

AMENDMENTS THAT HAVE BEEN MADE TO THE CORPORATE BYLAWS OF THE SINDICATO NACIONAL DE TRABAJADORES MINEROS METALÚRGICOS Y SIMILARES DE LA REPÚBLICA MEXICANA (NATIONAL UNION OF THE MINING, METALLURGIC AND THE LIKE WORKERS OF THE MEXICAN REPUBLIC), DURING THE TIME NAPOLEÓN GÓMEZ URRUTIA HAS BEEN ITS GENERAL SECRETARY, IN ORDER TO SECURE A SOLE POLITICAL AND ECONOMIC CONTROL, AND THEREBY HIS LIFETIME STAYED LEADING THIS UNION.

CHAPTER IV

Governance of the Union and its Representation

BEFORE

Art. 23.- The Union shall carry out its governing functions through the following government entities:

- a) Ordinary or Extraordinary General Conventions.
- b) A National Executive Committee.
- c) A General Surveillance and Justice Board.
- d) Ordinary or Extraordinary Meetings of Sections and Fractions.
- e) Local Executive Committees of Sections.
- f) Local Surveillance and Justice Boards of Sections.
- g) Executive Committees of Fractions.
- h) Surveillance Commissioners of Fractions.
- i) Special Delegates.
- j) Zone Delegates.
- k) Auxiliaries of the General Secretaryship.
- l) Commissioners for Adjustments.
- m) Other union commissions.

Elections of ...

CHAPTER IV

Governance of the Union and its Representation

PRESENTLY

Art. 23.- The Union shall carry its governing functions through the following government entities:

- a) Ordinary or Extraordinary General Conventions.
- b) A National President (2007).**
- c) A National Executive Committee.
- d) A General Surveillance and Justice Board.
- e) Ordinary or Extraordinary Meetings of Sections and Fractions.
- f) Local Executive Committees of Sections.
- g) Local Surveillance and Justice Boards of Sections.
- h) Executive Committees of Fractions.
- i) Surveillance Commissioners of Fractions.
- j) Special Delegates.
- k) Zone Delegates.
- l) Auxiliaries of the General Secretaryship.
- m) Commissioners for Adjustments.
- n) Workers Representatives (2008).**
- o) Other union commissions.

Elections of ...

CHAPTER IV

Governance of the Union and its Representation

REMARKS

By incorporating the position of a "National President" in the Government entities, Napoleón Gómez Urrutia is seeking to perpetuate himself as leader of the Union. With this amendment, if Gómez Urrutia is substituted as the General Secretary, he may hold such new position he instructed to be created and may continue leading the Union almost for life.

CHAPTER IV
Governance of the Union and its Representation

BEFORE

Art. 26.- The National Executive Committee shall be comprised of:

- a) A General Secretary.
- b) A Secretary for Internal and External Issues and Minutes.
- c) A Secretary for Group Hiring.
- d) A Secretary-Treasurer.
- e) A Secretary of Labor.
- f) A Secretary of Organization, Advertising, Statistics and Education.
- g) A Secretary of Social Security and Welfare, and Industrial Hygiene.
- h) A Secretary of Cooperative Promotion and Social Action.
- i) A Secretary of Political Affairs.
- j) A Secretary of Social and Dwelling Conflicts.

PRESENTLY

Art. 26.- The National Executive Committee shall be comprised of:

- a) A National President. (2007)**
- b) A General Secretary.
- c) A Secretary for Internal and External Issues and Minutes.
- d) A Secretary for Group Hiring.
- e) A Un Secretary-Treasurer.
- f) A Secretary of Labor.
- g) A Secretary of Organization, Advertising, Statistics and Education.
- h) A Secretary of Social Security and Welfare, and Industrial Hygiene.
- i) A Secretary of Cooperative Promotion and Social Action.
- j) A Secretary of Political Affairs.
- k) A Secretary of Social and Dwelling Conflicts.

The power to appoint the National President shall be vested on the National Executive Committee and General Surveillance and Justice Board, which shall appoint it in a plenary session comprised of the Committee and the Board according to the needs and schedules of the Unión Nacional de Trabajadores Mineros, Metalúrgicos, Siderúrgicos y Similares de la República Mexicana and determine those that the National President shall be granted powers, faculties and responsibilities granted to said President (2007).

REMARKS

Napoleón Gómez Urrutia not only instructed the creation of the position of "National President", but this position was ranked above the National Executive Committee and General Surveillance Board in the organization chart, thus taking on more powers in the decision-making entities. Likewise, the National Executive Committee is granted powers to appoint the National President and keep it in the presidency with this position and the period of time to hold this position being discretionary.

CHAPTER IV
Governance of the Union and its Representation

BEFORE

Art. 32.- Zone Delegates, Auxiliaries of the General Secretaryship and Special Delegates, shall directly report to the **National Executive Committee** and may only receive instructions from the General Secretary of the Union or **from whomsoever carries out its duties**.

Art.- 33.- There shall be as many Zone Delegates and Auxiliaries of the General Secretaryship as deemed necessary.

PRESENTLY

Art. 32.- Zone Delegates, Auxiliaries of the General Secretaryship and Special Delegates, shall directly report to the **General Secretary** of the National Executive Committee and may only receive instructions from the General Secretary of the Union. (2008)

Art.- 33.- There shall be as many Zone Delegates and Auxiliaries of the General Secretaryship as **the General Secretary deemed advisable**.

REMARKS

The Zone Delegates and Special Delegates as well as Auxiliaries of the General Secretaryship reported to the National Executive Committee, but now they report to the General Secretary.

This amendment removes faculties of the National Executive Committee as the supreme representative of the union members and such faculties are concentrated in one single person granting them exclusively to the General Secretary, which clearly is a backward regarding representation and mass decisions of the union.

Previously, the number of Zone and Special Delegates and Auxiliaries of the General Secretaryship was based on the needs of the organization. Once again, discretionary and full powers are granted to the General Secretary.

CHAPTER IV
Governance of the Union and its Representation

BEFORE

Art. 35.- Upon electing members of the National and Local Executive Committees, General Surveillance and Justice Board and Local Surveillance and Justice Boards of Sections and Fractions, an alternate shall be appointed for each officer that shall substitute such members during temporary or final absences as set forth in these Bylaws.

An alternate shall fill temporary absences of any regular member with the character as alternate in functions; an alternate shall become regular member when filling final absences.

Art. 36.- Every six years and in due time to take part in elections of Labor Representatives before Federal Conciliation and Arbitration Boards, Permanent Federal Conciliation Boards, **the Union shall appoint its candidates. In the first case, appointments shall be made at the Union's General Conventions; in the second case, at the general meetings of the Sections.**

PRESENTLY

Art. 35.- Upon electing members of the ***National Executive Committee, General Surveillance and Justice Board, an alternate shall be appointed for each officer. Upon electing officers of the Local Executive Committees, Local Surveillance and Justice Boards, an alternate shall be appointed for each officer, who shall substitute them during temporary or definite absences as set forth in these Bylaws. (2008)***

Art. 36.- Every six years and in due time to take part in elections of Labor Representatives before Federal Conciliation and Arbitration Boards, Permanent Federal Conciliation Boards, ***Workers' Representatives before IMSS, INFONAVIT, National Commission of Minimum Wages, the General Secretary of the Union shall appoint the candidates that shall hold cited representations, as well as their respective alternates. (2008)***

REMARKS

This amendment shall prevent alternates of officers of the National Executive Committee from substituting the regular members, since substitution of Local Committees is specified. This amendment is based on personal interests of Napoleón Gómez Urrutia since nobody may substitute the General Secretary even if residing abroad.

Again, Napoleón Gómez Urrutia is granted full powers to discretionally appoint positions previously submitted to elections. With this amendment, the General Conventions and General Meetings of Sections lose this right. Additionally, this ensures that representatives of the Union of the entities mentioned above shall see for their own and their group's interests.

CHAPTER IV
Governance of the Union and its Representation

BEFORE

Art. 37.- Whenever required and based on the provisions of the Social Security Law, the Union, **in due time, shall elect** its regular and alternate candidates to take part in elections of members of the Technical Committee of cited Institute. Candidates to regular and alternate members of the Regional Consulting Board shall be appointed in those Sections where the Social Security Law is governing.

