

**Ministerial Consultations Joint Declaration between  
the Department of Labor of the United States of America and the Secretariat of  
Labor and Social Welfare of the United Mexican States Concerning Mexican NAO  
Public Communications MEX 2003-1, MEX 2005-1, and MEX 2011-1 under the  
North American Agreement on Labor Cooperation**

The Secretary of Labor of the United States of America, Thomas E. Perez, and the Secretary of Labor and Social Welfare of the United Mexican States, Jesús Alfonso Navarrete Prida, under the provisions of the North American Agreement on Labor Cooperation (NAALC), intend to carry out ministerial consultations in a spirit of cooperation through the actions articulated below concerning matters raised in public communications MEX 2003-1, MEX 2005-1, and MEX 2011-1.

Acknowledging the commitment of our Governments under the NAALC to ensure the effective enforcement of our labor laws and to promote the principle of protecting migrant workers;

Desiring to strengthen labor relationships between our two nations and to continue the cooperation that results in increasing economic and labor opportunities in the 21st century;

Confirming our commitment to work collaboratively towards our shared objective under the NAALC to improve the working conditions and living standards of all workers;

Considering the Consular Partnership Program (CPP), which is coordinated by the Department of Labor of the United States (DOL) in partnership with the Mexican Embassy and its consulates in the United States, is a mechanism for the Government of Mexico and the Government of the United States to work together to inform Mexican workers in the United States about their labor rights;

The DOL and the Secretariat of Labor and Social Welfare of the United Mexican States (STPS) have therefore confirmed that they intend to take the following actions to provide meaningful information to Mexican workers in the United States with H-2A and H-2B temporary work visas about their rights under applicable U.S. labor laws, as well as providing compliance information to employers of H-2A and H-2B workers:

1. To develop and prepare educational and outreach materials, and plan related activities, within the context of the CPP through the U.S. and Mexican National Administrative Offices (NAOs), in collaboration with the DOL's Wage and Hour Division (WHD) and Occupational Safety and Health Administration (OSHA), the STPS representative in the United States, and the Mexican Embassy and its consulates in the United States such as:
  - Joint training programs targeting industry sectors and workplaces with a high concentration of migrant workers, including H-2A and H-2B

workers, and sectors referenced in the public communications such as agriculture, food packing, forestry, and carnivals and fairs;

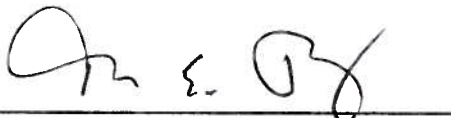
- Informational forums, workshops, roundtable discussions, and meetings with workers and employers to promote understanding of worker rights and employer responsibilities, for example, events at worker rights centers, immigration centers, and consulates, events sponsored by non-governmental and faith-based organizations in the United States and Mexico, and events at U.S. workplaces;
  - Informational materials for workers in Spanish, such as brochures, cards, pamphlets, posters, and videos on the rights of H-2A and H-2B workers under U.S. labor laws and how to exercise these rights, including how to file complaints;
  - Informational materials for employers on compliance with labor laws and regulations and the applicable sanctions in the case of non-compliance;
  - Dissemination of informational materials, including through the use of print, television, and electronic media; and
  - Informational materials and workshops to employers to raise awareness about unlawful recruitment practices and their obligations with respect to prohibiting foreign labor recruiters from charging recruitment fees to workers.
2. The U.S. and Mexican NAOs intend to reach out to stakeholders, including the submitters of the public communications, in developing outreach and educational activities.
  3. The U.S. and Mexican NAOs intend to collaborate with WHD and OSHA and the Mexican Embassy and its consulates in the United States in order to target activities to H-2A and H-2B workers and to employers, including in, but not limited to, the sectors and states referenced in public communications MEX 2003-1, MEX 2005-1, and MEX 2011-1.
  4. State government officials are to be invited to participate in educational and outreach events to provide information about state labor laws and protections, including federally-approved, state-run OSHA programs, unemployment compensation, and workers' compensation programs.
  5. The U.S. and Mexican NAOs intend to explore collaboration with the National Labor Relations Board and the Equal Employment Opportunity Commission in providing information about the rights of migrant workers and responsibilities of employers in the United States under the National Labor Relations Act and applicable employment discrimination statutes, such as Title VII of the Civil Rights Act and the Age Discrimination in Employment Act.
  6. Staff from the Legal Services Corporation (LSC) are to be invited to a) participate in educational and outreach events to answer questions about the

legal services funded by the LSC and b) identify LSC-funded service providers who can answer questions about services they provide in specific areas.

7. The U.S. and Mexican NAOs intend to explore possible collaboration with Mexican Government offices in Mexico, the U.S. Embassy and its consulates in Mexico, and non-governmental organizations in Mexico to: a) disseminate educational and informational materials to H-2A and H-2B visa recipients and applicants in Mexico and b) facilitate efforts to combat unlawful recruitment practices.
8. The DOL and STPS intend to explore, in collaboration with the Mexican Embassy and its consulates, the development of processes that could facilitate locating workers that have returned to Mexico and whose back wages have been recovered by the WHD under U.S. labor laws applicable to H-2A and H-2B workers.
9. The U.S. and Mexican NAOs intend to explore collaboration with the Canadian NAO in the development and dissemination of outreach and educational materials.
10. The NAOs of Mexico and the United States intend to work collaboratively to develop a work plan for carrying out the activities called for under this Declaration within 60 days of its signing, and anticipate that at least two educational and outreach activities will be completed within 12 months of the date of approval of the work plan.
11. The U.S. and Mexican NAOs, in consultation with WHD and OSHA, intend to prepare a public report that includes information on attendance at educational and outreach events and results in achieving work plan objectives.

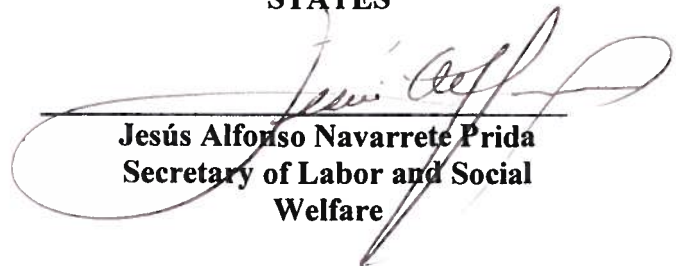
Signed in Washington, DC, in duplicate, this 3<sup>rd</sup> day of April, 2014, in the English and Spanish languages.

**FOR THE DEPARTMENT OF  
LABOR OF THE UNITED STATES  
OF AMERICA**



**Thomas E. Perez  
Secretary of Labor**

**FOR THE SECRETARIAT OF  
LABOR AND SOCIAL WELFARE  
OF THE UNITED MEXICAN  
STATES**



**Jesús Alfonso Navarrete Prida  
Secretary of Labor and Social  
Welfare**