

UNION NACIONAL DE PERMISONARIOS DE AUTOTRANSPORTES DE CARGA, MANIOBRAS DE ACARREP DE MINERALES Y MATERIALES PARA CONSTRUCCION EN ALMACENES, PATIOS, PLAYAS Y ZONAS URBANAS, SUB-URBANAS, FEDERALES, SIMILARES Y CONEXAS C.R.O.M.

SECCION #1

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CALLE GUADALUPE VICTORIA N°284 BIS

COL. CENTRO CP. 60950

TEL. 53-2-28-84



RFC.UNP-080227-CQ3

REGISTRO STPS N°4415

CD. LAZARO CARDENAS, MICH.

CARDENAS, MICH.

COLLECTIVE LABOR CONTRACT FOR A DESIGNATED TASK THAT IS EXECUTED OF THE ONE PART BY THE NATIONAL UNION OF PERMISSIONARIES FOR FREIGHT TRANSPORTATION, DEDICATED TO THE MANOEUVRING OF MINERALS AND CONSTRUCTION MATERIALS TO WAREHOUSES PATIOS, BEACHES, AND URBAN, SUBURBAN, AND CONNECTING SUBURBAN AREAS AND CONEXAS CROM

REPRESENTED BY ITS **GENERAL SECRETARY MR. CIRENIO GUZMAN ROSAS**, WITH RESIDENCE IN GUADALUPE VICTORIA No. 284 BIS ESQ. WITH CORREGIDORA IN CIUDAD LAZARO CARDENAS, MI HOACAN AND OTHERWISE THE COMPANY NAMED: **GRUPO MINERO IDEN ROCK S.A DE C.V** REPRESENTED BY **C. HUMBERTO VALENZUELA NZALEZ, TARADA ASSET MANAGEMENT, INC** REPRESENTED BY **OSCAR MANUEL MENDOZA NATIVIDAD**, WITH ADDRESS AT: **CALZADA DE LOP TENORIOS NO 274-7, COLONIA EX-HACIENDA COAPA, TLALPAN, MEXICO CITY, cp. 14308**. TO WHOM ARE DESIGNATED THE NAMES OF "UNION" AND "COMPANY" RESPECTIVELY, THE CONTRACT TO BE SUBJECT TO THE FOLLOWING RECITALS AND CLAUSES.

## RECITALS

I, **CIRENIO GUZMAN ROSAS**, DECLARE THAT I AM THE **GENERAL SECRETARY OF THE NATIONAL UNION OF PERMISSIONARIES FOR CARGO TRANSPORTATION, HANDLING THE MANOEUVRES OF MINERALS AND MATERIALS FOR CONSTRUCTION IN WAREHOUSES, PATIOS, BEACHES, URBAN, SUB-URBAN AND FEDERAL ZONES, SIMILAR AND CONEXAS C.R.O.M. SECTION 1**, THEREFORE, AS THE COMMON REPRESENTATIVE OF THE TRANSPORTATION WORKERS WHICH WILL INTERVENE WITH THE RESTORATION OF THEIR PERSONAL SERVICES IN THIS CONTRACT AND WHICH ACTS AS GUARDIAN OF PROFESSIONAL INTEREST, AND WHICH IS AN ORGANIZATION THAT IS GOVERNED BY THE CONSTITUTION, INTERNAL BYLAWS AND THE LAWS OF THE COUNTRY, AND IS DEDICATED TO THE TRANSPORTATION OF MATERIALS FOR CONSTRUCTION, MINERALS IN GENERAL, ASPHALT AND EXTRACTION OF EARTH, WHICH IS AFFILIATED TO AND IS INTEGRATED IN

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THE REGIONAL MEXICAN WORKERS CONFEDERATION, (CROM) HAVING THE CAPACITY TO CONTRACT IN RELATION TO THE CONTRACTED MATERIALS AND IN THE NAME AND ON BEHALF OF THE TRANSPORTISTA AFFILIATED WORKERS.

II, CONTINUING TO ACT FOR THE **"UNION"**, AS ITS GENERAL SECRETARY, AND DECLARING THAT IN SUCH **"UNION"** THERE ARE SUFFICIENT AFFILIATES OF TRANSPORTATION WORKERS AND TURNING UNITS TO MEET THE MATERIAL AND MATERIAL TRANSPORT NEEDS OF ALL TYPES IN BULK FROM THIS COUNTRY AND PARTICULARLY FOR THE DESIGNATED TASK.

