

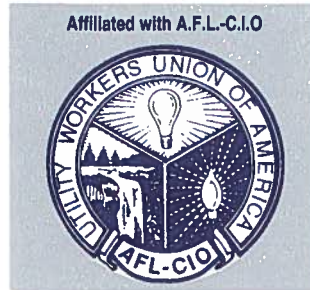
UTILITY WORKERS UNION OF AMERICA

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February 12, 2013

Via U.S. Mail, Fax No. 202/728-1698, and mexembusa@sre.gob.mx

Hon. Eduardo Medina Mora
Ambassador to the United States
Mexican Embassy
1911 Pennsylvania Ave., N.W.
Washington, DC 20006

Re: TRADE UNION RIGHTS VIOLATIONS IN MEXICO

Dear Mr. Ambassador:

I am writing on behalf of the working men and women of the Utility Workers Union of America to urge the Government of Mexico to make every effort to resolve the systematic violations of workers' rights across all industrial sectors and regions of Mexico.

From February 18-24, 2013, more than 10,000 activists from around the world will mobilize for trade union rights in Mexico and meet with Mexican embassies and consulates around the globe to demand justice. The week marks the anniversary of the terrible Pasta de Conchos mine disaster in 2006 that killed 65 miners. The refusal of the Mexican government and employer Grupo Mexico to recover the bodies of 63 miners who remain entombed is widely suspected to be an effort to cover up the real causes of the disaster and the inadequacy of rescue efforts.

Former President Felipe Calderón has left behind a legacy of major unresolved labor disputes, persecution of democratic trade unionism, and the degeneration of labor relations resulting in an entrenched system of protection contracts that do not represent workers' true interests. These issues – combined with the recent reform of the federal labor law passed with support from the ruling party, the PRI – create extremely dire conditions for Mexican workers that violate the fundamental Conventions and Recommendations of the International Labor Organization.

Democratic trade unions and the workers they represent in Mexico continually struggle to exercise their labor rights. They are consistently persecuted, arrested, and “criminalized” when they protest and mobilize against attacks from companies and federal and local authorities. One egregious example includes the 16,599 members of the Mexican Electrical Workers' Union (SME) who refused severance after their union was dismantled via a presidential decree and have stood in resistance for three years.

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Further, workers continue to be systematically excluded from any process of collective bargaining. Both local and Federal Labor Boards have repeatedly blocked workers' efforts to form democratic unions by approving protection contracts signed between employers and employer-dominated unions without the approval or even the knowledge of the workers.

We also express our deep concern with regards to the recently passed reforms to the federal labor law, which hinder the rights of all Mexican workers. The reform law erodes job security by expanding the ways in which workers may be hired on temporary, part time, seasonal, training, and other temporary contracts, and also by facilitating unjust firing by limiting back pay. By making workers' continued employment subject to the discretion of the employer, the reform will also impede freedom of association and collective bargaining rights.

As you may know, comprehensive immigration reform is a top priority for the U.S. labor movement. We have been in the front lines fighting to ensure that the labor and human rights of undocumented workers in the U.S. are respected. As the U.S. government considers comprehensive immigration reform, we hope that the Government of Mexico will reaffirm its obligation to ensure that the rights of all workers are rigorously protected and enforced in Mexico.

In view of the foregoing and in an attempt to rebuild the broken-down labor relations situation your government inherited, we urgently request that the Government of Mexico intervene to ensure that these issues are resolved. We ask that your government return the former Luz y Fuerza del Centro workers to their jobs and respect the terms of the SME contract; drop the politically motivated charges against Los Mineros and SME leaders and release jailed members; compel Grupo Mexico to restore dialogue and ensure a negotiated end to the almost 6 year-old strikes at Cananea, Sombrerete, and Taxco; promote the necessary investment to permit Mexicana de Aviación to once again take to the skies; ensure that BATA/Sandak respects the labor rights of its workers including the right to strike; and order the following companies to reinstate unlawfully fired union activists and workers and ensure free and fair union elections: PKC Group, Excellon Resources, Bain Capital/Atento Mexico, Grupo Modelo, and Honda. We also ask that your government uphold its constitutional obligations to bring domestic law into line with international treaties; not interfere in the legal challenges to the regressive reform of the federal labor law filed by hundreds of thousands of workers in January 2013; and adhere to the ILO's repeated recommendations on protection unionism and occupational health and safety.

We appreciate your attention to this matter and await a positive response to our request.

Sincerely,



D. Michael Langford
National President