, such as construction (15.1%), trade (12.8%) and domestic services (8.0%).

In general terms, the share of flow per activity sector reflects equally among those that held no bwvc, as the effect of importance each sector has in terms of occupation of temporary workers; in 2019, the agriculture and livestock sector being the one concentrating more than half of undocumented flow (51.2%), followed by construction (19.4%) and trade (11.1%) (Table 1a in Exhibit).

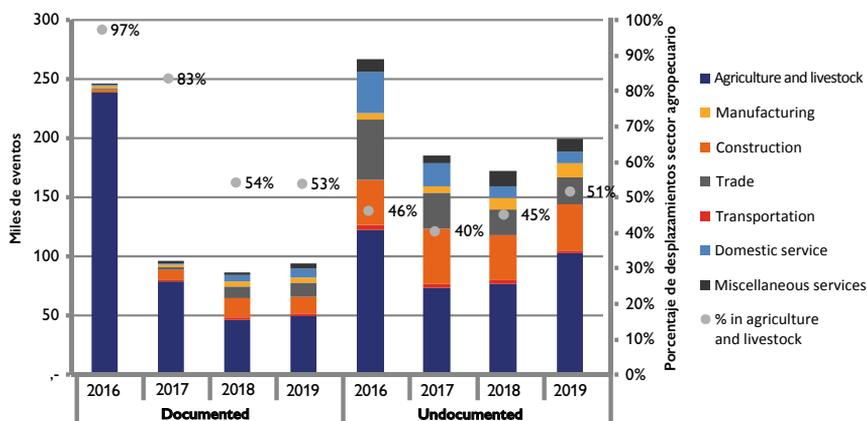
It was previously argued that such drop in the agriculture and livestock sector was the result, to a great extent, of the production crisis affecting coffee and other crops, which could possibly explain the differentiated drop amongst those holding a bwvc and those who do not, if such crises affected jobs of people with authorization to work to a larger extent.

Based on the above, the drop of documented worker flow participating in the agricultural sector is relevant, as well as the increase in other sectors, especially because, as shown in the prior chapter, people filing for and obtaining a bwvc frequently have a job associated to such sector (99%), but following entry events

have a job associated to such sector (99%), but following entry events recorded in Emif Sur showed that only 53.0% went back to work in such work environment in the same year.

It is worth recalling two prior statements: 1) migration statistics on the issue of bwvc record opening labor activity, but this does not prevent workers from using such card to work in other sectors on a later date, or even to have multiple jobs if needed to supplement very small wages, and 2) Emif Sur collects data on movements, not individuals, meaning that those who shift to another sector are frequent travelers, then they will be overrepresented in the flow. Having taken this into account, one of potential explanations of differentiated evolution of the results existing between migration statistics and Emif Sur could stem from the fact that workers mostly use documents to work in other sectors in the face of a decline in the agricultural sector.

Graph 18. Number of events of temporary Guatemalan worker flow per activity sector; with and without employment authorization and percentage of movements of people in the agriculture and livestock sector, 2016-2019.



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border (EMIF Sur) 2016-2019*.

In 2016, most movements of Guatemalan men corresponded to agriculture and livestock sector (81.1%), while other sectors, such as construction and trade, had comparatively more reduced weights (8.1 and 5.2%, refer to Table 1a). By 2019, occupation of men in the agriculture and livestock sector witnessed a drop of 23.2 percentage points (totaling 57.9%) and increases in other sectors such as construction (20.7%), trade (8.5%) and transportation (6.6%, refer to Table 1d of the Exhibit).

