

MEXICO: MODEL FREEDOM OF ASSOCIATION (FOA) POLICY

AMERICA'S GROUP: MEXICO COMMITTEE

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This Model FOA Policy was adopted by the Mexico Committee of the Americas Group in November 2019. Based on ILO Conventions 87 and 98 and Mexico's reformed Federal Labour Law (LFT), it was developed as a tool for suppliers of Mexico Committee companies, but is equally applicable to companies' wholly-owned facilities. Key Elements of an FOA Policy are listed below for use by employers in adopting their own FOA policies, which should be effectively communicated to all workers and management personnel.¹

Key Elements and Model Policy

An FOA Policy should include:

- A commitment to the principle of freedom of association and the right to bargain collectively, as expressed in ILO Conventions 87 and 98 and the Mexican Constitution and Federal Labour Law.
- A clearly expressed commitment to the right of all workers employed by the company to join or form a union or other worker organization of their free choice.
- A commitment to transparency so that all workers employed by the company have sufficient information to understand and exercise their rights.
- A commitment to refrain from and not tolerate any acts of discrimination, intimidation, reprisal or threats of reprisal against workers for exercising their associational and collective bargaining rights.
- A commitment to respect the right of worker representatives to freely carry out their legitimate union functions.
- A commitment to remain neutral and to refrain from any acts that favour one union over another in cases where there is more than one union or union in formation in the factory.

Model Supplier FOA Policy

[Name of Company] supports the right of workers, under ILO Conventions 87 and 98 and the Mexican Constitution and Federal Labour Law, to freedom of association and collective bargaining. We respect the right of all workers employed by our company without distinction to join or form a union or other worker organization of their free choice and to bargain collectively, and we will ensure that they are provided sufficient information to understand and freely exercise their associational and collective bargaining rights. [Name of company] does not practice or tolerate threats, intimidation, reprisals or discrimination of any kind against workers or worker representatives because of their past or present union membership, sympathies or activities. We respect the right of union representatives to freely conduct their legitimate union activities. If there is more than one union established or in the process of formation in one of our workplaces, our company and management personnel will remain neutral and will not promote or favour one union over another.

¹ The complete Mexico Committee FOA Guidance as well as other resource materials for employers are available at: https://www.maquilasolidarity.org/en/employer-guidance-freedom-association_mexico.

The Americas Group (AG) is a multi-stakeholder forum composed of international brands and manufacturers and labour rights organizations working together to promote and support socially responsible apparel and footwear industries and decent work in the Americas. As of May 2022, the AG Mexico Committee includes adidas, C&A, Dick's Sporting Goods, Fanatics, Fruit of the Loom, Gildan Activewear, Levi Strauss & Company, New Balance, Nike, Patagonia, PopSockets, PUMA, PVH Corporation, Under Armour, VF Corporation, the Fair Labor Association (FLA) and the Maquila Solidarity Network (MSN).