



Leo W. Gerard
International President

April 2, 2018

Robert E. Lighthizer
United States Trade Representative
600 - 17th Street, NW
Washington, D.C. 20508

Dear Ambassador Lighthizer,

I am writing you out of grave concern that the Mexican Senate may soon pass legislation, masquerading as labor law reform, that will have the impact of degrading workers' rights in that country. This effort is a fundamental affront to the interest of workers in Mexico and has a direct impact on workers here and in Canada. If passed, and signed into law, it would jeopardize any potential to reach an updated North American Free Trade Agreement (NAFTA) that would have the support of working people in any of the three countries.

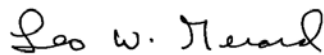
While there are, of course, many issues that need to be updated as part of the NAFTA renegotiations, no issue is more important to rebalancing the benefits and ensuring that workers, not companies, are the primary beneficiaries of the agreement. The U.S. trade deficit with Mexico has been fueled by massive outsourcing of production to Mexico built upon a base of corporate profits gained at the expense of workers who do not have the internationally recognized workers' rights that they deserve. In the critical area of labor, in the context of NAFTA, the approach has been to promote a three-part approach: Improved labor laws in Mexico, a stronger labor chapter in the NAFTA and an improved enforcement structure with resources in the context of the agreement and here in the U.S. If any of the legs of that three-legged stool fail, the overall approach fails.

Labor laws in Mexico are in dramatic need of reform. Last year, constitutional improvements were adopted that should foster many of the needed reforms, but the Mexican Senate is on the path to pass implementing legislation that is a direct attack on the interests of working people and essentially nullifies the constitutional changes. The most critical improvement that is needed is an end to the so-called "protection contracts" that essentially are employer-imposed workplace contracts, devoid of any bargaining. These contracts protect the employer, at the expense of workers and their internationally recognized workers' rights. The legislation also alters the constitutional changes designed to ensure that the legal system will fairly address workers' rights. Finally, the legislation would restrict the right to a free and secret vote – the basic foundation of free labor unions.

Even the strongest enforcement provisions in a revised NAFTA – including creative approaches to raising wages - will be of little value if they are only able to ensure that substandard, unacceptable workers' rights are to be implemented. The changes in other areas of the agreement are insufficient to overcome the further damage to our economic interests, and the jobs and wages of working people in the U.S. and, indeed, Canada, that would result from Mexico's failure to adopt the necessary reforms.

Since the Administration announced its intention to renegotiate NAFTA, our union, and many other unions, have diligently offered concrete proposals and recommendations on what changes are necessary to promote the interests of working people and to reverse the decline caused by the existing agreement. You and your staff have engaged us in a positive way, and we are deeply appreciative. I am hopeful that you, in cooperation with the Canadian Trade Minister, can impart upon the Mexican government the need to block the regressive bill currently before the Mexican Senate and adopt reforms consistent with, and in furtherance of, the constitutional reforms.

Sincerely,



Leo W. Gerard
International President