

Unions file first labor complaint against Mexico under USMCA, urging Biden to intervene



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"USMCA requires Mexico to end the reign of protection unions and their corrupt deals with employers," AFL-CIO President Richard Trumka said in a statement. | Drew Angerer/Getty Images

U.S. and Mexican labor groups on Monday filed the first labor complaint under the U.S.-Mexico-Canada Agreement in a move that tests whether the deal has enough teeth to strengthen workers rights in the southern U.S. neighbor.

The complaint asks the Biden administration to use the pact's new "rapid response mechanism" to investigate claims of worker rights abuses at Tridonex, an auto parts factory in Matamoros in the state of Tamaulipas, Mexico.

Who is involved: The AFL-CIO and the Service Employees International Union, both based in the U.S., filed the petition with the Sindicato Nacional Independiente de Trabajadores de Industrias y de Servicios Movimiento 20/32, an independent Mexican labor union at the center of the charges against Trinodex. Public Citizen, the U.S. consumer advocacy group, also signed the complaint.

The AFL-CIO had been expected to file the complaint last year, but said it decided to wait after facing resistance from the Trump administration.

The petition formally goes to the Biden administration's Interagency Labor Committee. That panel was created by the USMCA and is co-chaired by the Office of the U.S. Trade Representative and the Labor Department.

An official said the Biden administration would carefully review the complaint and any other ones filed under the new rapid response mechanism to determine if there has been "any denial of rights at a covered facility."

A spokesperson for the Mexican Embassy said it had no comment on the filing.

Basis for complaint: The groups said workers at Tridnex have been harassed and fired over the past two years for trying to organize with SNITIS. The workers are trying to replace a "protection" union, which the groups accuse of representing the interests of the company.

The workers' lawyer, Susana Prieto Terrazas, was jailed by Tamaulipas governor on what the labor groups and Public Citizen said were trumped-up charges. Prieto was released after agreeing to move to another Mexican state and to a ban on appearing in labor court.

"USMCA requires Mexico to end the reign of protection unions and their corrupt deals with employers," AFL-CIO President Richard Trumka said in a statement. "The ongoing harassment of Susana Prieto and SNITIS members is a textbook violation of the labor laws Mexico has pledged to uphold."

Tridnex, a subsidiary of Philadelphia-based Cardone Industries Inc., makes auto parts for the U.S. and other markets.

The complainants accuse Tridnex of refusing the workers' demand to stop withholding their dues and transferring them to the protection union. The company has fired more than 600 supporters of the independent union, SNITIS, which formed after worker protests in 2019 forced the maquiladoras in Matamoros to raise wages, the groups said.

Lawmakers call for more cases: Senior House Democrats who helped created the USMCA's rapid response mechanism urged the Biden administration to take action on the complaint and to self-initiate "many" other

cases against Mexican labor practices.

"Public reports have highlighted that Tridonex workers suffered mass firings, forced resignations, intimidation, and a worker leader even faced criminal charges from local authorities. These kinds of egregious practices weaken our economies and fly in the face of basic labor rights and human dignity," House Ways and Means Chair [Richard Neal](#) (D-Mass.) and Trade Subcommittee Chair [Earl Blumenauer](#) (D-Ore.) said in a joint statement.

Next steps: Rep. [Bill Pascrell](#) (D-N.J.), who brought early attention to Prieto's case, called on the Biden administration's Interagency Labor Committee to "swiftly accept the petition and inform Mexico that it will initiate the enforcement process."

"If this process does not lead to a positive resolution for the workers and Ms. Prieto, I hope the United States will unleash the full arsenal of enforcement tools to protect the rights of workers so American jobs are not being undermined and offshored," Pascrell said.

Under the USMCA, the Interagency Labor Committee has 30 days to review the petition and determine whether there is "sufficient, credible evidence of a denial of rights." If it determines there has been, the committee then takes the case to Mexico and asks it to conduct its own review.

What happens beyond that depends on Mexico's response.

If Mexico agrees to conduct the review, it has 45 days to make a determination. If it also finds a denial of rights, then both countries will engage in 10 days of talks aimed at agreeing on a course of remediation. If those talks fail, the United States can request a dispute settlement panel to help resolve the complaint.

If Mexico refuses to conduct a review of the complaint, the United States can immediately request a panel.

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YOUR ACCOUNT MANAGEMENT TEAM

Thomas Zhang

Senior Account
Manager

tzhang@politico.com

(703) 236-7925

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