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Analysis of the Labor Relationship State-Worker in Tabasco in the Last 10 Years.

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Abstract

The present research collects and analyzes critically the laws and norms that govern the relationship between the state-worker of Tabasco, with this it is analyzed how or to what extent the right of the worker is respected with respect to what is already stipulated, it is appreciated that there are many inconsistencies in front of what the law writes and what is fulfilled in reality. With this, you can denote the reality of the state's justice system since there are a series of breaches for different reasons ranging from sexual orientation to age. With this research, we give a deeper recognition of the flaws that exist within the state system.

Keywords: Worker, Justice, Employment Relationship.

Introduction

The doctorate in Legal Studies of the Academic Division of Social Sciences and Humanities of the Universidad Juárez Autónoma de Tabasco is a great challenge for the one who subscribes to this research work, in this first semester research is a fundamental tool especially for constitutional procedural knowledge, which has its foundation in this research work.

The contribution of this study is to establish, through theoretical and empirical elements, it is an analysis of the impact and applications of the labor reforms carried out in 2012 in section A, in section B in 2015 of the Federal Labor Law, for the search for a reality, in the employer-worker relationship, How the relations between these two legal figures, there is a great existential vacuum, in which there is no stable, enjoyable relationship, but above all a harmonious aspect.

Even in the present research work is not taken as a basic word or in particular, the relationship between these two figures either seeing it from the point of view of section A or B of the federal labor law especially section B which is the foundation of this research, the figure of slavery as a figure not seen with the naked eye but finds a disguise quite camouflaged, by making other mechanisms that arise or that were already within the work system in both areas.

This research is related to the provisions of the political constitution of the United Mexican States, the law on workers in the service of the State of Tabasco, the Federal Labor Law, and the international treaties in which Mexico has participated in its ratification and signature.

Hypothesis

The implementation of the constitutional reform of 2012 in relation to section A and in 2015 the reform to section B of the federal labor law, in Bureaucratic Labor matters in Tabasco, generated great legal expectations of great relevance especially in the fact that Mexico signed the free trade agreement with the countries of the north, associated with the constitutionalization of this right, however, although in terms of legal certainty it represents an advance for companies that are regulated through section A of article 123 of the constitution, but as for what is regulated in section B of the constitution is where there is a disproportionality in terms of the application of the regulatory law in this case to the Federal Labor Law and the Law of Workers in the Service of the State of Tabasco, it is necessary to contrast within judicial practice, the effectiveness of the new reforms to this related article in the labor field mainly through labor relations internally in government agencies that are those that benefit from work.

To test the hypothesis that governs this academic text and offer legal solutions to the problems formulated, the theoretical framework, the justification of the project and the methodological framework, in which its interdisciplinary approach stands out.

Research Design

The analysis of this research project is in order to analyze the new way in which the state has a relationship with people who are performing a work activity within its institutions, which is the relationship as such between these two legal figures, in terms of treatment, salary, hours, activity, but above all in terms of the recognition of their human and labor rights, regulated by our Constitution as well as by international treaties ratified by our country.

This is as a result of the labor relations that are very fragile between the state, specifically, in the state of Tabasco, derived from the internal politics that is lived, it is a political-social-labor phenomenon, trapping these three phenomena in one as it is the labor relationship between the state with its workers, with the distinction that not with all people it is called an employment relationship between both figures, But that is another topic of research, as there are grades or levels speaking in a ladder sense of workers with different categories.

In this research work we will talk about types of labor relations between the state and its workers, in particular temporary workers such as those on the stripe list, temporary, hired for a fixed time, figures that do not exist in the law of the matter, and those on the other side payroll workers, base that are the only ones that are regulated by the corresponding law, acts and facts that are not in the light of society, but of those who are immersed within this phenomenon, from a legal and doctrinal point of view.

Problem Statement

With delimitation of the topic-research problem, the following delimitation was decided:

Of temporal order: an analysis of the employment relationship in a specific way of the workers in the service of the state not of the municipality, since that would be another field of research. In a temporality of 10 years ago from the present research work.

