

RAPID RESPONSE LABOUR MECHANISM COMPLAINT

COMPANY

Goodyear SLP

INDUSTRY

Production of automotive
rubber tires

LOCATION

San Luis Potosi

UNION & LABOUR ORGANIZATION

Mexican Workers Union League
(La Liga)

CTM-affiliated “Miguel Trujillo López”
Union (SMTL)

Request filed by US Government:

May 22, 2023

Concluded:

In progress

GOODYEAR



Goodyear workers organized under the Mexican Workers' League (*Liga Sindical Obrera Mexicana/La Liga*) denounced the Goodyear company for negotiating a collective bargaining agreement (CBA), behind the workers' backs, with the “Miguel Trujillo Lopez” Union (SMTL), affiliated with the Confederation of Mexican Workers (CTM), in order to skirt its responsibility to comply with the superior provisions of the sectoral agreement (*Contrato Ley*) covering workers in the sector.

In addition, during the legitimation process, the SMTL carried out actions that violated due process by confiscating a ballot box containing the ballots cast on the first day of the vote. The theft of the ballot box led the Federal Centre for Conciliation and Labour Registration (CFCRL) to cancel the vote and organize a new process.

In the face of these events, Goodyear workers decided to file a complaint under the Rapid Response Labour Mechanism (RRLM), which was accepted by the US Government. On July 19, 2023, the course of remediation was published. Among other aspects, it includes providing a list of all workers who have been active at the facility at any time in the past 12 months, applying the *Contrato Ley* at this facility, disseminating commitments to union neutrality, and implementing mechanisms for labour complaints by Goodyear in San Luis Potosi.

TIMELINE

- February 2023** ○ Goodyear workers filed a suit denouncing the “appearance of a collective bargaining agreement,” apparently signed with the CTM before any workers had even been hired. According to the workers' lawsuit, the tire company had illegally disavowed the sectoral agreement with *Contrato Ley* status covering the rubber industry in order to implement less favorable working conditions through the CBA signed with the CTM union.
- April 20, 2023** ○ The Mexican Workers' League filed a labour complaint against the Goodyear tire company through the Rapid Response Labour Mechanism (RRLM). The complaint was based on the denial of the workers' labour rights by Goodyear, which intended to disregard the sectoral agreement with *Contrato Ley* Status, the application of which is compulsory for the whole tire industry, in favour of a collective bargaining agreement protecting the employer and including less favourable working conditions.
- April 23, 2023** ○ The CFCRL ordered the suspension of the CBA legitimization procedure at the Goodyear facility located in San Luis Potosí, where more than 1,130 unionized workers were to decide whether or not they accepted the provisions of that CBA. The suspension was due to serious irregularities committed by the CTM-affiliated “Miguel Trujillo López” union, including the theft of a ballot box containing the workers' votes.
- May 8, 2023** ○ In a second vote, the Goodyear workers decided to terminate the collective bargaining agreement. Due to the irregularities in the first vote, which was suspended, more than fifteen inspectors from the CFCRL were present at the second vote, accompanied by ILO and the National Human Rights Commission (CNDH) observers in order to ensure the process' transparency. 873 workers out of the 1,149 workers entitled to vote participated in the process. 727 voted against (83%), 140 voted in favour (16%), and 6 votes were annulled (2%).
- May 22, 2023** ○ The US Government received the complaint and initiated an investigation to determine whether or not labour rights had been denied at Goodyear.
- June 1, 2023** ○ The Government of Mexico accepted the complaint filed by the US government. The statement of the Ministry of Economy pointed out that, among other alleged violations of labour rights, the company had refused to apply the most beneficial terms of the existing *Contrato Ley* in the rubber industry, and that the first legitimization vote was suspended by the labour authority due to the theft of a ballot box with the votes of the first day.
- July 19, 2023** ○ The governments of the United States and Mexico published the Course of Remediation for the Denial of Rights that occurred at the Goodyear facility. Among the plan's main measures, the following are highlighted: 1) Goodyear must provide a list of all active workers, apply the *Contrato Ley*, compensate workers for unpaid wages or benefits, and keep the Mexican Government informed about the progress; 2) Distribute the most recent copy of the *Contrato Ley* to workers and inform them of its validity; 3) Disseminate to workers a public letter acknowledging their commitment to union rights and issue guidelines about the rights of union representatives.
- August 7 & 8, 2023** ○ A vote was held for workers to determine which union would be responsible for administering the *Contrato Ley* of the Rubber Industry at the Goodyear company. The winning union was La Liga, which means that this independent union secured the right to represent the workers at the plant located in San Luis Potosí.

November 2023