

# SOLIDARITY *News*

FROM OUR UNFAIR LABOR PRACTICE STRIKE AGAINST ASARCO

| Issue 10 | April 15, 2020 |



## Like ASARCO, Grupo Mexico Faces Mounting Court Losses

Grupo Mexico, the parent company of ASARCO, faces mounting legal challenges and setbacks, continuing a long history of lawlessness.

On March 30, 2020, the Mexican Supreme Court ruled that Grupo Mexico acted illegally when it closed the trust established to compensate victims of the spill from its tailings dam which poisoned the Sonora River in 2014.

More than ten million gallons of chemicals were released, leaving tens of thousands of people without drinking water in the worst ecological disaster in Mexican history.

According to the Mexican Supreme Court, the company failed to consult with the damaged communities before shutting down the trust, impacting “their right to a healthy environment.”

Under the court’s order, Grupo and local authorities are required to engage in dialogue with the community to determine if the trust has adequately addressed its needs.

As a result of the decision, Grupo faces potential liability for additional payments to mitigate the harm done to the people living in the watershed of the Sonora River.

Grupo Mexico suffered an additional setback at the hands of the Mexican Supreme Court in January of this year. The court rejected Grupo’s attempts to declare a strike at the San Martín mine by members of Los Mineros union illegal.

Grupo and Los Mineros have been in a long-running conflict over who represents workers at San Martin, with Grupo attempting to impose a company-dominated union on the workers. The courts have upheld the independent mineworkers right to strike.

[next page]





In another legal battle, Grupo Mexico has asked the Texas Supreme Court to relieve it of responsibility for an asbestos liability dispute involving an insurance company and ASARCO.

Grupo’s lawyers are arguing that the Mexican multinational is not “an alter ego” for ASARCO and therefore is not subject to the jurisdiction of the Texas legal system.

On March 31, the government of Mexico issued orders to shut down non-essential business, including mining companies. Most companies complied immediately, but Grupo Mexico kept operating, lobbying the government for classification as “essential.”

Mexican Senator Napoleon Gomez Urrutia, the head of Los Mineros, condemned Grupo’s action as a risk to the health of miners and their communities. Faced with strong public pressure, Grupo is reluctantly scaling back its operations.

Grupo Mexico’s track record is clear, and the company (along with its ASARCO subsidiary) routinely prioritizes profits ahead of the health and well-being of workers and their communities—even when doing so means operating outside of established legal boundaries on both sides of the U.S.- Mexico border.

**Stay HEALTHY, SAFE and UNITED!**

**Solidarity is our strength!**

