

**LETTER OF ARRANGEMENT**  
**BETWEEN**  
**THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION OF THE**  
**DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA**  
**AND**  
**THE MINISTRY OF FOREIGN AFFAIRS OF THE UNITED MEXICAN STATES**  
**CONCERNING WORKPLACE SAFETY AND HEALTH PROTECTIONS APPLICABLE**  
**TO MEXICAN WORKERS IN THE UNITED STATES**

The Occupational Safety and Health Administration (OSHA) of the Department of Labor of the United States of America and the Ministry of Foreign Affairs of the United Mexican States, through its Embassy and Consulates in the United States, hereinafter "the Parties";

**CONSIDERING** their commitment to protect the well-being of Mexican workers in the United States;

**CONSIDERING** their desire to establish programs of cooperation to educate and inform Mexican workers in the United States as to their workplace rights and responsibilities, to encourage them to exercise their rights under the occupational safety and health law, and to provide them with proper channels to do so;

**CONSIDERING** the importance of promoting and encouraging training programs for Mexican workers to continue to reduce injuries and illnesses in the workplace; and

**CONSIDERING** the intention of the Joint Declaration between the Department of Labor of the United States of America and the Ministry of Foreign Affairs of the United Mexican States Concerning Workplace Laws and Regulations Applicable to Mexican Workers in the United States, signed at Washington, D.C., on the 4th day of May of 2010;

Intend to collaborate as follows:

## **ARTICLE 1**

### **Objective**

To promote the rights and well-being of Mexican workers in the United States through joint efforts between the Parties and with other relevant governmental agencies and private organizations in the United States, as appropriate and as mutually consented to by the Parties.

## **ARTICLE 2**

### **Areas of Collaboration**

In furtherance of this objective, the Parties intend to pursue the following initiatives, to the extent funds are available:

1. Develop a joint pilot program to enable the Consulates to file OSHA complaints on behalf of workers.
2. Improve awareness of Mexican workers of workplace laws and regulations, including efforts to:
  - a. heighten awareness of availability of information regarding workplace inspection findings, corrective actions ordered, fines, and other enforcement and compliance efforts.
  - b. develop, translate, and disseminate informational materials, utilizing print and electronic media, addressing occupational safety and health concerns of Mexican workers in the United States, including:

- Public Service Announcements to publicize occupational safety and health issues and who to contact for help in the United States;
  - videos and posters to illustrate worker safety and health hazards to reach populations that may not be literate in Spanish; and
  - video to help workers understand how to file an OSHA complaint.
- c. distribute and publicize the availability of Spanish language brochures, pamphlets, and other informational materials for Mexican workers regarding their occupational safety and health rights in the workplace;
- d. publicize the OSHA toll-free telephone number and resources available on OSHA's Web site including the OSHA en Español Web page that provide information in Spanish about worker rights and responsibilities related to workplace safety and health; and
- e. develop a process for Embassy and Consulate officials to share feedback with OSHA regarding concerns received from Mexican workers employed in the United States.

3. Jointly develop, promote and conduct training programs, including:

- a. development and implementation of joint training programs in the United States targeting industry sectors and workplaces with a high concentration of Mexican workers, in an effort to help workers understand and protect themselves from common workplace safety and health hazards;

- b. formation of a bilateral working group of OSHA representatives and Consulate representatives, to include National, Regional and State officials, as appropriate, to develop and conduct cross-cultural training sessions. The training would aim to help increase awareness of OSHA's Federal and State inspectors, compliance assistance specialists, consultants and trainers to the cultural sensitivities of Mexican workers and to enhance the ability of OSHA's staff to conduct inspections, consultative visits, and education and outreach efforts in workplaces with a high concentration of Mexican workers;
- c. development of a Construction Hazard Awareness Training Program to introduce Mexican workers employed in the United States to their occupational safety and health rights and responsibilities and to common hazards and controls on construction worksites; and
- d. heighten awareness of OSHA's Federal and State field staffs' compliance assistance efforts, the OSHA Training Institute's Education Centers, Susan B. Harwood Grants, State Plans, and State Consultation programs.

### **ARTICLE 3**

#### **Process of Consultation**

The Parties intend to collaborate through joint efforts at the national level between the Mexican Embassy and OSHA in Washington, D.C. and at the regional level between OSHA regional and area offices and the Mexican Consulates. The Parties intend to identify points of contact for formal communication at the national and regional levels, which would be responsible for developing joint efforts within the areas of cooperation as may be decided. Representatives of the Parties intend to meet on a periodic basis to assure that these functions are carried out.

The Parties have exchanged lists of national and regional representatives, who would serve as contact points to support these efforts.

**ARTICLE 4**  
**Expenses and Costs**

Each Party intends to finance its participation in any areas of cooperation undertaken pursuant to this Letter of Arrangement subject to the availability of funds in each Party's respective budget.

**ARTICLE 5**  
**Final Provisions**

This Letter of Arrangement may be modified at any time by mutual written consent of the Parties.

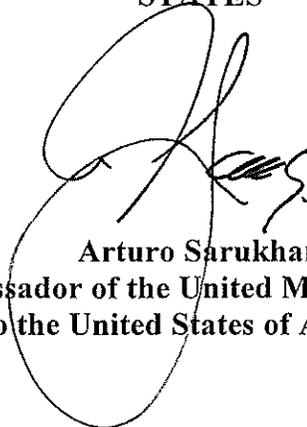
Signed at Washington, D.C., in duplicate, in English and Spanish, on the first day of June two thousand and ten.

**FOR THE OCCUPATIONAL SAFETY  
AND HEALTH ADMINISTRATION OF  
THE DEPARTMENT OF LABOR OF  
THE  
UNITED STATES OF AMERICA**



**David Michaels, PhD, MPH**  
**Assistant Secretary**

**FOR THE MINISTRY OF FOREIGN  
AFFAIRS OF THE UNITED MEXICAN  
STATES**



**Arturo Sarukhan**  
**Ambassador of the United Mexican States  
to the United States of America**