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**CITY**

Utrecht

**DATE**

June 9, 2021

**OUR REFERENCE**

2009/PF/AW/MvB

**YOUR REFERENCE****CONCERNING**

Volcan Compañía Minera

Dear Mr. Glasenberg,

We would like to draw your attention to a case of interference in trade union affairs at Volcan Compañía Minera, a Glencore subsidiary in Peru.

CNV Internationaal, part of one of the largest trade union federations in the Netherlands, is committed to promoting decent work worldwide. We focus with other Dutch stakeholders like companies, investors and government working together in different IRBC agreements<sup>1</sup> on value chains that are significant in the Dutch economy, such as sugar cane, palm oil, textiles, coal and in particular, metals, given the growing demand for metals that is expected in the coming years to help shape Europe's energy transition and meet the targets of the Paris climate agreement. In the metals sector, we face an enormous challenge when we want to achieve a sustainable and socially responsible industry.

Specifically, in this value chain, we support trade unions that defend the rights of workers in the mining sector in Peru, a country where your company runs several mining operations. Analyses and research which we carried out in the course of 2020 and presented at a side event of the OECD Forum on Responsible Minerals<sup>2</sup>, show that it is the frequent and improper use of outsourced work in particular that causes abuses and violations of labour rights. These include discriminating against outsourced workers by paying poorer wages for the same work and exposing these workers to greater health and safety risks (accidents). Furthermore, it has been found that for outsourced workers exercising an enabling right such as freedom of association is made virtually impossible by companies using very short-term employment contracts over extended periods of time. According to our information, these practices are commonplace throughout the entire Peruvian metal mining sector, including Glencore's mining activities in Peru.

A number of incidents at the Volcan mine, a Glencore subsidiary in Peru, seem to confirm this information. On 30 April 2021, the president of CNV Internationaal received a message from the trade union at Volcan, the *Sindicato de Trabajadores Mineros Metalurgicos de Andaychagua Volcan Compañía Minera y de las Empresas Especializadas, Contratistas y de Intermediación que prestan servicios en Volcan Compañía Minera - Andaychagua*. This union,

<sup>1</sup> <https://www.ser.nl/en/themes/irbc>

<sup>2</sup> <https://www.cnvinternationaal.nl/en/our-work/news/2021/april/oecd-side-event-responsible-mining>

a partner of CNV Internationaal, has taken the important step of standing up not only for the direct Volcan employees, but also for the outsourced workers who find employment in Volcan's mining operations. We understand that as a modern company, Glencore attaches great importance to adhering to international labour rights standards and that it guarantees freedom of association, also for the outsourced workers hired by Glencore suppliers. Your website<sup>3</sup> states that Glencore '[does] *not interfere with the rights of trade unions and prohibit any form of harassment or retaliation against workers who seek to exercise their right to freedom of association, collective representation and/or collective bargaining.*'

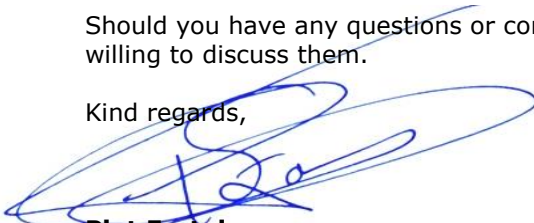
Hence we are extremely surprised to learn from our partner trade union that *Volcan Compañía Minera* has recently submitted a request to the Peruvian authorities to block the trade union's initiative to organise outsourced workers. This is a clear case of interference in trade union affairs, and a violation of ILO Conventions 87 and 98 on trade union freedom. Volcan's request comes as an unpleasant surprise. We wonder whether it would not be more in line with Glencore's stated policy to respect freedom of association, welcome the existence of a trade union that advocates for company employees as well as outsourced workers, and work with that trade union in order to enable a constructive social dialogue. Meanwhile, on 21 May 2021, the DRTPE – the Peruvian authority for these types of labour disputes – declared *Volcan Compañía Minera's* request inadmissible and confirmed that the union is entitled to organise both direct and temporary workers.

In addition to the above development, on 27 May 2021, shortly after the DRTPE ruling, the Secretary-General of the union in question received a written message from *Volcan Compañía Minera* stating that he would be suspended as an employee due to an investigation. The results of this investigation are not yet known at the time of this writing. In view of the above, we call on Glencore to:

1. Respect trade union freedom, and respect the *Sindicato de Trabajadores Mineros Metalurgicos de Andaychagua Volcan Compañía Minera y de las Empresas Especializadas, Contratistas y de Intermediación que prestan servicios en Volcan Compañía Minera - Andaychagua* trade union as a partner for social dialogue representing both direct and outsourced workers.
2. Enter into a direct social dialogue with the aforementioned trade union, and revoke the suspension of its Secretary-General so that he can resume full and free exercise of his duties at the mine as well as his trade union activities.
3. Take note of our recommendations to prevent improper use of outsourcing, and ensure trade union freedom for outsourced workers as well as for direct company employees.

Should you have any questions or comments in connection with the above, we are always willing to discuss them.

Kind regards,



**Piet Fortuin**  
Chairman CNV



**Anneke Westerlaken**  
President CNV Internationaal

Cc:  
Cc:  
- Embassy of the Netherlands in Lima  
- Embassy of Switzerland in Lima  
- CATP Confederation of Trade Unions  
- IndustriALL Global Union

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<sup>3</sup> <https://www.glencore.com/sustainability/esg-a-z/our-people>