General Objective

The basic question of the present research:

Is the State's Treatment of Its Workers Strictly In Accordance With National and International Labor Standards?

From the general research question, the following general objective was elaborated: To establish, through theoretical and empirical elements, an analysis of the impact and implications of the constitutional reform to article 123 of the Constitution of 2012 to section A and in 2015 to section B, in Labor matters, to contrast the effectiveness of these reforms for the improvement of labor relations specifically between the state and its workers, especially in the field of its labor relations in the analysis of a new way of seeing slavery, of the general norms, acts in this matter and specifically dealing with the resolutions issued by the regulatory body of the sector.

General Objectives

The following questions are asked:

Is the worker protected in his labor rights?

What impact do labor reforms have on bureaucratic law?

Have labor reforms benefited the bureaucratic worker?

Specific Objectives

The following specific objectives are formulated:

- a). - Analyze the characteristics of labor relations between the State and its workers.
- b). - A brief critique of the constitutional framework of the labour reforms of article 123.
- c). - Define the behavior of labor relations of the government institutions of the state of Tabasco and the workers it hires to carry out work activities.
- d). - Identify whether the work carried out by workers from the State to the State itself is in accordance with the provisions of article 123, section B, sections I to V of the Mexican Constitution.
- e). - Identify whether the figure of slavery in its new social modalities can be identified within the labor relations between the State and its workers.

Hypothesis

The hypothesis formulated is as follows: The implementation of the constitutional reform of 2012 to section A and 2015 to section B of article 123 of the Mexican constitution, generated legal implications of great relevance associated with the constitutionalization of this right, however, although in terms of legal certainty it represents an advance, it is necessary to contrast within judicial practice, The effectiveness of the new route defined mainly in labor relations between the State and its workers with the increase in the rate of dismissal due to notorious events in the labor relationship.

The hypothesis described is of multivariate type, with the presence of an interdependent variable, having an independent variable and an interdependent variable and the dependent variable:

Unit of analysis: The Conciliation Tribunal of the State of Tabasco, as the regulatory authority of labor relations between the state and its workers.

Independent variable: the reforms to article 123 of the Mexican constitution in its sections A and B.

Interdependent variable: bureaucratic labor trials and judicial review.

Dependent variable: the way in which awards are issued in bureaucratic matters.

Theoretical Framework

Right:

It is the art of the good and equitable, understanding this as a duty that the state has granted by the governed himself for its administration of justice, and that this must execute it in an equitable manner that is to say without having a conduct of partiality or in its case to benefit a single party, obtaining from it an impartial conduct attached to its own regulatory norms of the matter in question.

Burocratic or Bureaucracy:

Set of public servants that make up the internal structure of a country in its various areas that make it up. Every person who establishes a labor relationship between the state and it, this social phenomenon of work is known as bureaucratic workers starting from a basis in which bureaucracy is related to the everyday or routine.

Sexual harassment. Any verbal or physical behavior of a sexual nature that has the objective or that produces the attack on the dignity of the person who suffers it. Sexual harassment at work can be carried out by the employer himself, directors, other co-workers and even third parties outside the company such as customers and suppliers. It is recommended that these facts, in addition to initiating judicial proceedings by the social jurisdiction, also raise the criminal judicial route.

Working day. It is the total number of effective hours per worker, either full-time or part-time.

Labor peace. Situation of companies when there is dialogue and there are no labor conflicts.

Wage. They are the perceptions both economic and in kind (up to 30% of their salary) that the worker receives in exchange for the provision of their services as an employee and dependency.

Working conditions. - Such as the rules laying down the requirements for the protection of the health and life of workers in establishments and workplaces and determining the benefits that men must receive for their work.

Damage. - For Zannoni, damage is an impairment that, as a result of a specific occurrence or event, a person suffers, either in his natural vital assets, or in his property, or in his patrimony. It is one of the presuppositions of legal responsibility.

Historical Background of the Work.