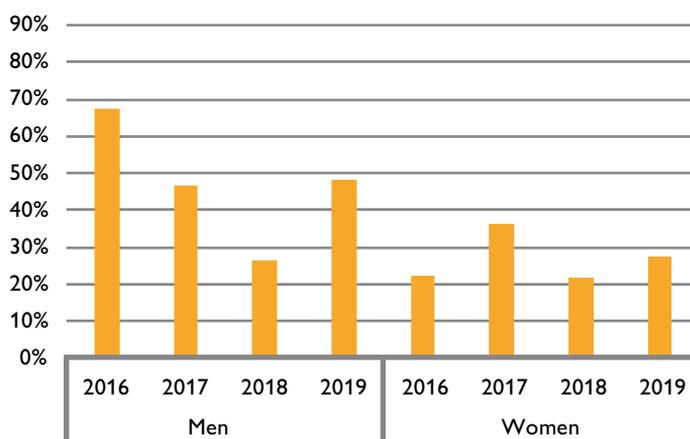


The labor insertion of temporary worker flows is differentiated according to gender. As shown throughout this document, Guatemalan women are mainly implanted in domestic service and their participation appears consistently reflected as such during the period (refer to Tables 1a, 1b, 1c and 1d in the Exhibit). Both women and men engage in activities with low qualification, where work conditions are arduous: men mainly in the agriculture and livestock and construction sectors, while women in domestic service – exposed to verbal and physical mistreatment (Kuromiya, 2019) and engaged in long work shifts (Martinez and Bermudez, 2020)– and street selling.

During the 2016-2019 period, cross-referenced information per education level and economic sector showed that workers without studies or at basic level (basic and junior high) incorporated themselves, in the first instance, into the agriculture and livestock sector. As the level of studies increases (high school or beyond), possibilities to be inserted in other sectors such as trade and miscellaneous services are opened (refer to Tables 1a, 1b, 1c and 1d of Exhibit). As expected, schooling level is a good predictor for labor insertion in better jobs, relatively speaking.

On the other hand, the level of income of temporary Guatemalan male and female workers is low. Graph 19 shows that during the period was a higher concentration of men in the lowest income bracket (up to a single minimum wage). In 2019, 27.5% of women were in such income category, while the equivalent percentage of men grew to 48.3%. However, regarding men, during the period under study, the share of those workers in such category dropped, as in 2016 they represented 67.6%; on the other hand, the share of women earning up to a single minimum wage grew as they represented 22.4% at the beginning of this same period (refer to Tables 2a, 2b, 2c and 2d in the Exhibit).

Graph 19. Percentage distribution flow of temporary Guatemalan workers earning one minimum wage, per gender, 2016-2019.



Source: Estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2016-2019.

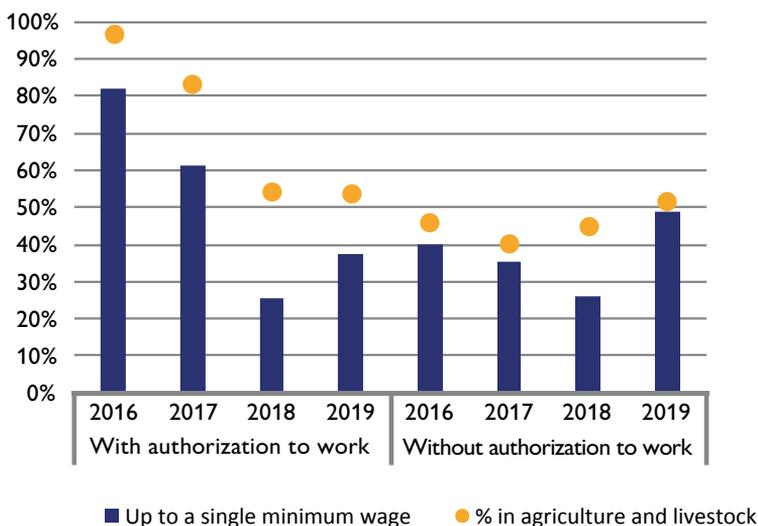


The level of income is determined by labor insertion. As men are mainly incorporated in the agriculture and livestock sector and this is characterized by proving the lowest income, men are affected to a greater extent by income reduction. However, such reduction is relative. In 2016, 80.9% of workers of the agriculture and livestock sector earned up to a single minimum wage and 70.1% in 2019 (refer to Tables 2a and 2d of Exhibit). This does not presume that women are in a better situation than men, though it highlights that domestic services relatively offer better income than the agriculture and livestock sector. In order to go deeper in these relations, investigation regarding other labor conditions should continue, such as treatment received at the job position and the length of movement of people, which may represent a difference between situations lived by women and those lived by men. For example, the fact that women have to, to a greater extent, travel on a daily basis from Guatemala to Chiapas in order to work under especially vulnerable conditions and traditional gender roles within hegemonic masculinity, evidences gender inequality in the flow of temporary workers.