PRESENTLY

Art. 37.- Whenever required and based on the provisions of the Social Security Law, **the General Secretary of the Union,, in due time, shall propose** the regular and alternate candidates to take part in elections of members of the Technical Committee of cited Institute. Candidates to regular and alternate members of the Regional Consulting Board shall be appointed in those Sections where the Social Security Law is governing. **(2008)**

REMARKS

A Worker Representative before the Technical Committee of the IMSS was a position subject to election through voting in a National Convention. With this amendment, now a worker representative shall be appointed by the general secretary and thus the General Secretary is substituting the National Convention. Again, powers are restricted and democratic processes of the union organization are removed.

CHAPTER V
Powers and Responsibilities of the National Executive Committee

BEFORE

Art. 40.- The National Executive Committee shall have the following powers and responsibilities:

IX.- To be responsible for the Union's administrative and economic affairs, and **submit a report every six months to the system**, providing full and detailed information about management of funds.

XIX.- **Appoint the** Special Delegates, Zone Delegates and Auxiliaries of the General Secretaryship, also establishing their compensation.

CHAPTER V
Powers and Responsibilities of the National President and the National Executive Committee (2007)

PRESENTLY

Art. 40.- The National Executive Committee shall have the following powers and responsibilities:

IX.- To be responsible for the Union's administrative and economic affairs, and submit **a report at the conventions to the system**, providing full and detailed information about management of funds. **(2008)**

XIX.- Appoint the **General Secretary** and the Special Delegates, Zone Delegates and Auxiliaries of the General Secretaryship, also establishing their compensation **or substituting them when deemed necessary. (2008)**

The title of this chapter includes the position of "National President", without listing its responsibilities and thus preventing these bases from being used to hold the National President responsible.

REMARKS

IX. The National Executive Committee was bound to submit a report every six months, and with this amendment, the Committee is bound to account for funds every two years, which deprives workers of their right to know the administrative state of their union. Also, given that the National Executive Committee has full control at Conventions, it avoids submitting reports arguing that a "vote of confidence" is approved.

XIX.- The National Executive Committee used to appoint special and zone delegates and auxiliaries of the General Secretaryship through elections in a plenary session. This amendment takes away this power and grants it to the General Secretary, who may further change them when deemed necessary. Collegiate decisions of the Executive Committee become exclusive decisions of one individual.

CHAPTER VI
Election or Appointment of General or Local
Officers and Term of these Positions

BEFORE

Art. 41.- To be elected or appointed as officers of the Union, workers shall have **well-known honest backgrounds** with good abilities to fulfill efficiently and accurately their duties. Lack of any such requirement at any time shall give rise to revocation of any mandate that may have been given. This revocation shall be issued at a Convention or subject to prior inquiry, as the case may be.

Art. 42.- Having met the requirements set forth in the preceding article, to be part of the National Executive Committee and General Surveillance and Justice Board, the following is required:

IX.- Not being liable for bad handling of representative positions previously fulfilled.

X.- Not fulfilling directive positions in any political organization.

XII.- Not having under exploitation an amount of more than \$20,000.00.

Art. 44.- The following shall be indispensable requisites to act as local officer of Sections and Fractions:

XI.- Not having under exploitation a capital of more than \$10,000.00.

PRESENTLY

Art. 41.- To be elected or appointed as officers of the Union, workers shall have **well-known and good abilities** to fulfill efficiently and accurately their duties. Lack of any such requirement at any time shall give rise to revocation of any mandate that may have been given. This revocation shall be issued at a Convention or subject to prior inquiry, as the case may. **(2007)**

Art. 42.- Having met the requirements set forth in the preceding article, to be part of the National Executive Committee and General Surveillance and Justice Board, the following is required:

IX.- Not being liable for bad handling of representative positions previously fulfilled, ***provided these are proven.*** **(2008)**

X.- Not fulfilling directive positions in any political organization. ***Except if the latter seeks the same social and revolutionary ideal that ours.*** **(2007)**

XII.- ***Repealed.*** **(2002)**

Art. 44.- The following shall be indispensable requisites to act as local officer of Sections and Fractions:

XI.- Not having under exploitation a capital of more than ***\$50,000.00.*** **(2008)**

REMARKS

Unusually, the requirement of honesty among indispensable virtues required to be officer of the Union was removed. In this way, Napoleón Gómez Urrutia and his allies have appropriated the union without even pretending to be honest.

IX.- This amendment is seeking to shield Napoleón Gómez Urrutia; officers of the National Executive Committee insist that no bad handling has been proven even though there are suspicious or ongoing inquiries.

X.- The spirit of this article sought that officers engaged in their responsibilities within the organization full time; however, officers may have as many positions as desired with this amendment.

This fraction was repealed since 2002 to benefit Napoleón Gómez Urrutia.

XI.- It is worth mentioning that local officers do have to comply with this restriction, but national officers have no such restriction and may manage millions without any impediment.

CHAPTER VI
Powers and Responsibilities of Officers of the
National Executive Committee. The General Secretary

BEFORE

Art. 47.- The General Secretary of the Union shall have the following powers and responsibilities:

X.- Agree upon and resolve **on a daily basis** any issues for which the General Secretary is accountable to the other members of the Committee, taking into account such members' view.

XV.- **Frequently** and whenever possible **visit** the Sections and Fractions of the Union, in order to personally know the condition of the Union members and timely resolve any conflicts thereof.

XVII.- **Cooperate on a daily basis in the performance of the Union's issues at the social premise.**

XX.- Submit an **annual** report on its Management to the General Surveillance and Justice Board, providing copies to members of the National Executive Committee and to the Sections and Fractions; as the case may be, the report shall be submitted at the Ordinary General Conventions when convened, without detriment of providing the copies mentioned above, and to Extraordinary General Conventions, when so requested.

PRESENTLY

Art. 47.- The General Secretary of the Union shall have the following powers and responsibility:

X.- Agree upon and resolve any issues for which the General Secretary is accountable to the other members of the Committee, taking into account such members' view. **(2008)**

XV.- Visit **as frequently as possible** the Sections and Fractions of the Union, in order to personally know the condition of the Union members and timely resolve any conflicts thereof.

XVII.- **Repealed. (2007)**

XX.- Submit a **biannual** report on its Management to the General Surveillance and Justice Board, providing copies to members of the National Executive Committee and to the Sections and Fractions; as the case may be, the report shall be submitted at the Ordinary General Conventions when convened, without detriment of providing the copies mentioned above, and to Extraordinary General Conventions, when so requested. **(2007)**

REMARKS

X.- This amendment removes the requirement to deal with the Union's affairs on a daily basis, allowing the General Secretary to be absent from the Union's offices, even in another foreign country.

XV.- It is not required to visit the Sections with this amendment.

XVII.- Insistence is made to avoid any ruling that binds the General Secretary with the Union to deal with the organization's issues making it possible for the General Secretary to reside abroad without losing its position.

XX.- The General Secretary's obligation to provide reports to the Surveillance Board is less frequent, giving rise to disinformation among the Union's representative entities.

Secretary for Internal and External Issues and Minutes

BEFORE

Art. 48.- The Secretary for Internal and External Issues and Minutes of the National Executive Committee shall have the following powers and responsibilities:

VI.- Substitute the General Secretary **during its temporary absences not exceeding 30 days.**

XVI.- Prepare minutes of meetings and sessions of the National Executive Committee **and once approved**, transcribe them to the pertinent book, gathering the General Secretary's signature and stamping its own signature; it shall also provide any resolutions approved at the Meetings of the Board, to the General Surveillance and Justice Board, within the twenty-four hours after holding the pertinent board meeting.

XVIII.- Provide an **annual** report on its management to the National Executive and the General Surveillance and Justice Board and at Ordinary or Extraordinary General Conventions that so require, **providing copies thereof to the Sections and Fractions.**

XIX.- Convene in writing and in due time the alternates of officers of the National Executive Committee, when according to this ruling, alternates shall fulfill duties of regular members.