III.-DECLARING THAT THE **"COMPANY"**, THROUGH **HUMBERTO VALENZUELA GONZALEZ**, HAS THE POWERS AND THE LEGAL CAPACITY TO CONTRACT FOR THE SERVICES OF THE TRANSPORTATION WORKERS OF THE REFERRED **"UNION"**.

IV.-CONTINUING TO DECLARE THAT THE **"COMPANY"**, FOR THE PURPOSES OF TRANSPORTATION OF MATERIALS AND MINERALS, IN BULK IN TIP-TYPE TRUCKS, WILL **PROVIDE THE TRUCKS THAT WILL CARRY THE IRON ORE FROM THE GOLDEN PATIO TO THE TPP DOCK WITH THE COMPANY GRUPO MINERO GOLDEN ROCK MEXICO SA DE C.V. AS WELL AS TO THE GOLDEN PATIO, INSIDE THE LAZARO CARDENAS MICHOACAN TPP DOCK.**

## CLAUSES:

**FIRST.**- BOTH PARTIES THE **"COMPANY"** AND THE **"UNION"** MUTUALLY RECOGNIZE THE LEGAL PERSONALITY OF THE OTHER AND IN PARTICULAR THE **"COMPANY"** RECOGNIZES THE **"UNION"** AS THE ONLY REPRESENTATIVE OF THE PROFESSIONAL INTEREST AND HOLDER OF THE PRESENT COLLECTIVE LABOR CONTRACT OF THE TRANSPORTATION WORKERS WHO PROVIDE THEIR SERVICES IN THE FIELD OF TRANSPORTATION OF MATERIALS FOR CONSTRUCTION AND MINERALS IN BULK FOR THE PURPOSE OF THE DESIGNATED TASK.

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**SECOND.-** THE "COMPANY" UNDERTAKES TO EXCLUSIVELY HIRE TRANSPORTATION WORKERS WHO ARE MEMBERS OF THE "UNION" FOR CARRIAGE, FREIGHT OF MATERIALS FOR CONSTRUCTION, BULK MINERALS IN GENERAL, EXTRACTION OF EARTH FROM THE PLACES THAT THE "COMPANY INDICATES" AS THE PLACE OF LOCATION OF THE DESIGNATED TASK, AS WELL AS ROCKS OF DIFFERENT SIZES AND, IN THE CASE THAT THE "COMPANY" HAS THE NEED TO SUBCONTRACT PART OF THE WORK THAT IT USUALLY PERFORMS, THE SUBCONTRACTOR WILL BE OBLIGATED TO COMPLY WITH ALL THE TERMS OF THIS CONTRACT CLAUSE.

**THIRD.-** THE "UNION" IS OBLIGED TO CARRY OUT THE TRANSPORTATIONS AND TRAVELS ENTRUSTED BY THE "COMPANY" TO THE TRANSPORTATION WORKERS AFFILIATED TO THE "UNION" AS WELL AS TO USE TRUCKS OWNED BY THESE AND / OR OTHERS THAT IT MAY LEGALLY USE WHICH ARE UNDER THE EXCLUSIVE RESPONSIBILITY OF THE "UNION".

**FOURTH.-** THE "COMPANY" WILL LOAD THE TRUCKS PROVIDED BY THE "UNION", ACCORDING TO THE CAPACITY OF EACH ONE OF THEM.

**FIFTH.-** THE "UNION" WILL COMPLY WITH THE LEGAL PROVISIONS THAT ITS CATEGORY IMPOSES ON IT, SUCH BEING FOR THE ACCOUNT AND THE RISK OF THE "UNION", THE CARRIAGES THAT IT MAKES, AND IN PARTICULAR THE DESIGNATED TASK RISKS, WHICH ARE SUBJECT TO THE FOLLOWING LIMITATIONS: A) .- ACCIDENTS AND THEIR CONSEQUENCES THAT THE TRUCKS MAY HAVE.- B) .- DAMAGE TO PUBLIC OR PRIVATE PROPERTY THAT THE TRUCKS MAY CAUSE.- C) .- POSSIBLE CLAIMS FOR IMPACTS ON PUBLIC PROPERTY OR PRIVATE.

