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May 11, 2021

Ms. Mary Barra
Chair and Chief Executive Officer
General Motors Company
100 Renaissance Center
Detroit, Michigan 48243-1312

Dear Chair Barra:

As members of the Committee on Ways and Means with jurisdiction over the implementation and enforcement of international trade policies, we write regarding disturbing reports of gross labor rights violations at a General Motors (GM) plant in Silao, Mexico. The passage of the United States-Mexico-Canada Agreement (USMCA) locked in long-overdue changes to Mexico's labor laws that help to ensure that workers can choose their own independent unions and to support independent bargaining powers. The USMCA also provides new labor enforcement tools to ensure the agreement is effective. Taken together, this sent a clear message: it is a new day for workers.

Every corner of our society must be an active participant in supporting and encouraging workers' fundamental right to organize. Workers have a right to freely associate and choose an independent union. More workers in Mexico are attempting to exercise those rights and break down the corrupt system of so-called "protection unions" that have held workers back for decades. It appears that workers at GM's plant in Silao were doing just that, but members of the Confederation of Mexican Workers (CTM), one of the preeminent employer "protection unions," reportedly committed the following acts:

- Limited voting to only 15 hours for more than 6,000 workers;
- Withheld the contract from workers and failed to provide copies or make it publicly available online;
- Destroyed unfavorable ballots and replaced them with favorable ballots;
- Refused to turn over ballots to Mexican labor authorities upon request; and
- Threatened individuals' employment status to bully workers into voting in their favor.

Press reports also indicated that GM officials and unidentified security guards removed independent inspectors from the premises as they were attempting to monitor the vote.

The Mexican Government considered these reported acts so egregious that the Mexican Secretariat of Labor and Social Welfare recommended criminal charges for members of CTM. These reported acts also appear to violate the USMCA, and we expect the U.S. government to aggressively investigate and use all available remedies under the USMCA to effectively address violations and demonstrate publicly that labor rights will be protected.

We understand that the Mexican government has a significant role to play in upholding workers' legal right to unionize, but companies like yours do as well. As one of America's most iconic companies, GM should be an active participant in respecting labor rights. GM has a responsibility to speak out against violations of labor and human rights abuses at the Silao GM plant, and has an overarching responsibility to ensure that workers at its facilities throughout Mexico who exercise their rights in the workplace do so free from threats or retaliation. We request that GM remain neutral in any future democratic efforts by workers at its facilities and ensure that workers who organized to replace CTM are not harassed or retaliated against in any way.

In addition, we request written answers to the following questions by May 25, 2021:

1. Before the vote to retain CTM, did any GM employee or subcontractor coordinate or correspond with any individual affiliated with CTM on the election? If so, please characterize those interactions.
2. Before the vote to retain CTM, did any GM employee or subcontractor pressure any worker to vote in favor of CTM?
3. Before the vote to retain CTM, did any GM employee or subcontractor remove or deny entry to independent observers from the facility, preventing them from ensuring the integrity of the election?
4. When did GM become aware that CTM had destroyed lawfully cast ballots?
5. Has GM investigated whether any GM employee or subcontractor violated Mexican labor law? If so, please explain the findings. If not, please explain why no investigation has been conducted.
6. Will GM commit to immediately providing every worker with a physical copy of the contract, publicly posting online a copy of the contract, and ensuring that any future union organization vote will satisfy the following requirements:
 - a. Having a government labor official monitor and verify a vote;
 - b. Having an independent third party oversee and certify a future vote on the protection union contract;

- c. Affirming that workers can request the assistance of the labor authorities to intervene in a contract legitimation vote if workers feel unsure of the purpose, unsafe, intimidated, or otherwise have doubts or fears about the process;
- d. Providing sufficient time for every worker to cast a vote; and
- e. Ensuring all workers have received a physical copy of the contract at least two weeks prior to a vote?

Thank you, in advance, for your prompt attention to this matter.

Sincerely,



The Honorable Dan Kildee
Member of Congress



The Honorable Bill Pascrell Jr.,
Chairman
Subcommittee on Oversight



The Honorable Earl Blumenauer,
Chairman
Subcommittee on Trade