PRESENTLY

Art. 48.- The Secretary for Internal and External Issues and Minutes of the National Executive Committee shall have the following powers and responsibilities:

VI.- Substitute the General Secretary during its absences. **(2008)**

XVI.- Prepare minutes of meetings and sessions of the National Executive Committee **and General Surveillance and Justice Board**, and transcribe them to the pertinent book, gathering the General Secretary's signature and stamping its own signature; it shall also provide any resolutions approved at the Meetings of the Board, to the General Surveillance and Justice Board, within the twenty-four hours after holding the pertinent board meeting. **(2008)**

XVIII.- Provide a **biannual** report on its management to the National Executive and the General Surveillance and Justice Board and at Ordinary or Extraordinary General Conventions that so require. **(2008)**

XIX.- Convene in writing and in due time the alternates of officers of the National Executive Committee and **General Surveillance and Justice Board**, when according to this ruling, alternates shall fulfill duties of regular members. **(2008)**

REMARKS

VI.- This amendment was made so that Napoleón Gómez Urrutia shall not have a term to restrict his absences and the Secretary for Internal Issues may fulfill its duties indefinitely. In this way, he may be outside the country to elude the justice and these bylaws provide no regulation to start any proceeding.

XVI.- This amendment allows the Secretary for Internal Issues to prepare Minutes even if not approved by the National Executive Committee, as well as minutes of the General Surveillance and Justice Board.

XVIII.- The frequency to submit a report is changed from one year to two years, removing the obligation to inform the Sections and Fractions.

XIX.- The General Surveillance and Justice Board is involved to get total control of this entity.

Secretary-Treasurer

BEFORE

Art. 50.- The Treasurer shall have the following powers and responsibilities:

VIII.- Prepare monthly cash closings to be reviewed by the General Surveillance and Justice Board; **copies thereof shall be provided to the Sections of the National Executive Committee.**

XXI.- Keep a general control of all and any income and expense of the organization **and provide all required data to the Secretary of Organization, Advertising, Statistics and Education, for purposes of documentation.**

XXIV.- Submit a detailed **annual** report on its management to the National Executive Committee and General Surveillance and Justice Board **providing copies for the Sections and Fractions.**

XXV.- Inform in detail to the person substituting it any issue regarding its position, and hand in the Treasury through inventories evidencing in detail assets and liabilities, documents, tooling, furniture and other assets, rights and obligations, entrusted thereto of the Treasurer leaving **shall provide copies to the entire System.**

PRESENTLY

Art. 50.- The Treasurer shall have the following powers and responsibilities:

VIII.- Prepare monthly cash closings to be reviewed by the General Surveillance and Justice Board; **copies thereof shall be provided to the General Secretary of the National Executive Committee. (2008)**

XXI.- Keep a general control of all and any income and expense of the organization. **(2008)**

XXIV.- Submit a detailed **biannual** report on its management to the National Executive Committee and General Surveillance and Justice Board and **the pertinent Conventions. (2008)**

XXV.- Inform in detail to the person substituting it any issue regarding its position, and hand in the Treasury through inventories evidencing in detail assets and liabilities, documents, tooling, furniture and other assets, rights and obligations, entrusted thereto of the Treasurer leaving. **(2008)**

REMARKS

VIII.- The right the Sections and the National Executive Committee have to know the organization's financial position is removed and is given to the General Secretary. With this amendment, only the General Secretary, the Treasurer and the General Surveillance Board, that is, only 5 persons, shall be the sole parties to learn about resources.

XXI.- The Organization's Secretary shall no longer be informed about income and expenses, and therefore, there shall not be any background about how resources were handled.

XXIV.- This report had to be rendered every year, but now it shall be rendered every two years. The Sections and Fractions shall not know management of the Treasurer any more.

XXV.- The leaving Treasurer is no longer bound to inform all the System about the Union's financial position.

Secretary of Labor

BEFORE

Art. 51.- The Secretary of Labor shall have the following powers and responsibilities:

VI.- To have the Union's representation to take part in cited conflicts **and grant powers to persons that shall be in charge** of their processing before labor courts or the applicable authorities.

XXII.- Provide an **annual** report on its management to the National Executive Committee and the General Surveillance and Justice Board **providing copies to the Sections and Fractions.**

PRESENTLY

Art. 51.- The Secretary of Labor shall have the following powers and responsibilities:

VI.- To have the Union's representation to take part in cited conflicts and of their processing before labor courts or the applicable authorities. **(2008)**

XXII.- Provide a **biannual** report on its management to the National Executive Committee and the General Surveillance and Justice Board and the respective conventions. **(2008)**

REMARKS

VI.- This amendment removes the power of the Secretary of Labor to grant powers and in this way, this power is exclusive of the General Secretary. This amendment leaves defenseless the organization, inasmuch as, such at present, there is nobody who can grant a power to defend in case of any conflict.

XXII.- This report, required to be rendered every year, now shall be submitted every two years. The Sections and Fractions shall not know management of the Secretary of Labor.

**Secretary of Organization, Advertising,
Statistics and Education**

BEFORE

Art. 52.- The Secretary of Organization, Advertising, Statistics and Education shall have the following powers and responsibilities:

XVII.- Special care shall be given so that statistics may include the exact number of associates, **workers without a job and**, and the existing, regular and irregular, Sections and Fractions.

XXIV.- Keep a record of miner, metalworker and steelworker students, at the *Instituto Politécnico Nacional* and *Universidad Nacional*.

XXIX.- Seek that each Section or Fraction is provided with a radio to receive information broadcast by the Union's higher entities on the days and at the hours previously set.

PRESENTLY

Art. 52.- The Secretary of Organization, Advertising, Statistics and Education shall have the following powers and responsibilities:

XVII.- Special care shall be given so that statistics may include the exact number of associates of the existing, regular and irregular, Sections and Fractions. **(2008)**

XXIV.- Keep a record of miner, metalworker and steelworker students, at the *Instituto Politécnico Nacional* and *Universidad Nacional Autónoma de México, in the Tec Milenio program, etc., or as determined by the General Secretary of the National Executive Committee. (2008)*

XXIX.- Seek that each Section or Fraction is provided with a radio **and videoconference** to receive information broadcast by the Union's higher entities on the days and at the hours previously set. **(2008)**

REMARKS

XVII.- This amendment removes the obligation to have available statistics on workers without a job.

XXIV.- Powers regarding educational programs are exclusively granted to the General Secretary; such powers should belong to the General Conventions as the maximum authority of the Organization of the National Executive Committee.

XXIX.- To further legitimate the means of communications used by Napoleón Gómez Urrutia, an option used since his exile to send messages, the Union's Bylaws were amended.

**Secretary of Social Security and Welfare,
and Industrial Hygiene**

BEFORE

Art. 53.- The Secretary of Social Security and Welfare, and Industrial Hygiene shall have the following powers and responsibilities:

XII.- Submit an **annual** report on the result of its management to the National Executive Committee, General Surveillance and Justice Board, **providing copies to the Sections and Fractions.**

PRESENTLY

Art. 53.- The Secretary of Social Security and Welfare, and Industrial Hygiene shall have the following powers and responsibilities:

X.- Submit a **biannual** report on the result of its management to the National Executive Committee, General Surveillance and Justice Board. **(2008)**

REMARKS

XII.- Presently X.- The annual report of the Secretary of Social Security and Welfare, and Industrial Hygiene has become biannual and the requirement to provide copies thereof to the Sections and Fractions was removed. This amendment contradicts one of the arguments most used by Napoleón Gómez Urrutia which affirms that security is the most important for him.

**Secretary of Cooperative Promotion
and Social Action**

BEFORE

Art. 54.- The Secretary of Cooperative Promotion and Social Action shall have the following powers and responsibilities:

VI.- Submit an **annual** report on the result of its management to the National Executive Committee, General Surveillance and Justice Board, **providing copies to the Sections and Fractions.**

XV.- Immediately bring before the authorities and the **union** any embezzlement arising at Cooperatives to impose the pertinent sanctions and disciplinary measures that may apply.