Derived from the evolution of law since its conception it is important to point out that the rights of man were born from the very conception of man becoming fundamental or natural rights, in the main thing that refers to this research work is with respect to the right to life, to freedom, rights that were granted by the very nature of man.

These intrinsic rights in the form of the evolution of man were transgressed from time immemorial, from the evolution of man himself when he ceased to be an individual and nomadic man, to the approach with other men thus realizing the first notion of society or community, belonging to groups of people, which united in order to organize for survival activities.

Within these groups the first primitive levels of social classes were formed, starting with the leadership or with the one who directed the pack, the leader, who within them was the one who had more skills, in thought, strength, cunning among others, who was the one who directed the group, in its daily activities, starting from that moment activities of political organization.

Derived from these events within the same group, groups or orders of the activities that each member of the herd had to perform were created, having as a principle or beginning of the phenomenon called WORK, as well as the birth of the jobs subordinated to a boss in this case leader of the group. At that time the work arose in order to maintain, provide what is necessary for the subsistence of the herd or group to which it belonged in mark that said activity did not contain malice, that is, it did not have a character of benefiting only one but the community or society to which it belonged.

This activity began to be distorted at the moment when the leader began to manipulate the masses with the sole purpose of seeking his own benefit. The leader with thoughts totally different from the natural ones such as the right of others to live, to enjoy a freedom, began to change his style of government, but we can not determine that only the leader or ruler was the one who had that change naturally, it is no less to point out that man by himself changed his thinking, their way of acting, as well as their behaviors in society.

The man began to fight for spaces to live, for food to survive, as well as for other things that were necessary for him, deploying in himself a defiant behavior, changing his behavior from a passive being to an aggressive being, outside the reach of his leader who had the responsibility of maintaining order within the group. This behavior had to worry the leader, who had to start devising ways to control negative actions contrary to the social peace of the group.

With these behaviors the common welfare of society was tarnished, so the leader or governor had to devise mechanisms to maintain social peace, making use of the power, which was conferred through the choice of society by his ability and strength, evolving that the power was given to him by divine issues.

Then this power caused the leader to take powers that were not given to him directly and expressly. One of these attributions was to reduce or remove even natural rights that the human being brought from birth such as the right to life and liberty, freedom that was obstructed, gradually restricted in order to keep the disciplinary behaviors of society appeased.

Born at that time one of the oldest and most degrading activities of humanity the figure of slavery, first as a division of society, on the one hand, the ruling elite, then the priests, servitude and until the end the slaves, which in its beginnings began as a form of punishment since they received extremely severe punishments when determining that their sentence was to work for life for the appointed king, as a person who received the power of the divine.

In this way the activity called work evolved, pointing out as a symbol of it the slave, being at that moment violated, suspended, isolated, of his natural or fundamental rights, such as the right to a dignified life, to decent work, to freedom, to life, that by the mere fact of being a living being, Human, man was bestowed upon him by his own nature.

Rights that conformed to the evolution of the same were taking viability, with form to the recognition of these in a discreet and challenging way for their time, documents such as the cylinder of Cyrus, the Bible, the encyclical of John XXIII, declaration of rights the good people of Virginia 1776, where the fundamental rights of man were already recognized, discreetly until the constitution of the United States of 1777, where there is already a recognition in a legal way, in writing and recognized by a norm.

This part of the story of how fundamental rights were taking on great importance for humanity is related to the subject of research, where these fundamental rights are considered to have a limit by pointing out that the right of one ends where the right of the other begins and it is here where it follows from the understanding, If in our days we enjoy freedom, dignity, life, decent work, or we continue to be included in a discreet slavery that is not broadly seen but perceived.

(A) Work from a Legal Point of View

From article 123 of the Political Constitution of the United Mexican States, every Mexican has the right to enjoy decent and socially useful work, our country as such recognizes these rights enshrined in article 1 of our constitution by recognizing the human rights mentioned in the previous chapter of the background of fundamental rights, We can enjoy the right to work in our country.

