



Congress of the United States
House of Representatives
Washington, DC 20515

July 8, 2020

His Excellency Andrés Manuel López Obrador
Presidente Constitucional de los Estados Unidos Mexicanos
Plaza de la Constitución S/N,
Centro Histórico de la Cdad. de México, Centro, Cuauhtémoc,
06066 Ciudad de México, CDMX, México

Dear Presidente López Obrador:

Welcome to Washington during this difficult and critical time as we work hard to address the health and COVID-related challenges shared by our respective nations. Regrettably, we are unable to receive you because your visit coincides with scheduled work in our local Congressional districts, not in our Washington, D.C. offices. Nevertheless, we assure you of our commitment to continue direct communication with you on key international policies affecting constituents inside the United States and in Mexico.

Many of us had the honor of meeting with you in July 2019 in Mexico to discuss the renegotiation of the North American Free Trade Agreement (NAFTA). At those meetings, and in your letter of October 14, 2019 to Ways and Means Committee Chairman Richard Neal, you committed that Mexico could implement far-reaching labor reforms that will put Mexico at the “forefront of labor rights in Latin America” and “will guarantee union freedoms and rights for union members.” We commend you for seeking to promote and advance worker rights under this new agreement. However, we continue to have serious concerns regarding the implementation of these necessary reforms.

As new cases of freedom of association violations arise, stagnant processing of documented labor cases raise grave concerns. In addition, failure to address flaws in collective bargaining agreement (CBA) contract legitimation protocols threaten the possibility of independent and democratic worker voices. We are also concerned that frivolous judicial challenges to the new labor law seek to delay and derail these important reforms.¹ Now that USMCA has entered into force, we express

our deep concerns that robust implementation of these critical aspects of the agreement is not on track to deliver improvements for Mexican and U.S. workers.

Recent news reports have raised the following concerns that we would like to bring to your attention and ask for a response at your convenience:

- Disturbing new reports of illegal firings and protection unions signing new contracts for workplaces before employees are hired, as well as the lack of progress towards investigating, prosecuting and adjudicating documented and ongoing freedom of association violations undermine our good-faith efforts thus far. While COVID 19 has posed obvious obstacles, processing these cases is necessary to help deter continued and future violations routinely committed by employers and protection unions. What steps is the Government of Mexico taking or planning to take to mitigate the impact of COVID-19 on labor complaints?
- Flaws in CBA legitimation protocol also obstruct our shared efforts to incentivize independent worker voice and thwart bad actors. Thus far, employer and protection union manipulation of workers throughout the election process continue to be reported. Progress towards dismantling the entrenched employer-protection union system will be evident when workers begin to feel free and able to vote down those corrupt protection union contracts. Simple fixes such as allowing workers to initiate or petition for a new contract vote, creating an anonymous worker hotline to report irregularities and providing to workers public information about the election initiator, date, time and location would help correct and reduce serious vulnerabilities in the current process. Can you share an update on the contract legitimation protocol and progress in the coming weeks and months?
- Reduction of 75% to the “general services” budget line of all Federal agencies, including a cut to funding designated to support labor law reforms. Do you have additional information regarding the status of funding to support robust information of the labor law reform?
- Can you provide insight on when the Supreme Court will hear arguments on these cases and when a decision will be announced?
- We remain concerned over the pending criminal charges against labor advocate Susana Prieto. Ms. Prieto, a prominent labor lawyer, was defending the rights of workers protesting for proper health and safety measures to protect against COVID-19 in reopened facilities when she was arrested. Although the court suspended her sentence on July 1, Ms. Prieto is effectively prohibited from representing those workers and being able to continue her advocacy work in the state of Tamaulipas. Furthermore, she now faces similar retaliatory charges in her home state of Chihuahua where the court order requires she reside. These actions against Ms. Prieto send a chilling message to all workers and activists. We respectfully call upon you to protect these national and local leaders, their families, and communities by ensuring that authorities in Mexico at all levels of government protect workers’ rights from threats and violations.

Brokering this historic trade deal was no small feat. Our shared obligation to expand economic opportunity between our countries united us. Our collective vision to raise living standards and support our communities motivated us. But it will be our dedication to the dignity and protection of our workers that will help both Mexico and the United States honor the commitments made in this landmark agreement. These hardworking men and women represent the economic backbone of our nations. They're counting on us to keep our promises to them. And we must not let them down. At your convenience, we would appreciate a response in writing to these concerns.

Regards,



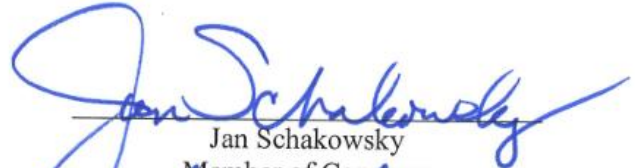
Earl Blumenauer
Member of Congress



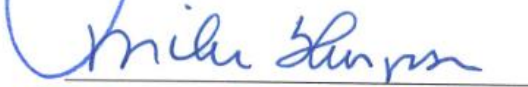
Rosa DeLauro
Member of Congress



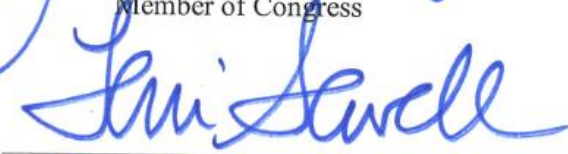
John B. Larson
Member of Congress



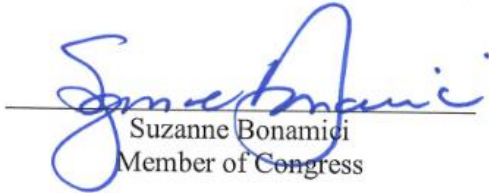
Jan Schakowsky
Member of Congress



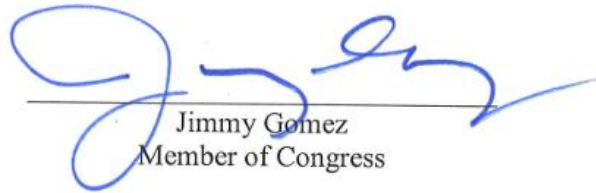
Mike Thompson
Member of Congress



Terri A. Sewell
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Suzanne Bonamici
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Jimmy Gomez
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ⁱ <https://www.ilawnetwork.com/wp-content/uploads/2020/06/ILAW-Memorial-Amicus-Labor-Reform-EN-FINAL-2020-06-22.pdf>