

March 23, 2016

AFL-CIO

Paul Rooke
Chairman and Chief Executive Officer
Lexmark International, Inc.
740 W. New Circle Road
Lexington, KY 40550

Rocio Sarabia
Latin America Human Resources Director
804 S Douglas Rd Ste 700
Miami, Florida 33134-3191

Robert Patton
Vice President, General Counsel
740 W New Circle Rd Building 1-office b17502
Lexington, Kentucky 40511-1806

Dear Mr. Rooke, Ms Sarabia and Mr. Patton:

We, the undersigned organizations, are writing to express our outrage and concern for the workers at Lexmark's factory in Ciudad Juarez, Chihuahua, Mexico. Since last November hundreds of your employees have been protesting their extraordinarily low wages, the arbitrary firings of 120 workers, and unacceptable working conditions. According to the workers, management failed to follow through with the promised thirty-five cents a day wage increase as well as the legally required *aguinaldo* (Christmas bonus) at the end of 2015. Workers report being docked an excessive amount of pay for legitimate absences. They complain of sexual harassment and unsafe working conditions exposing them to hazardous chemicals without appropriate protective gear.

When workers attempted to organize in order to rectify these conditions they were met with mass firings, threats and intimidation. We have been informed that local management is now engaged in an illegal attempt to intimidate and bribe workers to abandon their organizing efforts. It appears that Lexmark management is conspiring together with the state labor authorities to violate the rights of your workers under Mexican





Labor Law, The North American Agreement on Labor Cooperation (NAALC), the Conventions of the International Labor Organization and even your own corporate Vision and Values, Code of Ethics and Human Rights Policy.



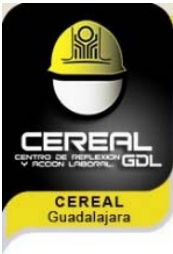
That Human Rights Policy specifically references the United Nations Universal Declaration of Human Rights and the International Labor Rights Organization’s Declaration on Fundamental Principles and Rights at Work, both of which recognize the right of workers to freedom of association. The Human Rights Policy says, “. . . Lexmark’s first priority is the health and safety of our employees around the world. . . Our employee Code of Business Conduct and human resources practices reflect our firm commitment to providing a workplace that is safe, inclusive and ethical. **Lexmark respects freedom of association and freely-chosen employment . . . We do not tolerate harassment or discrimination** and actively support the anti-discrimination laws and regulations of every nation, state and city in which business is conducted.”



We are therefore puzzled that with such strong ethics and values you have allowed the crises in Ciudad Juarez to deepen without taking corrective action. Certainly you have been made aware of it by your management there, by concerns expressed by a number of organizations in both the U.S. and Mexico, and by the widespread media coverage.



We therefore strongly urge you to take immediate action to ensure respect for your workers’ right to freedom of association and their desire to form an independent union, and that you rectify the intolerable conditions and treatment of workers in the plant and pay the workers what you’ve promised them including the *aguinaldo*. Specifically, we urge you to comply with the following demands that have been put forward by the workers:



1. Engage in good-faith with workers' representatives based on mutual respect, on their concerns regarding working conditions, including the provision of adequate safety equipment, access to effective recourse for sexual harassment, and fair wages;





2. Recognize publicly the rights of workers to form an independent union and elect their own representatives;
3. Reinstate the dismissed workers to their former positions with full back pay of wages owed since the day of dismissal;
4. Cease all threatening and discriminatory behavior, including attempts to take legal action against workers for seeking to organize;
5. Pay the legally owed Aguinaldo benefits to all employees, including to those who were dismissed illegally; and
6. Cease attempts to buy off workers, without representation of counsel, by paying them less than the legally required severance pay.



In the spirit of good faith, we hope that Lexmark will take the above steps, and that you respond to us by April 6. If Lexmark decides against this, please be aware that we will continue to seek justice through other channels until the Lexmark workers' rights are respected.

As it has now been several months since workers were unjustly fired, we hope a quick resolution is reached soon to end the suffering these workers have endured. We look forward to a positive response from you.



Respectfully,

Cathy Feingold, Director of International Department, **AFL-CIO**

Fernando Lopes, Assistant General Secretary, **IndustriALL Global Union**

Chris Shelton, President, **Communications Workers of America**

Leo Girard, President, **United Steelworkers (USW)**

Leah Fried, International Strategies Director, **United Electrical Radio and Machine Workers**

James P. Hoffa, General President, **International Brotherhood of Teamsters**





Pauline Overeem, Coordinator, **GoodElectronics. International Network on Human Rights and Sustainability in Electronics**

Judy Gearhart, Executive Director **International Labor Rights Forum**

Judy Ancel, President, **The Cross Border Network for Justice and Solidarity**, Kansas City

Lynda Yanz, Executive Director, **Maquila Solidarity Network**, Toronto

David Foust Rodríguez, Coordinator **Centro de Reflexión y Acción Laboral (CEREAL) / Labor Studies and Action Center**, Guadalajara

Morgan Currier, International Campaigns Coordinator, **United Students Against Sweatshops**

Obrer@s Maquiler@s de Ciudad Juárez, A.C

Joy Olson, Executive Director, **Washington Office on Latin America (WOLA)**

John Paxton Walsh, Chair, Board of Directors, **Witness for Peace**

Joint Directors, **Nueva Central de Trabajadores**

Fernando Ríos, Secretario Ejecutivo, **Red Nacional de Organismos Civiles de Derechos Humanos Todos los Derechos para Todas y Todos (National Network of Human Rights Civil Society Organizations All the rights for all the people)**

Teri Mattson, Executive Director, **Task Force on the Americas**, Larkspur CA

Natasha Lycia Ora Bannan, President, **National Lawyers Guild (NLG)**
Suzanne Adely, Co-chair, **NLG International Committee**
Jeanne Mirer, Co-chair, **NLG International Labor Working Group**,

Tim Paulsen, Executive Director, **San Francisco Labor Council**





Karl Kramer and David Frias, Campaign Co-directors, **San Francisco Living Wage Coalition**

Jose Artiga, Executive Director, **Share Foundation**

Babette Grunow, Coordinator, **Latin America Solidarity Committee**, Milwaukee.



Elvia Villegas and Linabel Sarlat, co-directors, **Las Hormigas Comunidad en Desarrollo A.C.**, Ciudad Juarez



Sylvia Mendez, **Centro de Derechos Humanos Paso del Norte, Ciudad Juarez**

Elizabeth Avalos, **Colectiva de Mujeres Rosa Luxemburgo, Ciudad Juarez**



Kerstin Ruth Lindgren, Campaign Director, **Fair World Project**

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Maria Teresa Almada, **Centro de Asesoría y Promocion Juvenil A.C.**, Ciudad Juarez

Jose Luis Flores, **Red por los Derechos de la Infancia en Ciudad Juarez A.C.**



Catalina Castillo, **Organizacion Popular Independiente A.C.**,

Blanca Navarrete, **Derechos Humanos Integrales en Accion A.C.**, Ciudad Juarez

Michael Neuroth, Policy Advocate for International Issues, **United Church of Christ, Justice and Witness Ministries**

Vanessa Ramos, **Asociación Americana de Juristas (AAJ)**

Diane Bohn, NICCA co-coordinator, **Nicaragua Center for Community Action (NICCA)**