A question that continues the analysis after determining that the constitution recognizes work as a right, will be dignified, referring to dignity as respect for the activity that is performed as work, naming work as the activity carried out by one person or another in a subordinate manner and that this is remunerated for the work it performs.

In this way we can conclude that decent work is the respect that the state has for its workers from the point of view, in which the state must respect the effort, schedule, dedication, dedication, life as something offered by the worker, the work itself, which is the point to be treated in this research work, that the state has to guarantee that its workers enjoy decent work, with strict adherence to our constitution regulated in its article 123 section B fractions I to X, which at present is not seen as mentioned in previous lines many factors influence so that this decent work is a fallacy in our apoca, A new form of slavery not literal if not including several factors immersed in society, such as the economy, need, famine, lack of employment, political, social, to mention some that will be detailed later.

From The International Point of View

International treaties, are those pacts, agreements, in which states adopt for the inclusion of their nation in international relations, before in the First World War there was no international relations as such, there was only diplomatic representation as a way of relating to other countries until there was no form of regulation of relations between nations if it was not until the end of World War II, When the recognition of Christian religious rights was requested, of a few in the so-called Peace of Westphalia.

This request at the international level is considered as one of the precursors of the birth of international treaties since it requested the recognition, respect for certain rights, with the restriction that it was only granted to Christian religious, having evolutions, struggles, fights, agreements between nations so that at the end of all of them the international legal norms of human rights would emerge.

In the Declaration of International Human Rights of 1929, and in 1945 human rights were incorporated into the United Nations organization, but it was until December 10, 1948 when the Universal Declaration of Human Rights was created, it was then when the rights of man were recognized by the participating nations that at that time signed and ratified said document, always respecting the sovereignty of states and Mexico would not be the exception.

Mexico had several forms in history of making treaties, such as international agreements between Mexico and other countries. Mexico had to go through a stage no less equal than other nations, through the war of independence that Mexico held for the liberation of the Spanish yoke, it is when it begins to make its way in relations with other nations by adhering to a globalizing world, to which the country was not prepared, because even if it reached its independence, Internal power struggles continued to exist, which did not let a country that was beginning to make itself known to the world grow.

In our country played a very important role the church, after obtaining independence, continued the country having very close relations with the church, it is until Mexico is recognized by, Colombia, Chile and Peru, who recognize the country as an independent nation, from this it is derived that other countries recognize it, but on August 24, 1821 the first international treaty is signed by Mexico and other nations, The Treaty Of Cordova .

It is signed in the state of Veracruz in the town of Córdoba and hence the treaty takes its name, the name of the treaties that are signed by the nations almost always takes the name of the city where the treaty is signed in reference, from that point the country began to be part of this global world, Participating in international treaties of many matters with the sole purpose of positioning the country at the forefront, of recognizing the rights of all nature to all people who are in the national territory, as well as safeguarding the rights of people who are not Mexicans but who are nevertheless in our country.

This preamble is how the country is part of international treaties on labor, which is what this research work rests on, in which the country protects the labor rights of all Mexicans not only internally but also internationally.

Universal Declaration of Human Rights.

In the declaration of human rights in its general body it states that every person for the simple fact of being so deserves to be respected, free, the recognition of their rights, and that they are guaranteed in the constitutions of the participating states in the signature and ratification of this declaration of human rights, as enshrined in article 1 of the Mexican constitution, Where it recognizes, it guarantees human rights throughout the national territory, for all who are within it.

From the declaration, with respect to the subject of research it is important to point out that the state has the obligation to guarantee, to monitor that these prerogatives accepted by our country are fulfilled, when materialized between the relationship that arises between the state and the people, understanding this as a worker of the state, who is the one to whom the state must guarantee that these international provisions are complied with.

(A) ILO Declaration on Social Justice for a Fair Globalization.

In this declaration of the international labor organization, within the framework of international relations in which Mexico participates, it states that people must be at the forefront, immersed in a globalization where the weighting is that work is equitable, that every worker without any distinction of any kind, is equal in all aspects, pointing to equity as the source of any employment relationship without any inequality.