PRESENTLY

Art. 54.- The Secretary of Cooperative Promotion and Social Action shall have the following powers and responsibilities:

VI.- Submit a **biannual** report on the result of its management to the National Executive Committee, General Surveillance and Justice Board. **(2008)**

XV.- Immediately bring before the authorities and **statutorily** any embezzlement arising at Cooperatives to impose the pertinent sanctions and disciplinary measures that may apply. **(2008)**

REMARKS

VI.- This amendment also extends the term to submit reports and is changed from one to two years, depriving the Sections and Fractions of the right to know such reports.

a XV.- This amendment makes these Bylaws the sole legal framework for any sanction due to embezzlement, since with these amendments, this document offers no chance to hold Napoleón Gómez Urrutia and his accomplices responsible. These Bylaws are now a legal ally of NGU.

Secretary of Political Affairs

BEFORE

Art. 55.- The Secretary of Political Affairs shall have the following powers and responsibilities:

XII.- Not to support any candidate that is not a genuine worker in the mining, metallurgic industry and active member of the Union. The Secretary of Political Affairs may only give its moral support to members unrelated to the Organization **when the Sections o Fractions of the Municipality, District or State in question are willing to provide such support.**

XIV.- Submit a report on its performance to the General Ordinary and Extraordinary Conventions, when the latter so request, and inform **on an annual basis** about its activities to the National Executive Committee and the General Surveillance and Justice Board, **providing copies to the Sections and Fractions of the System.**

PRESENTLY

Art. 55.- The Secretary of Political Affairs shall have the following powers and responsibilities:

XII.- Not to support any candidate that is not a genuine worker in the mining, metallurgic **and iron and steel** industries and active member of the Union. The Secretary of Political Affairs may only give its moral support to members unrelated to the Organization **when the General Secretary or the National Executive Committee so determine. (2008)**

XIV.- Submit a report on its performance to the General Ordinary and Extraordinary Conventions, when the latter so request, and inform **every two years** about its activities to the National Executive Committee and the General Surveillance and Justice Board. **(2008)**

REMARKS

XII.- The Sections loses the right to support similar candidates of popular election and the power to decide who meet this requirement, and is assumed discretionally by the General Secretary or the Executive Committee.

XIV.- Another amendment extending the term to submit reports from one year to two years is made, preventing the Sections and Fractions to know them.

Secretary of Social and Dwelling Conflicts

BEFORE

Art. 55 Bis.- The Secretary of Social and Dwelling Conflicts shall have the following powers and responsibilities:

X.- Submit a report on its performance to the General Ordinary and Extraordinary Conventions when so requested, and inform **on an annual basis** about its activities to the National Executive Committee and the General Surveillance and Justice Board, **providing copies to the Sections and Fractions of the System.**

PRESENTLY

Art. 55 Bis.- The Secretary of Social and Dwelling Conflicts shall have the following powers and responsibilities:

XII.- Submit a report on its performance to the General Ordinary and Extraordinary Conventions, when so requested, and inform on its activities to the National Executive Committee and the General Surveillance and Justice Board. **(2008)**

REMARKS

X.- Presently XII.- The specification that binds the Secretary of Social and Dwelling Conflicts to submit annual reports to the CEN and the Surveillance Board is removed and remains open. The Sections and Fractions are also deprived of the right to know them.

CHAPTER VIII
Powers and Responsibilities of the
General Surveillance and Justice Board

BEFORE

Art. 56.- The General Surveillance and Justice Board shall have the following powers and responsibilities:

II.- Decisions of the General Surveillance and Justice Board shall invariably be made in all cases by **majority of votes**.

Art. 57.- In addition to the powers and responsibilities set forth in the preceding article, the Board shall have the following surveillance duties:

IV.- Survey and closely check the group's accounts to be up-to-date at all times. The majority or all of the members of the Board shall take part in the review, which shall be made at least every month. If accounts and results thereof are correct, these shall be approved by the General Surveillance and Justice Board **and in any case, the System shall receive results obtained from such visit monthly.**

PRESENTLY

Art. 56.- The General Surveillance and Justice Board shall have the following powers and responsibilities:

II.- Decisions of the General Surveillance and Justice Board shall invariably be made in all cases **by unanimity of all its members. (2007)**

Art. 57.- In addition to the powers and responsibilities set forth in the preceding article, the Board shall have the following surveillance duties:

IV.- Survey and closely check the group's accounts to be up-to-date at all times. The majority or all of the members of the Board shall take part in the review, which shall be made at least every month. If accounts and results thereof are correct, these shall be approved by the General Surveillance and Justice Board. **(2008)**

REMARKS

II.- This amendment was made to protect Napoleón Gómez Urrutia, as the three votes of the members of the Board are required to apply any act resulting from his powers. In this way, Gómez Urrutia only needs to influence in one of the members of the Surveillance and Justice Board to prevent unanimity.

NOTE: It is important to highlight that the Executive Committee deliberately kept Item II of this Article as it was in 2002 within the Bylaws file sent to the Department of Labor and Social Welfare for authorization of the 2008 amendments. This is inadmissible since the amendment that should prevail is that authorized by such authority in 2007.

IV.- From the review that the General Board is bound to make monthly to the Union's Treasury, the Sections and Fractions are deprived of the right they have to know the organization's financial position, thus causing lack of clarity regarding accountability.

CHAPTER IX
Special Delegates of the
National Executive Committee

BEFORE

Art. 59.- **The National Executive Committee**, to be assisted in its tasks regarding employer-employee conflicts, shall have Special Delegates, who shall meet the following requisites:

Art. 60.- The Special Delegates shall have the following responsibilities:

I.- Deal with efficacy any execution of Collective Agreements or Covenants and revisions of those already existing to be amended and entrusted thereto, operating **under the direction of the National Executive Committee** and without being able to reduce or annul any benefit already existing.

III.- Deal with any commission conferred thereto by the **National Executive Committee**.

IV.- The Special Delegates shall, before executing an Agreement or Covenant, obtain approval of the respective Meetings of the interested Sections or Fractions and the **National Executive Committee**.

V.- The Special Delegates shall keep the **National Executive Committee** informed on any ongoing assignment being performed and shall submit a final report upon completion of this assignment.

PRESENTLY

Art. 59.- **The General Secretary** of the National Executive Committee, to be assisted in its tasks regarding employer-employee conflicts, shall have Special Delegates, who shall meet the following requisites:

Art. 60.- The Special Delegates shall have the following responsibilities:

I.- Deal with efficacy any execution of Collective Agreements or Covenants and revisions of those already existing to be amended and entrusted thereto, operating **under the direction of the General Secretary of the National Executive Committee** and without being able to reduce or annul any benefit already existing. **(2008)**

III.- Deal with any commission conferred thereto by the **General Secretary of the National Executive Committee. (2008)**

IV.- The Special Delegates shall, before executing an Agreement or Covenant, obtain approval of the respective Meetings of the interested Sections or Fractions and the **General Secretary of the National Executive Committee. (2008)**

V.- The Special Delegates shall keep the **General Secretary of the National Executive Committee** informed on any ongoing assignment being performed and shall submit a final report upon completion of this assignment. **(2008)**

REMARKS

Now, the Special Delegates are not auxiliaries of the National Executive Committee, but "serve" to the General Secretary.

III.- The absolute power in one person in a Union Organization is formalized breaching principles of democracy.

IV.- The position of General Secretary is strengthened granting him powers inconceivable in a democratic and workers' representativeness system.

V.- These amendments to the Bylaws continuously weaken the figure of the National Executive Committee empowering the General Secretary.

CHAPTER IX
Special Delegates of the
National Executive Committee

BEFORE

VII.- Shall submit reports to the **al National Executive Committee** on any irregularity observed in the behavior of local officers, both in and outside the performance of their assignments.

VIII.- Assist the **National Executive Committee**, when so required in its educational, organizational and propaganda engagements.

IX.- Any others in accordance with the nature of its duties and expressly required by the **National Executive Committee** of the Union.