THE "COMPANY", FOR ITS PART, IS COMMITTED TO KEEPING IN GOOD CONDITION THE ACCESS ROADS WHERE THE TRUCKS HAVE TO CIRCULATE FOR THE PURPOSE OF THE DESIGNATED TASK.

**SIXTH.-** THE "UNION" IS OBLIGED TO EXCLUDE FROM THE DESIGNATED TASK ANY OF ITS MEMBERS WHO INCUR ERRORS IN PERFORMING THE SAID DESIGNATED TASK, HAVING

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THE RESPONSIBILITY – RATHER THAN THE “COMPANY” - OF INITIATING THE REQUEST IN WRITING TO THE MEMBER WHO HAS INCURRED THE ERROR.

**SEVENTH.-** THE "COMPANY" IS OBLIGED TO PAY THE "UNION" ACCORDING TO THE AGREED RATE AS SET OUT IN THE INSERTED TAB, ACCORDING TO THE PROVISIONS THEREIN. WE REQUIRE AN ADVANCE OF 5,000,000.00 (FIVE MILLION PESOS 00/100 M.N.) AND ONCE THE FIRST 10,000 TONS are DELIVERED, THE “COMPANY” MUST MAKE ANOTHER DEPOSIT OF OTHER 5,000,000.00 (FIVE MILLION PESOS 00/100 M.N.)

**EIGHTH.-** CARRIER WORKERS WHO PROVIDE THEIR SERVICES TO THE “COMPANY”, UNDERTAKE TO TAKE THEIR WORK TOOLS AND UTILITIES WITH THEM AS REQUIRED, ALWAYS IN GOOD CONDITION AND IN CONDITION FOR THE BEST PERFORMANCE OF THEIR HANDLING WORK.

**NINTH.-** THE "COMPANY" UNDERTAKES TO PAY THE WORKERS MEMBERS OF THE "UNION" FOR THE PROVISION OF SERVICES ACCORDING TO THE AMOUNTS AGREED IN THE TABULATOR AS JOINTLY SUBSCRIBED TO BY THE "COMPANY" AND THE "UNION", AND WHICH FORMS PART OF THIS CONTRACT .

**TENTH.-** THE "COMPANY" IS OBLIGED TO PAY THE AMOUNT OF \$ 5,000,000.00 (FIVE MILLION PESOS 00/100 M.N.) BY WAY OF AN ADVANCE. THE ADVANCE MUST BE COVERED WITHIN EIGHT DAYS AND, ONCE THE FIRST LOT OF 10,000 TONS IS TRANSPORTED, AN ADVANCE EQUAL TO THE INDICATED AMOUNT MUST BE DEPOSITED, UNTIL SHIPMENT OF THE TOTALITY OF THE TONS IS FULFILLED, AS CONTRACTED.

**ELEVENTH.-**THE “COMPANY” IS OBLIGED TO CONTROL THE TRAVEL OF MATERIAL BY EACH TRANSPORTATION WORKER AND WILL GIVE EACH WORKER A PASSWORD CONFIRMING THAT THE TRANSPORTATION WORKER COMPLIED WITH THE DELIVERY, UPON WHICH IT IS SENT TO THE “UNION ” AND THE “COMPANY” CAN ACCESS A LIST OF ALL THE TRIPS MADE BY EACH CARRIER WORKER AND THE DETAILS OF THE PERSON WHO PREPARED THE CORRESPONDING INVOICE.

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**TWELFTH.- BOTH CONTRACTORS AGREE THAT THE EXECUTIVE COMMITTEE OF THE "UNION" WILL BE ENTRUSTED WITH RESOLVING ANY SITUATION ARISING IN THE PERFORMANCE OF THE CONTRACT AND FULFILLMENT OF THE CONTRACT, AS WELL AS WITH RECEIVING PAYMENT FOR THE "UNION PROVIDED SERVICES ".**

**THIRTEENTH.- BOTH PARTIES AGREE THAT AT THE MOMENT THAT THE SUBSTANCE OF THE CONTRACT IS COMPLETED, IT WILL AUTOMATICALLY CEASE TO HAVE LEGAL EFFECT, WITHOUT THE NEED TO TERMINATE IT BEFORE THE FEDERAL CONCILIATION AND ARBITRATION BOARD.**

