

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 Latex Occidental, S.A. de C.V. (the Company), located in the city of Guadalajara in the State of Jalisco, Mexico (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 freedom of association and collective bargaining as a result of interference by the Company 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>1</sup>

This request for review encompasses all actions taken by the Company to intervene in, interfere with, or prevent workers from exercising their freedom of association and engaging in collective bargaining activities at the Facility, including through interference with workers' existing union representation and working conditions by unlawfully transferring workers from Latex Occidental to an affiliated company, and unlawful dismissals based on workers' union activity.<sup>2</sup>

The actions encompassed by this request for review include any action or inaction by the Company, 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 any such violation within 45 days of this request.

We look forward to receiving Mexico's notification of whether it intends to conduct the requested review.<sup>3</sup>

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<sup>1</sup> USMCA Article 23-A.2(a).

<sup>2</sup> The full name of the union selected by workers as their representative is the *Sindicato Unico de Trabajadores de Latex Occidental, S.A. de C.V.* The affiliated company is Latex Mexicana, S.A. de C.V.

<sup>3</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.").