PRESENTLY

VII.- Shall submit reports to the **General Secretary of the National Executive Committee** on any irregularity observed in the behavior of local officers, both in and outside the performance of their assignments . **(2008)**

VIII.- Assist the **General Secretary of the National Executive Committee**, when so required in its educational, organizational and propaganda engagements . **(2008)**

IX.- Any others in accordance with the nature of its duties and expressly required by the **General Secretary of the National Executive Committee** of the Union. **(2008)**

REMARKS

VII.- By granting such magnanimous powers to the General Secretary, a policy of terror is formalized within the Union to the detriment of generating other views that may strengthen the union tasks..

VIII.- The tendency to strengthen the General Secretary providing all exclusive support is strengthened.

IX.- The National Executive Committee was weakened to strengthen the Secretary.

**CHAPTER X
Zone Delegates**

BEFORE

Art. 61.- The following requisites shall be met to become a Zone Delegate:

VI.- Be appointed by the **National Executive Committee**.

Art. 62.- Zone Delegates shall have the following responsibilities:

V.- Submit a detailed report to the **National Executive Committee** on all the issues dealt with resulting from their performance and the outcome achieved; the report may be included in bulletins and provided to the System to be spread and take advantage of any experience gained.

VI.- Agreements executed with Zone Delegates shall be previously submitted to review and approval of the **National Executive Committee**, as applicable. Without the approval of the **National Executive Committee** and the respective Section or Fraction Meeting, such agreements may not be executed.

PRESENTLY

Art. 61.- The following requisites shall be met to become a Zone Delegate:

VI.- Be appointed by the **General Secretary of the National Executive Committee. (2008)**

Art. 62.- Zone Delegates shall have the following responsibilities:

V.- Submit a detailed report to the **General Secretary of the National Executive Committee** on all the issues dealt with resulting from their performance and the outcome achieved; the report may be included in bulletins and provided to the System to be spread and take advantage of any experience gained . **(2008)**

VI.- Agreements executed with Zone Delegates shall be previously submitted to review and approval of the **General Secretary of the National Executive Committee**, as applicable. Without the approval of the **General Secretary of the National Executive Committee** and the respective Section or Fraction Meeting, such agreements may not be executed. **(2008)**

REMARKS

VI.- Appointments that the National Executive Committee was required to make as a body, now such appointments are attributed to the General Secretary, thus breaching all principles of democracy of the organization.

V.- The Zone Delegates shall only provide information to the General Secretary; the information is centralized and the General Secretary may discretionally make future decisions on that information received.

VI.- The representative nature of the National Executive Committee almost disappears and everything is centralized in the figure of the General Secretary that virtually is a synonymous of Napoleón Gómez Urrutia.

**CHAPTER X
Zone Delegates**

BEFORE

Art. 63.- For purposes of competence and jurisdiction of the Zone Delegates, **the National Executive Committee** shall limit their area of action specifying the Sections and Fractions and the perimeter corresponding thereto.

Art. 64.- For each zone determined, one Zone Delegate shall have jurisdiction; if he/she has to leave from his/her jurisdiction for more than one but less than three months, he/she shall be substituted by another Zone Delegate temporarily appointed by the **National Executive Committee**. **If this absence extends more than three months, a definite substitute shall be appointed.**

Art. 65.- The Zone Delegates shall hold their office for six years, **but may be removed at any time upon request of the majority of the Sections of each zone, or by resolution of the National Executive Committee; these Zone Delegates may not be appointed again when acting for more than two years within their term; however, Zone Delegates may act again after four years following the date of completion of their term.**

PRESENTLY

Art. 63.- For purposes of competence and jurisdiction of the Zone Delegates, **the General Secretary of the National Executive Committee** shall limit their area of action specifying the Sections and Fractions and the perimeter corresponding thereto . **(2008)**

Art. 64.- For each zone determined, one Zone Delegate shall have jurisdiction; if he/she has to leave from his/her jurisdiction for more than one but less than three months, he/she shall be substituted by another Zone Delegate temporarily appointed by the **General Secretary of the National Executive Committee, who shall only have the powers to appoint definite substitutes. (2008)**

Art. 65.- The Zone Delegates shall hold their office for six years, **or more if so determined by the General Secretary of the National Executive Committee (2008)**

REMARKS

Knowledge of the members of the National Executive Committee on the regions of the Mining System is disregarded, given that they, by belonging to different Sections have actual knowledge to define the jurisdiction where these Delegates shall fulfill their duties.

This amendment again diminishes powers to the National Executive Committee and grants them to one sole person, who shall also have the exclusive power to make appointments. With these amendments, the National Executive Committee lacks any powers and it exists virtually by its name and not in reality, its figure as nullified.

The opinion of the Sections, that is, the union members, has no validity regarding the Zone Delegate appointed to their region; now, it suffices the authority of the General Secretary. Also, if so determined by the General Secretary, any Delegate that so deems convenient to its interests, shall have a lifetime position. This is a flagrant distortion to representativeness and union decision-making.

BEFORE

Art. 66.- The Zone Delegates shall be bound to meet **once a year** by requirement of the **National Executive Committee**, at the residence of the Committee, in order to unify criteria and promote unity in the fight strategy.

PRESENTLY

Art. 66.- The Zone Delegates shall be bound to meet **as often as required** by requirement of the **General Secretary of the National Executive Committee**, at the residence of the Committee, in order to unify criteria and promote unity in the fight strategy. **(2008)**

REMARKS

Now, the Zone Delegates shall meet whenever required by the General Secretary and not when, by requirement of the National Executive Committee, should meet for the purposes provided for by this article.

CHAPTER XI
Workers' Representatives before the
Federal Conciliation and Arbitration Board

BEFORE

Art. 67.- To be elected as Workers' Representative before the Conciliation and Arbitration Board, the following requirements shall be met:

IV.- Proven efficacy in union tasks, declaring under affirmation about **discipline of the National Executive Committee** and loyalty to the Union.

Once the preceding requirements are met, Workers' Representatives shall have the following powers and responsibilities:

III.- Inform to the **Secretary of Labor** about any ongoing issues dealt with in the Group in which it is the representative at least one day each week.

IV.- Inform the **Secretary of Labor** all rulings that in its judgment must be filed to expedite processing of matters dealt with.

V.- Report to the **Secretary of Labor** any deficiencies caused by the Union's Lawyers or persons taking part in processing the several issues, in order to correct them and not damage the Union's interests or those of the beneficiaries, as the case may be.

VII.- Workers' representatives shall hold their office for six years, **but may be removed at any time in case a bad behavior is proven** that may represent or result to the detriment of the Organization; workers' representatives may be reelected when their performance has been satisfactory.

PRESENTLY

Art. 67.- To be elected as Workers' Representative before the Conciliation and Arbitration Board, the following requirements shall be met:

IV.- Proven efficacy in union tasks, protesting about **discipline of the General Secretary National Executive Committee** and loyalty to the Union. **(2008)**

Once the preceding requirements are met, Workers' Representatives shall have the following powers and responsibilities:

III.- Inform to the **General Secretary** about any ongoing issues dealt with in the Group in which it is the representative at least one day each wee. **(2008)**

IV.- Inform the **General Secretary** all rulings that in its judgment must be filed to expedite processing of matters dealt with. **(2008)**

V.- Report to the **General Secretary** any deficiencies caused by the Union's Lawyers or persons taking part in processing the several issues, in order to correct them and not damage the Union's interests or those of the beneficiaries, as the case may be. **(2008)**

VII.- Workers' representatives shall hold their office for six years, **but may be removed at any time when so decided by the General Secretary or in the case a bad behavior is proven** that may represent or result to the detriment of the Organization; workers' representatives may be reelected when their performance has been satisfactory. **(2008)**

REMARKS

IV.- This amendment voids the principles of the union, and gives rise to a monarchical figure within the union, to whom workers and officers of the Union shall protest discipline.

III.- The Secretary of Labor was annulled and shall exclusively report to the General Secretary.

IV.- The General Secretary shall exercise discretionally all powers formerly vested on the Secretary of Labor.

V.- It is inexplicable that reports have to be made to the General Secretary, when the Secretary of Labor is who by statute is in charge of the legal department.

VII.- Absolute power of the General Secretary, who discretionally may remove workers from its positions within the Union.

