

RAPID RESPONSE LABOUR MECHANISM COMPLAINT

COMPANY

Saint Gobain Mexico

INDUSTRY

Glass manufacturer for automobiles

LOCATION

Nicolas Bravo 8, Cuautla, Morelos.

UNION & LABOUR ORGANIZATION

Saint Gobain's Independent Union of Free and Democratic Workers - Mexico (SITLDSG)

Glass Industry Union (SIV), affiliated to the Confederation of Workers and Small-Scale Farmers (CTC)

SAINT GOBAIN MEXICO



During 2022, the workers at Saint Gobain, a glass-producing factory of French origin in Cuautla, Morelos State, participated in a legitimation vote on their existing collective bargaining agreement (CBA), and in a union representation election (recuento) to determine which of two unions would represent them in CBA negotiations. There were serious irregularities and violations of workers' associational rights during both events. Although a complaint was filed under USMCA's Rapid Response Labour Mechanism (RRLM), the next stages in the process were not carried out largely due to improvements in the labour situation at the factory following the victory of the independent union in the two voting events, as well a ruling of the Federal Labour Tribunal and the intervention of the Mexican Department of Labour (STPS).

Successful resolution:

It was not necessary to activate the RRLM process

Concluded:

October 27, 2022

TIMELINE

- 2020** ○ Workers started to organize to change their union affiliation and leave the union that had been representing them (SIV) in order to form an independent union and achieve better wages and working conditions.
- February 2022** ○ Workers spoke out publicly against corruption in the SIV union and that union's apparent attempt to legitimize the existing CBA without complying with the requirements of the Labour Reform.
- April 2022** ○ The new independent union (SITLDSG) filed a request with the Labour Court of Collective Affairs for a union representation election (recuento) in order to determine which union would represent the worker in collective bargaining and hold the title to the CBA.
- April 29, 2022** ○ In March, it was announced that the SITLDSG had won the vote and that SIV, which had previously held title to the CBA, had failed to comply with the procedures required for the legitimation process. SITLDSG announced that it would be taking two important actions to consolidate their victory: 1. Demanding legal title to the CBA; and 2. Filing a complaint for the denial of labour rights with the US Government under the Rapid Response Labour Mechanism (RRLM) of the USMCA.
- May 2022** ○ The SITLDSG filed the complaint denouncing the company, allied with SIV, for carrying out an intimidation campaign against the workers that had affiliated with a new union.
- July 2022** ○ On July 5 and 6, 2022, amid growing tensions and the company's lack of neutrality, a vote was held to legitimize the CBA. The SITLDSG received support from IndustriALL Global Union, which sent a letter to the director of Human Resources of Group Saint Gobain (a company with French capital) in order to ensure that freedom of association would be respected.
- July 7, 2022** ○ The Federal Centre for Conciliation and Labour Registration announced that the workers had decided to reject the CBA. 1,539 workers participated in the vote, out of which 700 voted in favour of the CBA, whereas 814 voted against, and 25 votes were annulled.
- September 1, 2022** ○ The Federal Labour Court issued a guilty verdict against Saint Gobain for violating the "human labour rights" of the workers that were organizing an independent union.
- September 28, 2022** ○ The AFL-CIO and United Steelworkers filed a complaint to the US government under the RRLM for labour rights violations at the Saint Gobain factory, including threats to the safety of the independent union leaders.
- September 28 & 29, 2022** ○ The independent union won the union representation election at Saint Gobain-Mexico with a total of 957 votes, whereas the existing union (CTC) received 587 votes.
- October 27, 2022** ○ After the workers at the Saint Gobain facility in Cuautla, Mexico elected a new independent union to represent them in CBA negotiations, the US Government announced the successful resolution of the complaint filed under the RRLM.

November 2023