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Chuquicamata Union Challenges 'Arbitrary' and 'Illegal' Suspension by Cobre Workers' Federation

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"The community, workers, and especially grassroots union leaders need to know that this is illegal, arbitrary. It is not provided for in our bylaws and therefore lacks any legitimacy," declared members of the Chuquicamata Union.



Original article: [Sindicato de Chuquicamata denuncia suspensión “arbitraria” e “ilegal” en la FTC y exige dejarla sin efecto](#)

The Chuquicamata Workers' Union (Codelco Chile Division) has denounced what they describe as an 'arbitrary' and 'illegal' suspension imposed by the Federation of Copper Workers (FTC).

During an ordinary session held in Santiago on October 15, the FTC's National Executive Council voted to suspend the Chuquicamata Union and its national councilor, Hernán Guerrero Maluenda.

In a communication sent by the union to Héctor Roco Aguilar, president of the FTC, the Chuquicamata representatives stated that these suspensions represent an arbitrary and illegal action that affects constitutional guarantees.

«The freedom enjoyed by union organizations means that it is the union itself that, exercising such autonomy, sets and determines the rules that must apply in each situation. This self-regulation is embodied in the institution's bylaws, which must adhere to a criterion of certainty, meaning that the requirements and procedures for sanctioning members, especially when it involves the infringement of rights, must be pre-established,» they argued.

FTC Bypasses Its Own Bylaws

They reminded that any actions taken by union organizations must comply with the law and their bylaws, as failure to do so could render those actions void.

They argued that the FTC's bylaws do not contain provisions for the suspension of a duly elected national councilor or an affiliated union, making the action inherently illegal and arbitrary, thus violating constitutional rights such as the right to unionize and equality before the law.

«Indeed, the decision made by the members of the National Executive Council is unlawful, as the path established both in the bylaws and in the law for terminating the duties of a national council member is solely through censure, which has not occurred,» they stated in the letter.

According to the Council's information, this measure would remain in effect until a disciplinary procedure was concluded, in accordance with Title XI of the FTC's bylaws, where the respective commission is expected to provide «all evidence in their possession.»

The union pointed out that a review of the statutory provisions governing the 'Internal Disciplinary Regime' confirms the absence of a suspension measure within the disciplinary procedures.

Additionally, they highlighted that Articles 65, 66, 67, 68, and 69 outline only the following as potential sanctions: fines, loss of the status as federated members of the unions, written reprimands, and expulsion from an affiliated union. However, only the national executive council is authorized to apply fines and written reprimands, as expulsion measures are exclusive to the National Congress, the highest authority of the organization.

Moreover, Article 71 of the bylaws states that a Commission for Ethical Control and Disciplinary Matters shall be constituted, consisting of a grassroots leader elected by the respective Conal, alongside the national council members' elections for the same term.

However, this commission has not been formed as dictated by the bylaws, «which indicates that a special commission is being formed to implement a disciplinary procedure, which is entirely illegal.»

«Especially when the very president of the Federation of Copper Workers has stated that the Northern Zonal committee is not yet established,» they noted.

Furthermore, they warned that the FTC Council intends to assume unlimited powers based on Article 24, letter J, «however, this general provision for disciplinary regulation cannot be extended to impose sanctions or limit rights, as these rules must always be interpreted restrictively, revealing the arbitrariness and illegality of the national executive council, which is sufficient reason to substantiate a censure under the terms of Title X of the bylaws.»

Lack of Foundation and Rationality

The Chuquicamata Union argued that the suspensions, aside from being illegal and arbitrary, lack foundation and rationality, given that the FTC's letter dated October 15, 2025, stated that the measure was related to several complaints from directors and leaders of union bases affiliated with the Federation sent to the general secretariat. This would be compounded by a

series of actions committed by Miguel Véliz Fernández, the union's treasurer, which allegedly «discredited councilors of the FTC and Codelco, creating obstacles for fulfilling mandates resolved by the Ordinary National Congress.»

In this regard, the union stated that «the scant foundations do not fit into any of the sanctionable behaviors regulated by the bylaws of the Federation of Copper Workers, and much less align with the sanctions and powers assigned to the Executive Council.»

Concerning the accusations against Véliz, they indicated that he was even accused of committing crimes for which there has been no conviction, even invoking an event from 2007 when he was not a union director.

