

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 a facility operated by Mondelez Mexico, S. de R.L. de C.V. (the Company) located in the city and state of Puebla, México (the Facility). As defined in USMCA Article 31-A.2, a Denial of Rights occurs when workers are being denied the right to freedom of 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 to freedom of association and collective bargaining as a result of interference by the Company and the incumbent union<sup>1</sup> in workers' "concerted activities for collective bargaining or protection and to organize, form, and join the union of their choice" and acts of "employer domination or interference in union activities, discrimination, or coercion against workers for union activity or support."<sup>2</sup>

This request for review encompasses all actions taken by the Company or the incumbent union to intervene in, interfere with, or prevent workers from engaging in freedom of association and collective bargaining activities at the Facility, including by misinforming workers about their union rights, threatening workers, pressuring or coercing workers to refrain from supporting their preferred union,<sup>3</sup> disparaging and denying facility access to that union, and engaging in retaliatory firings and job reassignments.

The actions encompassed by this request for review include any action or inaction by the Company or the incumbent union, through their employees, representatives, or agents, acting individually or in coordination with third parties.

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.<sup>4</sup>

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<sup>1</sup> The name of the incumbent union is the *Unión de Trabajadores y Empleados de la Industria de Alimentos y Bebidas en General, Sus Derivados y Conexos, Miembro de la Federación de Sindicatos "Jesus Moreno Jimenez."*

<sup>2</sup> USMCA Article 23-A.2(a).

<sup>3</sup> The name of that union is the *Union General de Mexico*.<sup>4</sup> 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.")

<sup>4</sup> 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.")