**Workers' Representative before the Technical Committee
of the Instituto Mexicano del Seguro Social (Mexican Institute of Social Security)**

BEFORE

Art. 67 B.- To be elected as Workers' Representative before the Technical Committee of the Mexican Institute of Social Security, the following requirements shall be met:

IV.- Proven efficiency in union tasks, protesting discipline to the **National Executive Committee** and loyalty to the Union.

Once the preceding requirements are met, Workers' Representatives shall have the following powers and responsibilities:

VII.- Workers' representatives before the Technical Committee of IMSS shall hold their office for six years, **but may be removed at any time in case a bad behavior is proven** that may represent or result to the detriment of the Organization; workers' representatives may be reelected again after four years following the date of termination of their term.

PRESENTLY

Art. 67 B.- To be elected as Workers' Representative before the Technical Committee of the Mexican Institute of Social Security, the following requirements shall be met:

IV.- Proven efficiency in union tasks, protesting discipline to the **General Secretary of the National Executive Committee** and loyalty to the Union.**(2008)**

Once the preceding requirements are met, Workers' Representatives shall have the following powers and responsibilities:

VII.- Workers' representatives before the Technical Committee of IMSS shall hold their office for six years, **but may be removed at any time the General Secretary so decides or in case a bad behavior is proven** that may represent or result to the detriment of the Organization; workers' representatives may be reelected again after four years following the date of termination of their term.
(2008)

REMARKS

IV.- This amendment is based on dictatorial principles far away from the union spirit.

VII. Absolute powers of the General Secretary under a dictatorial scheme.

**Workers' Representative before the Board of Directors of the
Instituto del Fondo Nacional de la Vivienda de los Trabajadores (National Workers' Consumer Fund)**

BEFORE

Art. 67 C.- To be elected as Workers' Representative before the Board of Directors of the *Instituto del Fondo Nacional de la Vivienda para los Trabajadores*, the following requirements shall be met:

IV.- Proven efficiency in union tasks, protesting discipline to the **National Executive Committee** and loyalty to the Union.

Once the preceding requirements are met, Workers' Representatives shall have the following powers and responsibilities:

VI.- Carry out all the assignments specified by the **National Executive Committee**.

VIII.- Workers' representatives before the Board of Directors of INFONAVIT shall hold their position for six years, **but may be removed at any time in case a bad behavior is proven** that may represent or result to the detriment of the Organization they represent; workers' representatives may act again after four years following the date of termination of their term.

PRESENTLY

Art. 67 C.- To be elected as Workers' Representative before the Board of Directors of the *Instituto del Fondo Nacional de la Vivienda para los Trabajadores*, the following requirements shall be met:

IV.- Proven efficiency in union tasks, protesting discipline to the **General Secretary of the National Executive Committee** and loyalty to the Union. **(2008)**

Once the preceding requirements are met, Workers' Representatives shall have the following powers and responsibilities:

VI.- Carry out all the assignments specified by the **General Secretary of the National Executive Committee**. **(2008)**

VIII.- Workers' representatives before the Board of Directors of INFONAVIT shall hold their office for six years, **but may be removed at any time the General Secretary so decides or in case a bad behavior is proven** that may represent or result to the detriment of the Organization they represent; workers' representatives may act again after four years following the date of termination of their term. **(2008)**

REMARKS

NOTE: Amendments to the items of this article are nothing but a tribute to one individual, without considering the skills and fulfillment of a representative that must always be to the benefit of the Organization and its union members. In addition, these amendments grant him absolute power to elect and remove representatives when deemed advisable and that such representatives depend only on his will and absolute control.

IV.- Protesting discipline to the Napoleón Gómez Urrutia, not to the Organization represented by the National Executive Committee.

VI.- Only the General Secretary may assign assignments to the worker's representative.

VIII.- Removals from positions may be made discretionally by the General Secretary, who shall have absolute power for this action without breaching these Bylaws.

CHAPTER XII
Powers and Responsibilities of the
Local Executive Committees of Section

BEFORE

Art. 68.- The Local Executive Committees of the Section shall have the following powers and responsibilities:

VIII.- Obtain prior and written authorization of the National Executive Committee, and of the Meeting Section in question, to execute agreements that affect the Section general interests.

IX.- Resolve temporarily, according to the Local Surveillance and Justice Board of its Section, all issues not provided for in these Bylaws that may arise, immediately informing to the **National Executive Committee** for its final resolution and accordingly take the necessary measures.

X.- Submit all the reports required by the **National Executive Committee** or the General Surveillance and Justice Board.

XIII.- Establish relationships with similar worker and rural groups within their zone, **giving notice to the National Executive Committee** to be informed and ratify or rectify them, as applicable.

XVII.- Take part in the execution of those Agreements, according to the instructions thereto given by the **National Executive Committee**, with involvement of an officer or Delegate thereof.

PRESENTLY

Art. 68.- The Local Executive Committees of the Section shall have the following powers and responsibilities:

VIII.- Obtain prior and written authorization of the National Executive Committee, and of the Meeting Section in question, to execute agreements that **do not** affect the Section general interests. **(2008)**

IX.- Resolve temporarily, according to the Local Surveillance and Justice Board of its Section, all issues not provided for in these Bylaws that may arise, immediately informing to the **General Secretary of the National Executive Committee** for its final resolution and accordingly take the necessary measures . **(2008)**

X.- Submit all the reports required by the **General Secretary of the National Executive Committee** or the General Surveillance and Justice Board. **(2008)**

XIII.- Establish relationships with similar worker and rural groups within their zone, **giving notice to the General Secretary of the National Executive Committee** to be informed and ratify or rectify them, as applicable. **(2008)**

XVII.- Take part in the execution of those Agreements, according to the instructions thereto given by the **General Secretary of the National Executive Committee**, with involvement of an officer or Delegate thereof . **(2008)**

REMARKS

VIII.- This amendment almost borders on absurd since it is clear that those agreements that do affect may be executed without any authorization.

IX.- Now, the General Secretary is the individual who shall resolve all problems not provided for in these Bylaws, again granting on one individual the power to decide on the destination of workers and the Group promoted by a "union dictatorship".

X.- Report only to the General Secretary, the National Executive Committee shall not any more require any kind of information within its sphere of duties.

XIII.- Now, alliances with other Organizations shall solely and exclusively depend on the General Secretary's personal interests.

XVII.- The opinion of the National Executive Committee has no validity; only instructions by the General Secretary shall be observed, even though these agreements may affect workers.

BEFORE

XX.- Address to the **National Executive Committee** to call to strikes agreed upon within the Section.

XXI.- No Section or Fraction may give notice of or declare a strike without prior written consent of the **National Executive Committee** of the Union.

PRESENTLY

XX.- Address to the **General Secretary of the National Executive Committee** to call to strikes agreed upon within the Section. **(2008)**

XXI.- No Section or Fraction may give notice of or declare a strike without prior written consent of the **General Secretary**

REMARKS

NOTE: Regarding the amendment in Items XX.- and XXI.-, it is provided for that authorization of strikes shall depend only on the General Secretary, which logically means authoritarianism; in addition, a window is opened for the General Secretary to negotiate what best suits its interest, always searching his personal benefit, and not to negotiate on what is best for workers

CHAPTER XIII
Powers and Responsibilities of the General Secretary Local
and other members of the Executive Committees of the Section

BEFORE

Art. 69.- The Local General Secretaries of each Section shall have the following powers and responsibilities:

III.- Grant general or special powers for issues regarding their Section, with or without clauses for substitution and revoke those granted in exercise of this power.

PRESENTLY

Art. 69.- The Local General Secretaries of each Section shall have the following powers and responsibilities:

III.- ***Repealed. (2008)***

REMARKS

III.- While it is true that, legally, the Sections have no own legal standing for this power, this amendment should have been made in the sense that a national officer empowered thereto would grant powers to other individuals or professional to be determined by the Section.

Local Secretary-Treasurer

BEFORE

Art. 71.- Local Treasurers of each Section shall have the following powers and responsibilities:

XIV.- Prepare monthly cash closings providing copies to the National Executive Committee, General Surveillance and Justice Board, Fractions of their Sections and the Executive Committee and pertinent Local Surveillance and Justice Board, and accounting for with the report to the next Meeting to be held after their preparation.

