

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 at the facility operated by Odisa Concrete Equipment, S.A. de C.V. (the Company) located in Atotonilco de Tula, Hidalgo, 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, . . . [the Company's] domination or interference in union activities, discrimination, or coercion against workers for union activity or support, and [the Company's] refusal to bargain collectively with the duly recognized union."¹ This request for review includes all actions taken by the Company to intervene in workers' union activities and the affairs of the the Union² at the Facility, including by means of dismissals, threats of dismissal, and other reprisals against workers based on union activity or affiliation and by pressuring or coercing workers to withdraw their support for the Union and instead support alternate unions.

This request for review also includes all actions taken by the Company to interfere with union activities and workers' right to determine their collective bargaining representative, including by negotiating collective bargaining agreements (CBAs) with another union³ that does not hold the certificate of representation, applying those CBAs without complying with legal requirements, and improperly deducting union dues from workers' wages.

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.⁴

¹ USMCA Article 23-A.2(a).

² *Sindicato Nacional de Trabajadores de la Construcción, Acarreo de Materiales, Operación de Autopistas, Transporte en General, Comercialización y Servicios en General, Seguridad Privada, Hospitales, Oficinas, Escuelas Particulares, Químico y Plástico, Actividades Similares y Conexas* (the Union).

³ *The Sindicato Nacional de Trabajadores de la industria Metálica, Metalúrgica y de la Transformación y Explotación del Plástico, Similares y Conexas de la República Mexicana.*

⁴ 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.").