**FOURTEENTH.- THE CARRIAGE TAB, WHICH IS PART OF THIS COLLECTIVE LABOR CONTRACT, WILL BE REVIEWED ANNUALLY IN REASON OF INCREASES IN SUPPLIES AND OTHER ITEMS NECESSARY FOR TRANSPORTATION.**

**TRAINING AND TRAINING CLAUSES.- IN ACCORDANCE WITH THE PROVISIONS IN CHAPTER III OF TITLE FOUR, AS WELL AS ARTICLES 132 FRACTION OF THE IA LA X AND 391 FRACTION VII AND VIII OF THE FEDERAL LABOR LAW, THE "COMPANY" WILL PROVIDE TRAINING FOR NEWLY ENTERED TRANSPORTATION WORKERS, FOR EVENTUAL WORKERS, FOR PLANT WORKERS AND IN GENERAL FOR ALL TRANSPORTATION WORKERS, WITH THE OBJECT OF UPDATING AND PERFECTING THEIR KNOWLEDGE, PREPARING THEM TO OCCUPY AN UNQUALIFYING OR EXCEEDING VACANCY IN THE NUMBER OF NEWLY CREATED EMPLOYMENT POSITONS, AND IN GENERAL TO IMPROVE THEIR APTITUDES AND SKILLS AT WORK.**

**FIFTEENTH.- BOTH PARTIES AGREE THAT THE DURATION AND VALIDITY OF THIS CONTRACT WILL CORRESPOND TO THE COMPLETION OF THE WORK THAT IS COMMISSIONED.**

**SIXTEENTH.- THE PRESENT CONTRACT FOR A DESIGNATED TASK IS SIGNED BY A COMMON AGREEMENT BETWEEN BOTH PARTIES AND THROUGH TRIPLING AND COMES INTO FORCE FROM THE DAY OF SIGNING, COMMITTING TO DEPOSIT IT BEFORE THE FEDERAL BOARD**

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OF CONCILIATION, ASSOCIATION, AND ARBITRATION AS ORDERED BY ARTICLE 390 OF THE  
FEDERAL LABOR LAW.

READ THAT THIS AGREEMENT WAS UNDERSTOOD BY THE PARTIES AS TO ITS VALUE AND  
LEGAL EFFECT, SIGNED IN COMMON AGREEMENT BY THE LEGAL REPRESENTATIVES OF  
"THE UNION" AND "THE COMPANY" WHO DECLARED TO HAVE THE LEGAL AND  
JURISDICTIONAL CAPACITY TO CONSENT TO THE TERMS AND OBLIGATIONS AS  
CONTAINED IN THE CONTRACT.

**FOR THE UNION**

**FOR THE COMPANY**

-----  
**CIRENIO GUZMAN ROSAS**  
**GENERAL SECRETARY**  
**SECTION 1**

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**HUMBERTO VALENZUELA GONZALEZ**  
**LEGAL REPRESENTATIVE**

CD. LAZARO CARDENAS MICH., ON FEBRUARY 4, 2021

**TABULATOR**

**IRON CARRIAGE IN TERRACERÍA**

**\$ 5.50 TON / KM**

**IRON CARRIAGE ON PAVEMENT**

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\$ 3.10 TON / KM

**MINERAL HAULING**

THE PARTICIPANTS AGREE THAT THE RATES FOR THE MINERAL TRUCKS IN DISTANCES OF ONE TO TEN KILOMETERS WILL BE CHARGED PER JOURNEY OF 14 M3 ACCORDING TO THE FOLLOWING TABLE:

1 KM	\$236.00
2 KM	\$312.00
3 KM	\$423.00
4 KM	\$517.00
5 KM	\$627.00
6 KM	\$737.00
7 KM	\$831.00
8 KM	\$941.00

AT THE START OF THE CARRIAGES THE DISTANCE WILL BE CHECKED WITH A REPRESENTATIVE OF THE COMPANY AND THE CARRIER UNION.

**FOR THE UNION**

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**CIRENIO GUZMAN ROSAS**  
**GENERAL SECERTARY**

**POR LA EMPRESA**

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**HUMBERTO VALENZUELA GONZALEZ**  
**LEGAL REPRESENTATIVE**