XXI.- Submit a report every six months about their Treasury with a chart showing income and expenses, amounts in stock, etc. This report shall contain all data and recommendations deemed advisable for a better management of the Union's **public funds**; copies of such report shall be provided to the higher entities of the Group.

PRESENTLY

Art. 71.- Local Treasurers of each Section shall have the following powers and responsibilities:

XIV.- Prepare monthly cash closings providing copies **to Treasury** of the National Executive Committee, General Surveillance and Justice Board, Fractions of their Sections and the Executive Committee and pertinent Local Surveillance and Justice Board, and accounting for with the report to the next Meeting to be held after their preparation . **(2008)**

XXI.- Submit a report every six months about their Treasury with a chart showing income and expenses, amounts in stock, etc. This report shall contain all data and recommendations deemed advisable for a better management of the Union; copies of such report shall be provided to the higher entities of the Group .

REMARKS

XIV.- This report shall only be known by the National Treasurer and not by all the members of the National Executive Committee, which logically would result in lack of clarity of internal processes, mainly regarding management of the workers' resources.

XXI.- The term "public funds" has been removed without even being aware that the same determine all of the assets that belong to a Section, being indispensable to be aware of them for a better operation of the Sections and accordingly of the Union.

CHAPTER XV
Local Executive Committees of the Fractions
Local General Secretary of the
Local Executive of the Fractions

BEFORE

Art. 79.- The Local General Secretaries of the Executive Committees of Fractions shall have the following powers and responsibilities:

III.- Represent the Union in any issues under their jurisdiction, **with faculties to grant and revoke powers**, notifying the Meeting so that it may ratify or rectify any appointment or substitution

PRESENTLY

Art. 79.- The Local General Secretaries of the Executive Committees of Fractions shall have the following powers and responsibilities:

III.- Represent the Union in any issues under their jurisdiction, notifying the Meeting so that it may ratify or rectify any appointment or substitution. **(2008)**

REMARKS

III.- While it is true that, legally, the Fractions have no own legal standing for this power, this amendment should have been made in the sense that a national officer empowered thereto would grant powers to other individuals or professional to be determined by the Fraction. This amendment is absurd as it leaves without any change the last part of the text that would not have consistency therewith.

CHAPTER XX
General Conventions

BEFORE

Art. 113.- Delegates shall evidence ...

Art. 114.- Conventions shall be deemed legally installed when Delegates represent two thirds of the total number of associates. This number shall be given to the Convention by the National Executive Committee.

PRESENTLY

Art. 113.- Delegates shall evidence...

Documentation shall be reviewed by the Secretaryship for Internal and External Issues and Minutes, in order to determine the legal representation of the Delegates of the Convention. Approval and verification of the pertinent documentation shall serve as the attendance list of the Delegates of the Convention. (2007)

Art. 114.- Conventions shall be deemed legally installed when Delegates represent two thirds of the total number of associates. ***This number shall be notified by the Secretary for Internal and External Issues and Minutes or by the individual as agreed upon by the plenary session of the National Executive Committee. (2007)***

REMARKS

NOTE: The amendment to this article is insignificant, given that the number of associates has always been notified by a member of the National Executive Committee. However, it is worth mentioning that, in the file of the Bylaws provided to the Labor Authority for authorization of the 2008 amendments, the Executive Committee keeps this article as it was in 2002, which is illegal, given that the amendment that should prevail is that authorized in 2007 by the Department of Labor. It is observed again the arbitrariness, despotism and authoritarianism the General Secretary is able to handle.

CHAPTER XXVIII
Elections

BEFORE

Art. 213.- In Electoral Conventions, voting shall be by **secret ballot** and the Delegate shall specify the number of associates he/she may represent in the same vote; there shall be as many votes in favor of the candidate proposed, as associates represented by the Delegate.

Art. 221.- To carry out elections of the National Executive Committee ...
Group "A"

General Secretary.
Secretary for Internal and External Issues and Minutes.
Secretary of Labor.
Secretary of Social Security and Welfare, and Industrial Hygiene.
Workers' Representative before Technical Committee of the Instituto Mexicano del Seguro Social.

PRESENTLY

Art. 213.- In Electoral Conventions, voting shall be **direct votes** and the Delegate shall specify the number of associates he/she may represent in the same vote; there shall be as many votes in favor of the candidate proposed, as associates represented by the Delegate. **(2007)**

Art. 215 Bis.- Under no circumstance the General Surveillance and Justice Board, by virtue of being a different entity, may convene itself to make decisions and determinations in order to elect officers of the National Executive Committee or the General Surveillance and Justice Board. (2007)

REMARKS

The form of voting is changed at Conventions to elect the General Secretary and other members of the National Executive Committee; direct vote is established so that everybody may realize for whom votes are issued, but this goes beyond as it is a measure of pressure to have under control those individuals issuing a vote differently to what the group holding the power may desire.

This amendment is only for the General Board when convened to elect Elías Morales; that is, continuance of the General Secretary Napoleón Gómez Urrutia is protected

**CHAPTER XXVIII
Elections**

BEFORE

Art. 221.- For the elections of the National Executive Committee...
Group "A"

General Secretary.
Secretary for Internal and External Issues and Minutes.
Secretary of Labor.
Secretary of Social Security and Welfare, and Industrial Hygiene.
Workers' Representative before the Technical Committee of the Instituto Mexicano del Seguro Social.

Group "B"
Secretary for Group Hiring.
Secretary-Treasurer.
Secretary of Organization, Advertising, Statistics and Education.
Secretary of Social and Dwelling Conflicts.
Teller Two of the General Surveillance and Justice Board.
Workers' Representative before the Conciliation and Arbitration Board.

PRESENTLY

Art. 221.- For the elections of the National Executive Committee...
Group "A"

General Secretary.
Secretary for Internal and External Issues and Minutes.
Secretary of Labor.
Secretary of Social Security and Welfare, and Industrial Hygiene.
(2008)

Group "B"
Secretary for Group Hiring.
Secretary-Treasurer.
Secretary of Organization, Advertising, Statistics and Education.
Secretary of Social and Dwelling Conflicts.
Teller Two of the General Surveillance and Justice Board.
(2008)

REMARKS

This amendment prevents workers' representatives before the Technical Committee of IMSS, the Conciliation and Arbitration Board and the Board of Administration of the INFONAVIT, from being elected democratically at our General Conventions, as was previously the case; now, workers' representatives shall be appointed by the General Secretary Napoleón Gómez Urrutia.

CHAPTER XXVIII
Elections

BEFORE

Group "C"
Chairman of the General Surveillance and Justice Board.
Teller One of the General Surveillance and Justice Board.
Secretary of Cooperative Promotion and Social Action.
Secretary of Political Affairs.
Workers' Representative before the Board of Directors of the INFONAVIT.

For election ...

PRESENTLY

Group "C"
Chairman of the General Surveillance and Justice Board
Teller One of the General Surveillance and Justice Board
Secretary of Cooperative Promotion and Social Action
Secretary of Political Affairs
(2008)

For election...

REMARKS

CHAPTER XXVIII
Elections

BEFORE

Art. 245.- **Ordinary and Extraordinary General Conventions** held immediately prior to the date of election of the members of the Technical Committee of the Instituto Mexicano del Seguro Social, shall appoint the candidate or candidates to Representatives of the Union at such Technical Committee.

When it is not possible to hold a General Convention and an election of the Workers' Representative of the Technical Committee of the Instituto Mexicano del Seguro Social is close, the National Executive Committee shall propose three candidates for election of the Sections; however, if there is enough time to carry out a consultation, the National Executive Committee and the General Surveillance and Justice Board shall, under their responsibility, appoint the candidate or candidates to Workers' representatives in said Technical Committee, invariably the National Executive in case of appointing Representatives in the Technical Committee, shall elect the co-worker that best secures interests of workers.