As part of factors associated to income, education was also taken into consideration. Although departing from a descriptive analysis, a positive relationship was identified: the better the education level, the higher income level (refer to Tables 2a, 2b, 2c and 2d under Exhibit). In 2019, three-fourths of those without a single year of formal schooling earned up to a single minimum wage (74.5%), while from those within the group who had completed basic school, half earns from one to two minimum wages (50.5%). The relationship between a better education level and higher wages is also linked to engagement in activity sectors with better status.

The use of documents to work in Mexico has a positive influence in obtaining better wages. In 2016 and 2017, people with authorization to work were concentrated to a larger extent in the lowest wage group (82.1% and 61.3%, respectively), while percentages representing workers without authorization were lower: 39.8% and 35.4%, respectively. In 2019, the share of those with authorization earning lowest wage was reduced to less than half of that at the beginning of the period (37.6%), while those without authorization in the same income category grew to 49.0% (refer to Graph 20). This is explained by the behavior of agriculture and livestock sector, because in 2016 most workers with work authorization in this sector had lowest income levels, as shown with dots in Graph 20.

Graph 20. Percentage distribution of temporary Guatemalan workers earning up to one minimum wage, as per employment authorization and percentage of movements of people within the agriculture and livestock sector, 2016-2019.



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border (EMIF Sur) 2016-2019*.

To contextualize the labor situation of these workers and access to benefits, it should be pointed out that a fraction of such workers is self-employed in Mexico (16.4% in 2019). The remainder, that is also the majority, works for an employer with whom a particular labor relationship is established from where they may possibly have access to some benefits.

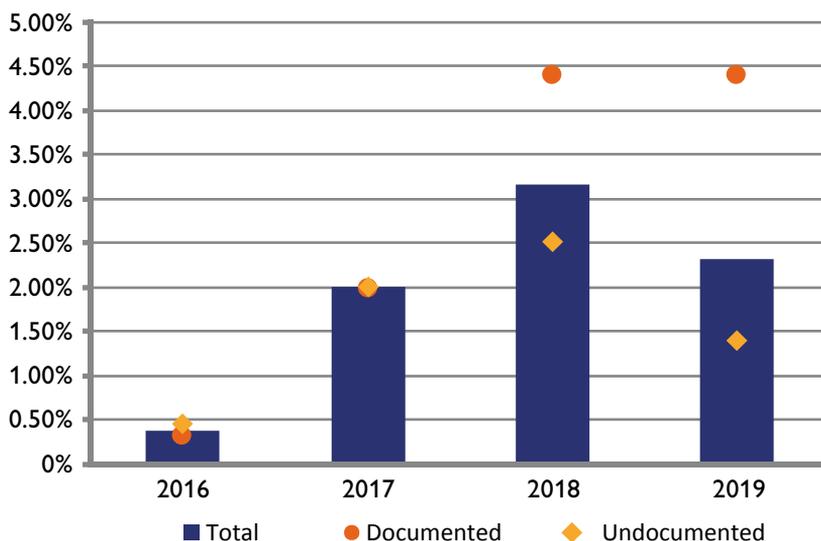
Another element to take into consideration as part of the analysis of work conditions is whether the labor relationship is agreed in writing. However, it should be noted that only 2.3% (2019 data) of movements of people are by individuals who have signed an agreement with their employer (refer to Graph 21). The percentage peak of the period was observed in 2018 (3.2%), which bears witness to the level of informality where temporary Guatemalan male and female workers are engaged.

Graph 21 shows the percentage of workers with signed agreements; in concordance with the analysis that serves as a guideline to this document, the documented and undocumented flow is split in order to verify whether there is a difference. In the two first years under analysis levels are basically the same, but in the last two, the difference is of up to three percentage points in favor of authorized flow (1.3% and 4.3% in 2019). It is too early to suggest that the fact of having a document to work in Mexico is favoring a better labor insertion, at



least in the sense of stability given by the labor agreement, as the percentage of workers with a labor agreement of this kind is very small (as well as the size of the sample), therefore, we cannot go deeper into the causes of this difference, making this a subject that will require future attention.