«The National Executive Council of the FETC lacks the power to investigate or judge whether the reported facts constitute anti-union or unfair practices, as that authority is confined to the labor courts; moreover, we are aware that no investigation has been conducted, nor was the commission mentioned in Article 11 of the bylaws even appointed. Additionally, neither Hernán Guerrero nor the Chuquicamata union have been convicted by competent courts for unfair practices,» they emphasized.

Moreover, in the letter, they warned that the Council is jeopardizing the institutional integrity of the Federation of Copper Workers by acting arbitrarily and illegally, affecting not only the rights of an affiliated union that has not violated any bylaw but also of its members individually and their president and national councilor of the Federation, Hernán Guerrero Maluenda, «under foundations that have not even been investigated, demonstrating the chaos in leading the organization, undermining its seriousness and credibility, tarnishing its history and legacy in the fight for rights that are currently being violated with this conduct,»

In light of this situation, they requested Héctor Roco Aguilar, president of the FTC, to nullify the suspension measure so that both Hernán Guerrero Maluenda and the Chuquicamata union can continue their functions and participation in the activities of the Federation of Copper Workers without hindrance.

Action to Silence Critical Voices

In a conversation with El Ciudadano, Miguel Véliz Fernández stated that the Chuquicamata union's board denounces that the action is illegal and arbitrary since the suspension of the union and its national councilor does not exist in the FTC's current bylaws.

«It is arbitrary because it violates the constitutional rights of the leaders of the Chuquicamata union by depriving them of their union freedoms and additionally applying a sanction without the right to defense, as any citizen of the Republic of Chile does,» he said.

«Moreover, this measure is illegitimate as it seeks to silence the critical voices that the Chuquicamata union's board has regarding other actions being undertaken by the Federation, with this illegal suspension acting as a smokescreen to avoid debating the core problems facing the historical Federation of Copper Workers,» said the treasurer of the union organization.

«We are accused of discrediting national councilors whenever we publicly denounce president Héctor Roco Aguilar and councilor Mario Lobos Vidal for entering into an agreement with Codelco to grant salary scale increases to union leaders, which exceed what workers earn,» stated the Chuquicamata union on their behalf.

«In the specific case of union treasurer Miguel Véliz Fernández, the offer was so outrageous that he would receive double the increase that a worker might get, and this action was outright rejected by the Chuquicamata union's board, which took this matter to a national level denouncing it as an effort to silence the union and stifle its actions through the distribution of benefits exceeding those of the workers,» he added.

He pointed out that to justify the suspension, the FTC National Executive Council made accusations regarding events that occurred in 2017 when members of the Chuquicamata union's board were not even Codelco union leaders, «which clearly demonstrates the desperation of FTC president Héctor Roco to accuse us for any act that would serve to oust the Chuquicamata union, the largest union of Codelco, from its line of demands and actions in favor of the workers and to avoid discussing the underlying issues, the crisis facing the Federation, and also to address the management problems at Codelco, which have been denounced by this union over the past three years, even featured in a nationally broadcast podcast [‘The Voice of Copper’](#) aired by El Ciudadano».

Precedent of Internal Authoritarianism

At a press conference, the members of the Chuquicamata union indicated that the FTC's suspension is an illegal, arbitrary action.

«The community, workers, and especially grassroots union leaders need to know that this is illegal, arbitrary. It is not provided for in our bylaws and therefore lacks any legitimacy,» they stated.

They indicated that such actions undermine union autonomy and «reflect pressures from certain sectors that feel threatened in light of the sustained, responsible, and professional growth our union has demonstrated.»

«We believe this measure damages the credibility and prestige historically shown by our mother organization, the Federation, as it undermines the values and principles of union democracy. This is what is occurring with the action taken by the president and some national leaders,» remarked Hernán Guerrero Maluenda, president of the Chuquicamata Union and national councilor before the FTC.

They also warned that with such arbitrary measures, «a precedent of internal authoritarianism is being established, jeopardizing the unity and autonomy of grassroots unions.»

«If we are not able to stop or change this, the precedent that will be set will be unimaginable (...) Today it is not us, tomorrow who will it be?» Guerrero emphasized.

Below, the letter sent by the Chuquicamata Union to the FTC president:

Fuente: [El Ciudadano](#)