

The United States requests, pursuant to Article 31-A.4.2 of the United States-Mexico-Canada Agreement (USMCA), that Mexico conduct a review of whether a Denial of Rights is occurring to workers at a facility operated by Bader de México, S. en C. por A. de C.V. (the Company), located in León, Guanajuato, México (the Facility). As defined in USMCA Article 31-A.2, a Denial of Rights occurs when workers are being denied the right of free association and collective bargaining under laws necessary to fulfill a Party's obligations under the USMCA.

The United States is concerned that workers at the Facility are being denied the right of free association and collective bargaining as a result of the Company's interference in workers' "concerted activities for collective bargaining or protection and to organize, form, and join the union of their choice, and...[the Company's] domination or interference in union activities, discrimination, or coercion against workers for union activity or support, and refusal to bargain collectively with the duly recognized union."¹ This request for review encompasses all actions taken by the Company to intervene in or prevent workers from engaging in freedom of association and collective bargaining activities, such as organizing for the *Sindicato Industrial de Trabajadores y Empleados del Calzado y Comercio del Estado de Guanajuato* (SITECCC-CAT), including by means of threats, harassment, surveillance, or dismissals. The United States is also concerned that the Company has interfered in its workers' right of free association and collective bargaining by creating and dominating a labor committee that discourages workers' legitimate union activities and conducts activities a union would normally conduct, such as addressing working conditions between workers and management.

The actions encompassed by this request for review include those of any person or entity of the Company, and any of their employees, representatives, or agents.

If Mexico were to determine that there is a Denial of Rights, the United States further requests, pursuant to USMCA Article 31-A.4.2, that Mexico attempt to remediate within 45 days of this request.

We look forward to receiving Mexico's notification of whether it intends to conduct the requested review.²

¹ USMCA Article 23-A.2(a).

² USMCA Article 31-A.4.2 ("The respondent Party shall have 10 days to notify the complainant Party as to whether it intends to conduct a review.").