Graph 21. Percentage distribution of flow of temporary Guatemalan workers who signed an employment agreement in Mexico, as per possession of work permit, 2016-2019

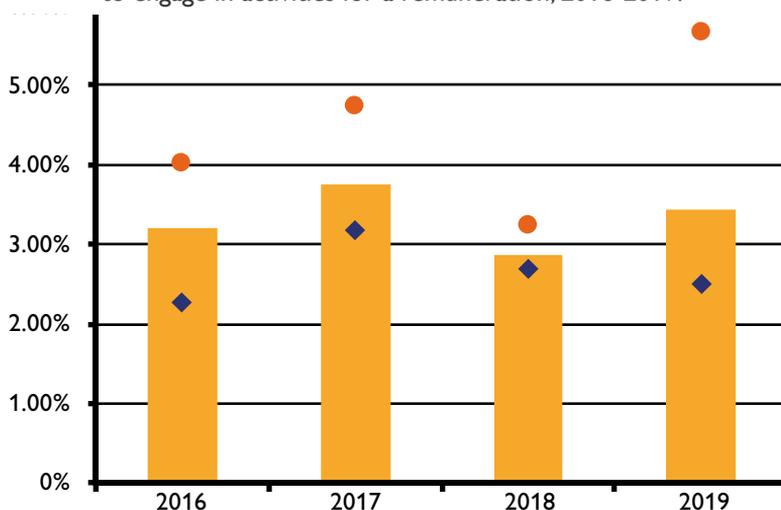


Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border* (EMIF Sur) 2016-2019.

Lastly, Graph 22 shows the percentage of the flow of temporary workers enjoying at least a single benefit, classified by documented/undocumented status, barely little more than 3% enjoyed any kind of benefit in 2019. It is highlighted that, among those documented to work, these have a higher frequency in relative terms. With regards to such small percentage, the distribution of each benefit is as follows: vacations (2.3%), end-of-year bonus (2.4%), health services (1.2%), and retirement (0.3%).



Graph 22. Percentage distribution of temporary Guatemalan worker flow with access to labor benefits (in Chiapas), based on documented/undocumented status to engage in activities for a remuneration, 2016-2019.



Source: estimates based on UPM, CONAPO, CONAPRED, SRE, BIENESTAR, STPS and COLEF, *Survey on Migration at the Mexican Southern Border (EMIF Sur) 2016-2019*.

As to other benefits –other than those granted by law– such as groceries or meals and lodging, these are offered to a greater extent, representing 62.4% and 56.1% of the flow, respectively. In this case, the difference between individuals documented to work and those who are not is small, the percentage of documented workers being a little more favorable (meals, 69% and 60%; lodging 58% and 55%, respectively). The access to these benefits is explained to a larger extent by the participation in the agriculture and livestock sector, as the latter is characterized by the granting of such benefits; therefore, differences are insignificant.





Final considerations and action proposal

4. Final considerations and action proposal

Mobility of Guatemalan workers toward the south of Mexico is a response to numerous situations. Originally, the agricultural production process in Chiapas required labor enough to satisfy demand at farms, but with time such labor flows have also been incorporated into other economic activities, such as trade, lodging and the domestic service, the latter mostly by female labor. On the other hand, in Guatemala, as in most countries of the Central American region, human mobility is a constant. Historically this country has witnessed migrations encouraged by sociopolitical crises, the economy, armed conflicts, natural disasters, in addition to structural causes, such as poverty and various forms of violence. A third aspect to highlight is geographic vicinity and the existence of cultural and social links at both sides of the Guatemala-Mexico border.

The total sum of such factors turns this border in a highly dynamic international mobility scenario which, in this case, motivated the preparation of this diagnosis.

A characteristic of temporary workers flow is the little or null use of migration documents, therefore the axis of analysis of this diagnosis was the documentation status as the variable that may have a role to the detriment of employment conditions of temporary male and female workers. Furthermore, the analysis from this perspective is important for proposing alternatives for an orderly, safe and regular migration.

The first finding is that, in general terms, the flow of Guatemalans that travel to work in Mexico has been reduced during the period under analysis. Such drop is specially marked by the flow of documented people. In recent years, the issuance of a BWVC by the National Migration Institute, and events regarding authorized Guatemalan workers' has considerably dropped in a context framed by the peso to quetzal exchange rate depreciation and the decline in the agricultural sector (affected by plagues, the decline of coffee prices and the shift toward livestock activities). Therefore, it may be pointed out that in the last years the Chiapas job market has become less and less attractive to Guatemalan workers. It is estimated that a portion of potential migrant workers was absorbed by the Guatemalan labor market, while another portion has

become part of the increasing irregular flows that intend to cross to the United States of America.