Equity at work, is not only between gender equality, but in social class, thought, religion, ethnicity, sexual preferences, nationality, to name a few, equity is a right that every worker enjoys to not be a victim of workplace harassment, some type of slavery, labor boulding, denigration, that globalization brings with it, because more than being an advantage in opening the doors to the whole world, it brings us conflicts that did not exist in Mexico, but it was not impossible for us to see and feel for our own idiosyncrasy.

The state must protect that this equity is implemented, cultivated at all levels, in each workplace, between its representative in the different institutions and its subordinates, in real life it is not reflected despite all the international standards that exist for the protection of this international right, work in our country has undergone changes without hesitation, But we have not moved away from our roots, inequality in all aspects, is given great importance, social, economic, cultural class, it is not the same the treatment of a person from the province to a person from the capital, it is something very marked even and our times it is easy to feel it.

(B) C100 Equal Remuneration Convention, 1951.

This agreement in its articles 1, 4, is in order to protect the wages of workers, as there are inequalities in society with respect to work, even without this sounding like an affirmation, it is what in reality is palpable, with the mere fact that among public servants there are differences, Especially when a worker has a friendship, there is a kinship of diverse nature, it materializes through these facts that influence to this day, unfortunately they play a very important role when designating wages, so politics within the State plays a very important role.

(C) Convention 105 Concerning the Abolition of Forced Labor.

In the present Convention of the International Labour Organization in its structure it is very precise in pointing out that all types of forced labour are prohibited for the countries that are immersed within this Convention in relation to the fact that every worker has the freedom to profess any religious cult, belong to any ethnic group, political party, sexual preference, that not for any condition to point out some in relation to their work has to be punished or discriminated against.

Punishment for belonging, having one's own decisions or affiliation to a social group has to perform forced, extraordinary, degrading labor, even that endangers life, as a way of forcing the worker to think like his employer, in the case of this investigation to belong to the same political party that is governing in the entity (Tabasco), As is commonly the case, in our state, when any political party comes to power, it only hires personnel who sympathize with the party.

A worker who does not sympathize with the political party, even a religious one, is forced to perform forced labour, against his forces, his activities manifesting a form of slavery, being the slave of the person in power in charge of the institution where he works, by subjecting him to work that is not inherent in his category, that does not belong to him, that they are not his responsibility, subjecting himself to perform it for the mere fact of needing the work another way to oppress, to oblige, the worker to carry out his activities.

This form of slavery is discreet and even somewhat consented to by the worker, as we pointed out in the foreword of this research there are several ways of manifesting or creating slavery, such as need, social, economic, personal, family, health, housing, food, forms that make the worker endure all kinds of anomalies towards his person by the mere fact of need.

If we go back to previous centuries when slavery was part of society, we saw that slaves had to be subject to the will of the king who received power from infinite power, food was rational, they could not belong to another political society, they could not think for themselves, they were not

free, in short, At present it has not changed much with this does not mean that it has not advanced much the protection of the worker with the agreements that are analyzed here, but some things have been preserved, such as labor harassment, the reference in terms of political, familiar, religious thought, so there is a risk of being immersed within this figure slavery.

The state is lagging far behind in the weighing of labor rights, taking into account that in the world forced labor is abolished from any form of demonstration. The state is the main moral individual who has to enforce international standards regarding work by having a daily relationship between the state and its workers, giving rise to the continuing manifestation of attitudes, facts that glimpse the boxing of certain activities of the step, this to have control of work.

(D) ILO Declaration on Fundamental Principles and Rights at Work and their Follow-up.

The declaration that is analyzed is established in order that the participating states in the international labor organization, adopt the activities, projects that this organization implements that are replicated, established, applied, in the participating states, taking charge of the surveillance that these projects are implemented for the protection of workers, always seeking the growth of each country not only in the economic, but social, labor, which is what this organization seeks for work, but above all the vigilance that fewer violations of the rights of Mexican workers are committed internally and outside the country.

Now we will return to the origin of the research project, analyze whether the labor relations between the state and its employees conform to internal norms, after making an international analysis in which labor rights are guaranteed through the international treaties in which the country is immersed.

