

Geneva, 17 May 2019

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IndustriALL Global Union calls on Bettercoal to ensure that Drummond Limited Colombia respects the labour laws of Colombia

Dear Anne-Claire Howard,

I am writing this letter to you as the General Secretary of [IndustriALL Global Union](http://www.industriall-union.org), which represents more than fifty million workers in mining, energy and manufacturing sectors throughout the world, including Colombia, to call on Bettercoal to ensure that Drummond Ltd Colombia stops its anti-union harassment of the Asociación Sindical de Empleados de Drummond (ASED) and that it respects the labour laws of Colombia.

The Asociación Sindical de Empleados de Drummond (ASED) is a duly constituted trade union, established in accordance with Colombia's labour laws and regulations. The refusal by Drummond Ltd Colombia to recognize a legitimately constituted trade union in Colombia is a violation of the Freedom of Association and the protection of the right to organize (ILO Convention 87) and The Right to Organize and Collective Bargaining (ILO Convention 98). The denial of these rights and freedoms, which the government of Colombia has ratified, is a violation of the [ILO Declaration on Fundamental Principles and Rights at Work](#)

IndustriALL Global Union is deeply concerned with the attitude of Drummond Ltd Colombia. Not only does it refuse to negotiate with Asociación Sindical de Empleados de Drummond, but seeks to have it dissolved and has instituted a campaign against the union, harassing the leaders and warning workers not to join the union. Harassment of ASED union leaders includes dismissals, offers of promotion in exchange for withdrawing from the union, close monitoring of cell phone usage, preventing the union from communicating with workers at the mine.

We are deeply concerned to learn that Drummond Ltd refuses to recognize the union, duly established and constituted in accordance with the labour laws of the country, and refuses to negotiate with the union. On 14 March 2018, the union submitted its collective bargaining demands to the company and on April 3 2018, the company responded that it did not intend to engage in negotiations with ASED.

ASED submitted an administrative complaint on April 16 2018, asking the Ministry of Labour to compel the company to negotiate and that it apply the relevant sanctions prescribed by Colombian labour law. The Ministry of Labour duly sanctioned the company and imposed a fine of over 22 million pesos for failing to engage in negotiations with the union. The fine was later increased to 683 million pesos (215,000 USD) in accordance with the provisions of the labour code.

IndustriALL Global Union is an active member of Bettercoal though the participation of Brian Kohler, Director - Health, Safety and Sustainability, who serves on the Technical & Advisory Committee of Bettercoal. We are concerned that Drummond Limited Colombia's actions are in violation of BETTERCOAL's code of conduct, particularly the labour and Human rights performance.

On behalf of IndustriALL Global Union, I urge you to use your good offices to ensure that Drummond Ltd Colombia respects national labour law, international labour standards, and Bettercoal's code of conduct, and, in consequence, desists from its unlawful and objectionable behaviour against the union, and enters into good faith negotiations with the Asociación Sindical de Empleados de Drummond (ASED).

Sincerely yours,



Valter Sanches
General Secretary