



Leo W. Gerard
International President

November 6, 2017

The Honorable Alexander Acosta
Secretary
U.S. Department of Labor
200 Constitution Ave., N.W.
Washington, D.C. 20210

Dear Secretary Acosta:

On behalf of the 850,000 members of the United Steelworkers (USW) and the workers seeking union representation at the Kumho Tire facility located in Macon Georgia, I formally request you convene the Labor Council established under the U.S.-South Korea Free Trade Agreement (KORUS FTA).¹

Recent U.S. labor law violations by Kumho Tire, a company where the Republic of Korea has a significant ownership stake via a state entity, The Korean Development Bank (KDB), have in our opinion violated article 19.2 Fundamental Labor Rights of the KORUS FTA.

In a detailed filing to the National Labor Relations Board Region 10, our union highlighted fourteen objections - which we cite - to set aside the election at Kumho tire in Macon, Georgia, held on October 12-13, 2017. Illegal tactics by the company have effectively limited the freedom of association [article 19.2(a)] and effective recognition of the right to collective bargaining [article 19.2(b)] for the U.S. workers at the Kumho facility.

In the immediate aftermath of the contaminated election, Kumho Tire also fired union supporter Mario Smith on October 17, 2017 and has threatened other workers with termination for union support. The severity of actions by management at Kumho and disregard for U.S. labor law raises serious concerns over the Korean Government's commitment to the labor chapter of the KORUS FTA. The Korean Government, which through the KDB has a significant ownership stake and control of the affairs of Kumho Tire (including the installation of a new CEO last month), has failed to effectively oversee the management of assets and ensure compliance with U.S. labor law.²

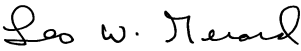
¹ https://ustr.gov/sites/default/files/uploads/agreements/fta/korus/asset_upload_file934_12718.pdf

² <http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=3039649>

We are also concerned with violations of international labor standards in the Republic of Korea, specifically the President of the Korean Confederation for Trade Unions, Han Sang-gyun, who is currently imprisoned for organizing peaceful demonstrations. This action has been condemned by respected human rights organizations and by the global trade union movement. Last month Han Sang-gyun was awarded the AFL-CIO's George Meany-Lane Kirkland Human Rights Award.

USW urges the Department of Labor to request labor consultation under Article 19.7 of the KORUS FTA as soon as possible. We look forward to your reply and will provide any further documentation or additional materials necessary to resolve the matter expeditiously. Please contact the USW Legislative Department at (202) 778-4384 for any questions you may have.

Sincerely,


Leo W. Gerard
International President

LWG/rdb