The analysis of the research project is based especially on the analysis of the state of Tabasco and the relationship that exists between it and its employees (workers), noting that the relationship between these two important figures has evolved over time since pre-Columbian times when you had to pay tribute to priests, Even for the feeding of the military, of the schools, going through the colonial era, when the ranks are established by reference to what we now call category, as well as the first salaries.

It is until independent Mexico when one has the first notions of labor relations between the state and the persons it hires to carry out activities necessary and inherent to the institutions that were beginning to be created to meet the needs of a nascent society, as well as taken into consideration in the feelings of the nation in its articles 9, 10, 12 and 15, which referred to the fact that work was only for Americans, not for foreigners, that only Congress improve the wages of the poor, prescribing slavery in Mexico.

The first steps of the construction of an employment relationship that has existed since time immemorial, which has crossed all eras of our history, which have made it legislate more in reference to the labor relations established between the two figures of study, without neglecting to overlook that the country has gone through great social ravages, cultural, political, economic, social aspects that have influenced the relationship of the figures of study.

In the evolution of this relationship, article 123 was born with the sole purpose of establishing freedom of work, in its beginnings, in the constituent assembly of 1857, as well as to regulate that the conflicts between these would be of knowledge of the common jurisdiction, that is, by the civil courts which gave rise to the emergence of the first and primitive conciliation and arbitration boards, that to this day still exist evolving to labor courts according to the new reforms of 2012.

A reference fact is that the conflicts related to the two figures of the research work who had knowledge, who could settle between these two were the conciliation boards did not yet exist the Federal Court of Conciliation and Arbitration, the Courts of Conciliation and Arbitration of the States, who currently are those who have extensive knowledge of the conflicts between the two subjects of study.

It is even the movement of workers of federal, state and municipal institutions who fight for their labor rights to be recognized, through uprisings, protests, united in union representations is how the emergence of section B of article 123 of the Mexican constitution on December 5, 1960, published in the Official Gazette of the Federation of that date, being divided the aforementioned article, section A for labor relations between individuals, section B for relations between the state and its workers.

From the legal background we can point out that within the legal framework the labor rights of workers in the service of the state are fully regulated by both national and international standards, through the political constitution of the united Mexican states in its articles, 1, 5 first paragraph, third, 123 section B fractions I to V of said section, in international issues through the international treaties mentioned and analyzed above.

Analysis of the Labor Relationship State-Worker in Tabasco in The Last 10 Years.

It is analyzed according to the approach of the problem that it is not a question of norms, that the relations between the state and its employers is fragmented, not good, healthy, it is inferred that it is due to many factors that are listed below, which are the main factors that both national and international rights are violated, transgressed, but above all in the new modalities of slavery not directly to work but influenced by various factors of society.

In order to arrive at the answers to the questions asked for the research work we have to analyze the factors that make the relations of the state with its workers not as fluid, as is believed, especially in the state of Tabasco, without leaving aside all the analysis of the norms that govern it at the national and international level.

The analysis of a decent job taking into consideration that the dignity of the human being as respect for the activity carried out in this case for the institution, dependency or municipality where he works, having certain characteristics that this decent work must have such as eradication of discrimination and this is where a fairly large parenthesis is made, This is a problem that has manifested itself during the history of our state.

Discrimination by ethnic origin, is an action that has not been eradicated, we see how the worker who speaks a mother tongue such as Chontal, Chol, Tzotzil, due to their gender, age, disability,

social status, among others, are people who do not have the same opportunity to integrate into the work area as a person who is from the capital, By the mere fact of not speaking Spanish well, it is known that a person who speaks a mother tongue is distinctive that Spanish does not handle it fluently as well as other conditions that distinguish them from others, due to their gender, age, disability and social status.

In addition to the fact that it is thought that when hiring a worker, in that condition it is not feasible for any institution because it is thought that it does not have the capacity to perform a public office of transcendence, in the last 10 years it has been seen how workers in that condition are discriminated against by not including them within the work activities in state institutions despite being enshrined in The Constitution The integration of this type of person in the activities of the State without distinction.