Art. 246.- **The National Executive Committee** of the Union shall make the pertinent and timely negotiations with the several Worker Organizations of Mexico so that their candidates to Workers' Representatives of the Technical Committee of Social Security triumphed at Workers' Conventions.

PRESENTLY

Art. 245.- ***The General Secretary of the National Executive Committee shall appoint members of the Technical Committee of the Instituto Mexicano del Seguro Social, the Workers' Representative before the Board of Directors de INFONAVIT, the Workers' Representative before the Conciliation and Arbitration Board, the Workers' Representative before Local Conciliation and Arbitration boards, the Workers' representative before the National Commission of Minimum Wages, the Zone Delegates, Special Delegates and Auxiliaries of the General Secretaryship.***
(2008)

Art. 246.- ***The General Secretary of the National Executive Committee*** of the Union shall make the pertinent and timely negotiations with the several Worker Organizations of Mexico so that their candidates to Workers' Representatives of the Technical Committee of Social Security triumphed at Workers' Conventions.
(2008)

REMARKS

Again this amendment ratifies that workers' representatives shall be elected by the General Secretary and not by the General Conventions. In this way, any democratic exercise is cancelled and is consolidated from the bylaws of a union dictatorship.

This is an amendment that centralizes power in the General Secretaryship thus giving rise to a systematic discretionality.

CHAPTER XXIX
Indemnities to which Officers of the Union
and its Beneficiaries are entitled to

BEFORE

Art. 254.- The National Executive Committee, **and the Sections and Fractions may** contract life insurance policies covering the benefits referred to in this Chapter.

CHAPTER XXXII
Disciplinary Measures and Forms of Application

Art. 294.- Officers referred to in the preceding article shall be reprimanded for the following faults:

X.- If Local Surveillance and Justice Boards fail to answer, within a term of **ninety** days, the **exclusion** clause lawsuits provided thereto by the General Surveillance and Justice Board.

PRESENTLY

Art. 254.- The National Executive Committee may contract life insurance policies covering the benefits referred to in this Chapter. **(2008)**

CHAPTER XXXII
Disciplinary Measures and Forms of Application

Art. 294.- Officers referred to in the preceding article shall be reprimanded for the following faults:

X.- If Local Surveillance and Justice Boards fail to answer, within a term of **thirty** days, the **expulsion** clause lawsuits provided thereto by the General Surveillance and Justice Board . **(2008)**

REMARKS

The right of the Sections and Fractions to contract with the Insurer of its choice or that best suits its interest is removed. This chapter conceals the interest of Napoleón Gómez Urrutia to contract Seguros Argos in which he has personal interest.

CHAPTER XXXII
Disciplinary Measures and Forms of Application

X.- This amendment seeks to apply a penalty within a shorter term for the Local Surveillance Boards failing to answer in a shorter term expulsion lawsuits provided thereto by the General Board.

CHAPTER XXXIII
Sections and Fractions

BEFORE

Art. 309.- The disciplinary measure of suspension referred to in the preceding article may be revoked at any time by the National Executive Committee, **subject to prior resolution of the System**

CHAPTER XXXVI
Management, Procurement
and Disposal of Assets of the Union

Art. 353.- Real property purchased by the sections and fractions and other representatives of the Union and by the Union itself, and those that continue being purchased, are exclusive property of the Unión Nacional de Trabajadores Mineros, Metalúrgicos y Similares de la República Mexicana, **and its General Secretary shall have the legal capacity** to execute agreements, formalizations, covenants, that is, any legal act regarding such property.

PRESENTLY

Art. 309.- The disciplinary measure of suspension referred to in the preceding article may be revoked at any time by the National Executive Committee. **(2008)**

CHAPTER XXXVI
Management, Procurement
and Disposal of Assets of the Union

Art. 353.- Real property purchased by the sections and fractions and other representatives of the Union and by the Union itself, and those that continue being purchased, are exclusive property of the Unión Nacional de Trabajadores Mineros, Metalúrgicos y Similares de la República Mexicana, **and its General Secretary and the National Executive Committee and General Surveillance and Justice Board, in plenary session,** the legal capacity to execute agreements, formalizations, covenants, **etc.**, that is any legal act regarding such property. To such effect, the General Secretary may dispose of the assets governed by this provision. **(2008)**

REMARKS

The disciplinary measure of suspension of one Section or Fraction may no longer be revoked by the National Executive Committee, by virtue that any resolution of the System has no validity.

CHAPTER XXXVI
Management, Procurement
and Disposal of Assets of the Union

NOTE: It is worth mentioning that since Napoleón Gómez Urrutia became the General Secretary of our Organization, he had already in mind the Union's assets, but not for the Group's interest, but for his own and his family's personal benefit. This is so that at the 2002 Convention, an amendment was made whereby the General Secretary was authorized to dispose of the Union's assets, being the case that he lacked this power without previous resolution by the General Convention.

CHAPTER XXXIII
Sections and Fractions

BEFORE

PRESENTLY

REMARKS

With the 2008 amendment, not only the General Secretary may dispose of the assets, but now with a complete and absolute cynicism, the General Secretary may determine that the National Executive Committee the General Surveillance and Justice Board, in plenary session, may also sell the Union's assets or execute any such legal acts as they desire in connection therewith.

This was added because Napoleón Gómez Urrutia is a fugitive and has no representation of the Union, and someone has to continue his work, that is, sell our Union's assets for his own and his family benefit as has been the case. This is the case of real estate located at Topia, Durango, owned by the extinct Section 187; that of Saltillo, Coah. of the extinct Section 235; that of Real del Monte and Pachuca, Hgo., of the extinct Section 2. as well as several attempts seeking to sell the Baseball Stadium located at Piedras Negras, Coah., of the extinct Section 123.

It is evident that Napoleón Gómez Urrutia wants to evade action of the justice and increase his equity with the powers granted by these bylaws.

LET'S KEEP IN MIND THAT WITH ARTICLE 148, SINCE NAPOLEÓN GOMEZ URRUTIA BEGAN HIS TERM AS GENERAL SECRETARY, UNION DUES OF ASSOCIATES WERE INCREASED FROM 1% TO 1.5%, IN WHICH THE .5% IS INCOME DIRECTLY GOING TO THE FUNDS OF THE NATIONAL EXECUTIVE COMMITTEE, FOR WHICH SECTIONS DO NOT RECEIVE ANY ADDITIONAL CONTRIBUTION.

ALL THE AMENDMENTS MADE TO OUR BYLAWS ARE ALL BUT LESS THE WAY A UNION SHOULD BE GOVERNED AND DIRECTED.

AS WE CAN OBSERVE, ALL THE AMENDMENTS WERE AIMED AT GIVING ABSOLUTE POWER TO THE GENERAL SECRETARY, TO WIT NAPOLEÓN GOMEZ URRUTIA.

IF WE HAD SOMETHING TO SHOW OFF BEFORE AS UNION ORGANIZATION, THIS WAS OUR BYLAWS, BUT NOT WE SHOULD FEEL ASHAMED OF IT BECAUSE NAPOLEÓN GOMEZ URRUTIA AND HIS ALLEGEDLY NATIONAL OFFICERS HAVE AMENDED TO THEIR OWN CONVENIENCE, WALKING ALL OVER OUR DIGNITY AS WORKERS, UNION MEMBERS AND HUMAN BEINGS.

NOW WE ASK OURSELVES: WHO IS THE TRAITOR TO NAPOLEÓN GOMEZ SADA?

WHO IS THE TRAITOR TO THE SINDICATO DE TRABAJADORES MINEROS , METALURGICOS, SIDERÚRGICOS Y SIMILARES DE LA REPÚBLICA MEXICANA?

WHO HAS WASTED THE 75 YEARS OF OUR HONORABLE UNION?

WHO IS THE TRAITOR TO THE MEXICAN WORKER MOVEMENT?

WHO IS THE TRAITOR TO THE INTERNATIONAL WORKER MOVEMENT?

WHO HAS BETRAYED AND CONTINUES BETRAYING THE PRINCIPLES AND SOURCE OF UNIONISM?

THE ANSWER IS CLEAR AND CONCLUSIVE, AND IT IS NAMED **NAPOLEÓN GOMEZ URRUTIA**