The perspective of gender allows us to distinguish an interesting aspect in this flow's trend: greater participation of women holding documents that allows them to work, which in this case corresponds to an actual increase of Guatemalan women working in Mexico with documents and not only to an increase in the number of movements of people. Such data is relevant in a context of undocumented total flow reduction, as most Guatemalan workers engage in domestic tasks, the sector where an employer letter (necessary to obtain a migration document) is hard to come by. However, as it is a flow mostly comprised by men, this finding does not revert the trend.

Another dynamic that is evidenced in this diagnosis is that Guatemalan workers entering into Mexico holding a BWVC have diversified their labor activities, particularly those documented workers that come from Malacatan and La Catarina, Guatemala municipalities, neighboring the Mexican border and whose short stays (less than a day) have increased due to a greater labor mobility. In other words, though most people holding a BWVC seek to engage in agricultural activities, the reduction in harvesting times, the validity term of the card (a year), the possibility of multiple entries and exits and the possibility of working beyond the border strip, have produced conditions for a diversification of economic activities. In 2016, practically most workers with an authorization to work had their last job in the agricultural sector (97%), while in 2019 it represented a little more than half of the flow (53%). Furthermore, we must take into consideration that costs or taxes for the card are waived for those workers that, by type of service or work in which they are engaged, are remunerated an amount equivalent to an Updated Unit of Measure [*Unidad de Medida Actualizada – UMA*] (\$84.49 pesos a day in 2019).

Regarding labor conditions, it was found that workers with authorization to work earn less; firstly, because most are engaged in agricultural activities and this sector is characterized by having lowest income level in the job market. Also, such workers have a low education level and lack the strategies that undocumented workers may have, for whom labor opportunities are more varied. Therefore, it is worth deepening into the nature of the relationship between the documented status and the salary, in order to promote actions facilitating access to better labor opportunities.

Though Guatemalan female workers engage in activities earning relatively better salaries, such as domestic service, we attention needs to be given to other labor conditions, such as their trips to work and conditions in their own job, which places them in a situation that is worse than that of their fellow male nationals. For example, they have to make daily trips from Guatemala to Chiapas in order to be able to work. It is also important to consider the little or null labor diversity for Guatemalan female workers, as they are found in a particular labor niche, strengthening gender stereotypes by being engaged in performing domestic activities. The creation of measures that allow them a documented and orderly border-cross in economic activities beyond domestic service will



allow women safe access to a larger pool of occupations, less exposed to human trafficking and smuggling, issues that result in most women being deceived with nonexistent labor offers.

Regarding access to labor benefits, though figures favor documented workers of any gender with an authorization to work, the differences are non-substantial and, given the small number of years, are neither significant. It is therefore concluded that, in this sense, there are no differences that can be attributed to the use of a document. Notwithstanding, it is worrisome that the most basic but essential benefit, which is the access to health services, has a low weight, therefore making it a priority to think of strategies reverting such trend, such as the supervision of labor contracts and the subscription of workers in the health sector.

The Chiapas job market is characterized by informality and labor precariousness. Such scenario is evident both for national as well as foreign workers, whether documented or not, resulting in a particular equality under unfavorable terms, and thus not a distinctive feature. In this context, the diagnosis identified greater tendency of undocumented workers to engage in temporary activities prone to informality and its implications, such as: precariousness, lack of benefits and greater possibility of violations to labor rights.

Regarding geography of cross-border mobility, a few relevant results were obtained based on documented worker status. Main departments supplying labor to the southern border are San Marcos and Huehuetenango, Guatemala; the latter contributes a low percentage of movements of documented people. These workers are mainly traveling to Frontera Comalapa and La Trinitaria, therefore, an analysis should be completed to find what the labor situation of workers at those destinations is.

In the case of San Marcos, there is higher percentage of movements of holders of BWVC mainly heading to Tapachula and Suchiate. If there is an intention to expand the use of the program, it is recommended to launch information campaigns regarding the steps to issue the card at border crossing points. It should be pointed out that a portion of this labor flow is moving from the agriculture and livestock sector to other productive sectors; in this sense, having a migration document guaranteeing not only regular and orderly entry, but engagement in various economic activities would reduce vulnerability conditions, such as extortion and abuse which is related to being undocumented. Furthermore, having documents places this labor force in a visible field and empowers it to assert their rights.