Social security is another factor that influences the relationship of the state and its workers, according to the ISSET law which is the social security institution responsible in the state for providing medical assistance to state workers, only provides medical service to basic workers, payroll, solely and exclusively, where are the temporary workers, on the list of stripes, of contracts that the Federal Labor Law and article 123 section B of the Constitution indicate that all workers of the State will enjoy medical service,

Another factor that has made the employment relationship between these two figures is not good salary. There is no fair, balanced, decent wage for state workers, with the simple fact that the issues that were taken into consideration in the previous lines is a key piece so that not everyone enjoys a salary according to the work they perform, even in the same category, since they greatly influence the condition of the worker in all aspects.

Other factors are training, training, which not everyone receives only some and not because they do not want or there is no capacity but because not everyone is fortunate enough to enjoy that privilege, when factors influence those that have already been mentioned in previous lines, but there are more pronounced factors, such as favoritism, Very influential compadrazgo, familiarism that is another factor with enough power within the sector, the political, these are the most prominent.

Other factors such as equality between men and women, in this part this factor is not completely eradicated, there are glimpses of the existence of the difference between these two social figures, it is in the only factor where there is great progress in the eradication of this factor, since there are still differences in wages, In the categories, it is very pronounced that a man does not want to have a woman as his boss, or otherwise give women the most difficult, degrading jobs, or have them in the last steps of the labor ladder.

This has led women to stand up and make themselves heard to have more participation in public office, to have a more dignified job, with fair wages, to obtain training and training to improve their work skills, which lead them to a performance with greater responsibility, to better remuneration, to hold a higher ranking position. The state has seen fit to take these new ways of hiring its employees into consideration.

But it has not been enough to create national and international norms for the eradication of these, one of the most important differences, between men and women, which has prevailed since time immemorial, the solution does not lie from my point of view in the creation of laws or norms with severity in their sanctions but in the conscience of each human being and above all that the state is impartial Only as an institution, as a source of work, but as the employer that it is before its workers, pondering that the treatment between them must be on equal terms, with dignity and above all with incursion to all those involved in the issue of non-discrimination.

Nor is the solution to be found in having to hire more women, that women prevail or that they are more within an institution as it has tried to do in the state where they see dependencies with a greater influx of women and few male personnel, since it falls into discrimination against men. A balance must be sought within the hiring of personnel so that this action of inclusion and labor relations within the State is equitable, effective and with greater adherence to labor standards.

A factor that has gained momentum in recent years and that is one of the reasons why the relationship between the state and its workers is not healthy is harassment and sexual harassment, derived from unconsciousness, ignorance, lack of professional ethics, culture, among others, of people who are immersed in illicit actions concerning this pair of factors.

These factors are not only carried out, by men but by women although it seems implausible, it is not that these acts are not committed by women but that there is a greater probability that it is a man who commits these acts that reduce, fracture the labor relationship between the state and its workers, this figure is no more, on the one hand the use of power and on the other the violence that exists towards a certain person, of any sexual preference even, this is not only a social but also a labor problem.

It is what the worker suffers from, that in order to have stability at work even to obtain a job, he has to perform acts against his will if this happens before starting, at the beginning of the employment relationship that will not be when the job has already been obtained, which is when this practice is most exacerbated that is accompanied by each and every one of the factors already mentioned, The economic, social, work itself, job insecurity, dignity, low self-esteem, in short we can break down many more, but the most visible are these,

This type of activities is very influential in the labor relationship, as there are this type of activities that all they do is harm the state in the stability of its employees, since by people, depraved, lacking feelings, arrogant, egocentric, abusers (is) of the power with which they hold, having impunity on their side, They commit this type of atrocities, which is very regrettable and that force in most of these facts to break with the relationship deriving it in a persecution of the worker and this in resorting to demand their violated rights.

