

RAPID RESPONSE LABOUR MECHANISM COMPLAINT

COMPANY

Fränkische Industrial Pipes
México

INDUSTRY

Production of pipes, accessories and system components for building construction, underground engineering, automotive and industry

LOCATION

Silao, Guanajuato

UNION & LABOUR ORGANIZATION

Independent Union of Workers of the Automotive Industry (Sindicato Independiente de Trabajadoras y Trabajadores de la Industria Automotriz, SINTTIA)

Union of Workers of the Automotive Metal Mechanical Industry and Similar and Related Sectors of the Mexican Republic (Sindicato de Trabajadores de la Industria Metal Mecánica Automotriz Similares y Conexos de la República Mexicana, SITIMM-CTM)

Accepted for review by
Canadian government:
March 13, 2023

Concluded:
July 25, 2023

FRÄNKISCHE



In November 2022, the Independent Union of Workers of the Automotive Industry (Sindicato Independiente de Trabajadoras y Trabajadores de la Industria Automotriz, SINTTIA) filed a claim with the Federal Labour Tribunal for title to the collective bargaining agreement (CBA) at the Fränkische auto parts company, which at that time was held by the Union of Workers of the Automotive Metal Mechanical Industry and Similar and Related Fields of the Mexican Republic (Sindicato de Trabajadores de la Industria Metal Mecánica Automotriz Similares y Conexos de la República Mexicana, SITIMM-CTM). However, SINTTIA-affiliated workers faced employer retaliation, including dismissals for their union preference, while their petition for title to the CBA experienced unusual delays.

Faced with these freedom of association (FOA) violations, SINTTIA, in collaboration with the Canadian union, UNIFOR, submitted a complaint against Fränkische to the Canadian government under the CUSMA's Rapid Response Labour Mechanism (RRLM). The complaint resulted in the workers winning the right to participate in a union representation election (recuento) to choose which of the two unions would represent them in collective bargaining, and the workers elected SINTTIA. Given these developments, and after several negotiations and agreements reached, in July 2023 the Canadian government determined the matter was settled and closed the case.

TIMELINE

November 14, 2022

SINTTIA filed a claim with the Labour Tribunal for title to the collective bargaining agreement at the Fränkische facility.

February, 7 2023

In a press conference, María Alejandra Morales Reynoso, General Secretary of SINTTIA, reported that workers were still waiting for a date to be set for the union representation election (recuento). They had faced a number of delays by the Federal Labour Tribunal for Collective Matters in Mexico City.

March 11, 2023

SINTTIA, along with the Canadian union UNIFOR, filed a complaint against Fränkische with the Canadian government under the Rapid Response Labour Mechanism (RRLM) for systematically and continuously denying workers their fundamental rights to freedom of association and collective bargaining. Additionally, they reported that threats, intimidation, and dismissals had been directed at those workers who tried to exercise their basic rights, in particular, their right to choose a new independent union.

March 13, 2023

The National Administrative Office (NAO) of Canada reported that the complaint had been accepted for an initial review.

June 14, 2023

Fränkische employees announced that June 26 had been set as the date for the recuento.

June 26, 2023

SINTTIA won the union representation election and gained the right to represent the workers in collective bargaining with their employer. SINTTIA received 345 votes, while SITIMM, led by Alejandro Rangel Segovia and affiliated with the CTM, won 314.

July 11, 2023

The Federal Labour Tribunal recognized the legality and the results of the June 26 *recuento* officially making SINTTIA the union organization authorized to negotiate a collective bargaining agreement with the employer.

July 25, 2023

The Government of Canada closed the first complaint filed with it under the Rapid Response Labour Mechanism. As part of the negotiations between SINTTIA and the company, facilitated by the Canadian Government, Fränkische issued a statement committing it to comply with international labour standards, ensure that employees do not face discrimination or retaliation based on their union choice, and maintain a neutral stance in all union activities. In addition, the company reinstated three dismissed employees, and a federal labour judge confirmed that the union election at Fränkische had been conducted fairly. Given these developments, the Government of Canada considered that the allegations were addressed and that the company had taken sufficient corrective action.

November 2023