When origin and destination flows are jointly analyzed, based on documented/undocumented status, few differences are found. It may be affirmed that there is an equal presence of temporary documented/undocumented workers that engage in remunerated activities in Chiapas. This fact, and the evolution observed worldwide –the shift between Malacatan and La Democracia– shows evidence about the fact that the geographic factor is essential in the analysis, as workers who are issued a BWVC and are nearby the Mexican border may diversify their activities due to having more social links when compared with workers who are farther from the border strip, for whom the agricultural sector is practically the first and only option to work.

The diversification of use of the BWVC makes it necessary to expand the list of employers at the INM registration role, beyond those linked to the agricultural sector; thus the creation of incentives for employers and employees to obtain a BWVC will make the procedure more attractive and will facilitate orderly, safe, regular and responsible mobility of people.

Similarly, completing binational actions between Mexico and Guatemala with the purpose of increasing the knowledge regarding the rights of Guatemalan workers could foster a more direct participation in favor of fairer working conditions. As these are temporary mobilities, any program entrusted to resolve these kind of issues must be designed, taking into account such consideration. With regard to the above, it also deserves to think about to the gradual reduction of the BWVC cost and to promote savings and labor benefit plans within regional integration framework to the benefit not only of temporary workers but their families.

To the extent the knowledge on this flow increases and the documentation process continues improving, it will be possible to advance the formulation and adoption of a policy with the purpose of gradual advancement of labor conditions of temporary workers, guaranteeing respect to their human rights.

Lastly, it should be pointed out that in a region being distinguished by social inequality and labor precariousness, Guatemalan and Chiapas male and female workers are inserted in the labor market practically under same conditions. However, the use of documents authorizing engagement in remunerated activities to temporary workers helps to counteract the effects of precarious jobs in a country other than the country of residence and above all, contribute to a safe and regular mobility.





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EXHIBIT



Table 1a. Percentage distribution per economic activity sector in the last stay in Mexico according to selected features, flow of temporary workers, 2016

	Gender		Type of document		Education level			
	Men %	Women %	With work authorization %	Without work authorization %	None %	Primary %	Basic or junior high %	High school or above
Agriculture and livestock	81.1	8.1	96.8	45.8	84.5	70.1	41.4	11.0
Manufacturing	0.9	1.5	0.1	1.9	0.4	1.2	2.2	1.4
Construction	8.1	0.0	0.9	14.2	2.3	9.1	17.3	15.0
Trade	5.2	40.1	0.5	18.8	6.2	10.0	14.8	32.9
Transportation	1.7	0.0	0.8	2.4	0.1	1.6	7.1	10.8
Domestic service	1.1	47.3	0.7	12.8	6.0	6.1	10.8	5.0
Miscellaneous services	1.9	2.9	0.2	4.0	0.6	1.9	6.5	24.0
Another sector	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: own preparation based on EMIF Sur 2016 data.

Table 1b. Percentage distribution per economic activity sector in the last stay in Mexico according to selected features, flow of temporary workers, 2017

Men %	Gender		Type of document			Education level			
	Women %	With work authorization %	Without work authorization %	None %	Primary %	Basic or junior high %	High school or above %	High school or above	
Agriculture and livestock	63.2	7.5	82.9	39.8	70.1	56.1	32.8	12.1	
Manufacturing	1.4	1.6	0.9	1.8	0.4	1.8	2.7	0.4	
Construction	21.1	0.7	9.0	24.9	12.7	21.0	22.7	17.5	
Trade	7.0	38.8	2.5	16.0	9.0	8.9	21.5	31.8	
Transportation	3.2	0.0	2.1	3.2	0.5	2.5	7.6	13.7	
Domestic service	1.2	48.0	1.4	10.3	6.4	7.4	4.6	6.7	
Miscellaneous services	2.8	3.4	1.3	3.8	1.0	2.2	7.2	17.7	
Another sector	0.1	0.0	0.0	0.2	0.0	0.1	0.9	0.0	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

Source: own preparation based on EMIF Sur 2017 data.