This rupture of an employment relationship due to these circumstances are poured into endless lawsuits, both criminal and labor in which the worker is the most harmed, it has to take about 6 to 10 years for his employment situation to be resolved, since such conduct is the cause of an unjustified dismissal when accessing the illegal claims to which they are subjected and the worker has to prove that said action does not It is inherent to his person of what he is accused of, he usually

invents facts contrary to his activities to dismiss them, leaving aside the true cause of the rupture of the employment relationship.

Another factor is the political issue that is lived in the state, this practice is usually the most popular, plays a very important role, in the relationship working state, Mexico having a democratic political life without going into details of talking about democracy, we will take democracy as the method by which you come to power. Derived from popular elections to choose the people who will exercise the mandate to govern in this case our beautiful state of Tabasco.

When the candidate is elected and results in the largest number of votes necessary to reach the position to which it is intended, this entails campaign commitments that they have to fulfill as of the place, leaving aside the legal norms that regulate labor relations, between the state, its future workers. When the person who represented the state before society arrived, he began to carry out activities contrary to the labor law, carrying out massive dismissals of workers who, because they were not sympathizers of the elected party, were dismissed without any justification.

These acts are described as acts contrary to the norms regulating labor, of international rights, since they do not take into account the rights that they have for the simple fact of being workers in the service of the state. This happens thanks to the fact that the party that wins is of one color, but the one that is exercising power is of another color even if it is of the same color, but it was not worked for the candidate who was elected, which is also the reason for labor relations to be fractured and lead to massive lawsuits against government institutions. as well as for this one.

Regardless of anything that is established in the rules, it is a problem that has years of being inside happening within our society, the activities of the state, this sounds like movements of gangs, workers are used as slaves, subjugated to the will of the one who remained in power to be able to access a job that is not even worthy, nor decorous, much less adhered to national and international standards.

These crews work, the winner has the right to work, the loser will have to wait another period to fight with the same color, with the same prospect, to hope to get a job within the government in case of winning, within the city council or some government institution, this phenomenon happens at the municipal level, state and federal, a phenomenon that has not allowed to grow, stabilize, the relationship between the State and its employees.

What derives from a lack of knowledge on the subject of labor relations within the state of how labor relations should fluctuate between the worker and this, which will reduce the problem, so that the relationship between these is effective, enjoyable, stable, but above all reducing the factors that make this relationship fracture every day more in that is the training, Training of the people who are in charge of the institutions.

It is useless to increase crimes, penalties, sanctions at the international level as long as there is no culture of respect, order, there is no training, no weighting of politics, discrimination, and the factors listed in the proemio of this work, is a relationship that has lasted for many years, which has evolved very slowly, especially in Tabasco.

That practices of a nature contrary to the norms of labor rights are still carried out, leading to a not very good relationship between these two figures, which is necessary for the economy of the state, since the largest employer in the state is the state itself, through the institutions, the municipalities, who are the most fluctuating employer figure in the field of job creation, Consequently, the continuous generation of labor relations, without ceasing to perceive that it is the greatest challenge of finding stability between them.

Conclusion

From the analysis of the research we can conclude that the labor relationship between the state and its employees, is permanently fractured by continuing to be influenced by factors that make this relationship unstable, by their gender, ethnicity, age, disability, social status, sexual preference, man or woman, in short, many factors are those that intervene, so that labor relations between the state and its employees is stable, equitable, fair, with strict adherence to law. Rights that are regulated nationally and internationally, so that in terms of the fact that the worker is protected by the country's standards, and of the international treaties in which Mexico has ratified especially in the field of labor, and that the labor reforms had little impact on section B of article 123 of the Constitution, by virtue of the fact that it is given more weight in the labor relations between individuals derived from the international treaties that Mexico has signed, especially the free trade agreement with North America, to protect labor relations between individuals, leaving aside section B remaining statically, without achieving major changes, in its application, so that the labor reforms have not had a great impact on the relations between these two figures, so that the employment relationship remains deplorable, lacking application of national and international standards, so that the bureaucratic worker lacks recognition of their labor rights in all areas, despite having regulatory laws for the matter.

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