Table 1c. PPercentage distribution per economic activity sector in the last stay in Mexico according to selected features, flow of temporary workers, 2018

Sector	Gender		Type of document		Education level			
	Men %	Women %	With work authorization %	Without work authorization %	None %	Primary %	Basic or unior high %	High school or above %
Agriculture and livestock	54.4	4.6	53.8	44.7	70.3	42.7	31.5	7.0
Manufacturing	1.9	1.4	2.2	1.7	1.0	2.1	2.7	0.3
Construction	24.4	0.0	19.7	21.8	10.7	27.1	16.7	8.3
Trade	9.2	31.0	10.8	12.7	9.5	11.6	17.4	26.5
Transportation	6.0	0.0	4.5	5.5	1.1	4.4	13.9	26.1
Domestic service	0.6	44.3	7.2	6.0	5.5	6.4	8.0	8.5
Miscellaneous services	3.5	18.7	1.8	7.6	2.1	5.6	9.7	23.3
Another sector	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: own preparation based on EMIF Sur 2018 data.

Table 1d. Percentage distribution per economic activity sector in the last stay in Mexico according to selected features, flow of temporary workers, 2019

Men %	Gender		Type of document			Education level		
	Women %	With work authorization %	Without work authorization %	None %	Primary %	Basic or junior high %	High school or above %	High school or above
Agriculture and livestock	57.9	9.7	53.3	51.2	73.5	44.7	36.6	8.1
Manufacturing	1.5	1.9	1.4	1.5	0.6	1.4	3.1	5.4
Construction	20.7	0.1	15.1	19.4	14.7	21.0	17.5	14.4
Trade	8.5	32.9	12.8	11.1	5.6	14.0	15.8	18.6
Transportation	6.6	0.0	5.2	6.0	0.4	6.2	13.8	16.4
Domestic service	0.5	43.5	8.0	5.2	3.9	7.4	5.2	10.7
Miscellaneous services	4.3	11.9	4.2	5.5	1.3	5.4	7.9	26.5
Another sector	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: own preparation based on EMIF Sur 2019 data.



Table 2a. Percentage distribution of temporary Guatemalan workers flow per wage levels (MW) in Mexico, and selected characteristics, 2016

	Gender		Type of document		Activity sector in Mexico							Education level				
	Men %	Women %	With work authorization %	Without work authorization	Agriculture and livestock %	Manufacturing %	Construction %	Trade %	Transportation %	Domestic service %	Miscellaneous services %	Other sector %	None %	Primary %	Basic or junior high %	High school or above %
Up to 1 MW	67.6	22.4	82.1	39.8	80.9	9.9	1.3	11.2	1.5	24.2	10.9	100.0	76.4	58.4	26.4	4.5
More than 1 MW, but less than 2 MW	21.5	56.6	15.4	37.1	16.9	51.9	39.0	49.0	38.5	63.5	41.7	0.0	18.9	27.6	43.3	34.1
More than 2 MW, but less than 3 MW	8.2	16.1	1.9	17.5	1.8	33.8	45.7	28.2	43.5	11.2	30.0	0.0	3.7	10.6	22.6	39.0
More than 3 MW, but less than 5 MW	2.2	3.9	0.5	4.6	0.2	3.5	13.5	10.1	12.7	0.3	13.2	0.0	0.9	2.7	6.8	12.9
More than 5 MW	0.4	0.9	0.1	1.0	0.2	1.0	0.5	1.5	3.8	0.8	4.1	0.0	0.1	0.5	0.8	9.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: estimates based on UPM, Conapo, Conapred, SRE, Bienestar, STPS and Colef, Survey on Migration at the Mexican Southern Border (Emif Sur) 2016.

Table 2b. Percentage distribution of temporary Guatemalan workers flow per wage levels (MW) in Mexico, and selected characteristics, 2017

	Gender		Type of document		Activity sector in Mexico								Education level			
	Men %	Women %	With work authorization %	Without work authorization	Agriculture and livestock %	Manufacturing %	Construction %	Trade %	Transportation %	Domestic service %	Miscellaneous services %	Other sector %	None %	Primary %	Basic or junior high %	High school or above %
Up to 1 MW	46.5	36.1	61.3	35.4	65.8	38.5	12.3	17.0	6.5	41.1	23.0	0.0	61.2	43.2	23.0	7.9
More than 1 MW, but less than 2 MW	36.5	37.7	30.7	40.5	30.8	29.5	47.3	48.7	54.3	37.9	34.2	10.3	28.9	38.8	43.2	44.0
More than 2 MW, but less than 3 MW	12.7	20.7	5.7	18.4	2.6	21.6	31.7	26.1	20.0	18.7	22.1	89.7	8.3	13.9	24.3	27.2
More than 3 MW, but less than 5 MW	3.4	2.8	1.6	4.3	0.7	9.8	6.6	5.2	13.2	0.3	18.3	0.0	1.4	2.9	7.1	17.2
More than 5 MW	0.9	2.8	0.7	1.4	0.1	0.6	2.1	3.0	6.1	2.0	2.3	0.0	0.2	1.2	2.3	3.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: estimates based on UPM, Conapo, Conapred, SRE, Bienestar, STPS and Colef, Survey on Migration at the Mexican Southern Border (Emif Sur) 2017.



Table 2c. Percentage distribution of temporary Guatemalan workers flow per wage levels (MW) in Mexico, and selected characteristics, 2018

	Gender		Type of documentation		Activity sector in Mexico							Education level				
	Men %	Women %	With work authorization %	Without work authorization	Agriculture and livestock %	Manufacturing %	Construction %	Trade %	Transportation %	Domestic service %	Miscellaneous services %	Other sector %	None %	Primary %	Basic or junior high %	High school or above %
Up to 1 MW	26.5	21.9	25.4	26.1	41.9	15.0	8.0	12.4	2.6	36.2	8.5	0.0	44.9	21.0	13.1	1.7
More than 1 MW, but less than 2 MW	50.2	53.9	52.4	49.9	53.4	42.9	42.6	57.9	50.6	51.2	50.0	100.0	42.9	52.9	58.6	46.5
More than 2 MW, but less than 3 MW	15.4	17.4	14.4	16.4	2.6	24.4	33.4	22.2	34.4	8.4	29.0	0.0	7.1	18.1	19.6	30.0
More than 3 MW, but less than 5 MW	5.6	5.2	5.6	5.5	1.2	16.9	11.9	5.1	9.9	3.9	6.4	0.0	3.1	5.8	7.3	17.8
More than 5 MW	2.3	1.5	2.2	2.2	0.9	0.7	4.2	2.4	2.5	0.2	6.2	0.0	2.1	2.3	1.4	4.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: estimates based on UPM, Conapo, Conapred, SRE, Bienestar, STPS and Colef, Survey on Migration at the Mexican Southern Border (Emif Sur) 2018



Table 2d. Percentage distribution of temporary Guatemalan workers flow per wage levels (MW) in Mexico, and selected characteristics, 2019

	Gender		Type of documentation		Activity sector in Mexico							Education level				
	Men %	Women %	With work authorization %	Without work authorization	Agriculture and livestock %	Manufacturing %	Construction %	Trade %	Transportation %	Domestic service %	Miscellaneous services %	Other sector %	None %	Primary %	Basic or junior high %	High school or above %
Up to 1 MW	48.3	27.5	37.6	49.0	70.1	20.4	20.4	18.3	1.9	43.9	10.2	0.0	74.5	35.9	21.0	8.3
More than 1 MW, but less than 2 MW	38.7	57.5	48.7	38.1	26.7	50.5	51.8	58.7	74.0	48.2	61.2	100.0	18.1	50.5	60.6	51.9
More than 2 MW, but less than 3 MW	7.6	12.0	10.4	7.3	1.5	18.8	18.4	14.9	14.1	4.7	20.2	0.0	4.0	9.4	12.4	14.7
More than 3 MW, but less than 5 MW	3.1	2.1	2.5	3.1	0.3	7.4	7.2	3.5	8.8	2.2	6.3	0.0	0.6	3.0	5.1	15.5
More than 5 MW	2.2	0.9	0.8	2.5	1.5	3.0	2.2	4.6	1.2	1.1	2.1	0.0	2.8	1.2	1.0	9.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: estimates based on UPM, Conapo, Conapred, SRE, Bienestar, STPS and Colef, Survey on Migration at the Mexican Southern Border (Emif Sur) 219.



