

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

October 16, 2009

Gary Goldberg, President & CEO
Rio Tinto/US Borax
8051 E. Maple Wood Ave., Bldg. B
Greenwood Village, CO 80111

Dear Mr. Goldberg:

We are writing regarding the collective bargaining negotiations between the US Borax Division of Rio Tinto and the International Longshore and Warehouse Union (ILWU) for your employees who work at the borax mining facility in Boron, California. As our state and nation continue to struggle with the ongoing recession, we strongly urge you to negotiate fairly and in good faith with your employees.

It is our understanding that your negotiations with the ILWU have not progressed in a positive direction thus far. Unlike past years, the parties evidently have not been able to resolve your open grievances prior to their going to arbitration only to have them settled "at the courthouse door" or with a union victory on the merits. We have also been informed that employees who have spoken up on job related issues have been reassigned, in apparent retaliation for exercising their right to free speech on the job. This gives the impression that management at US Borax is intentionally increasing the adversarial nature of its relationship with its employees and their union.

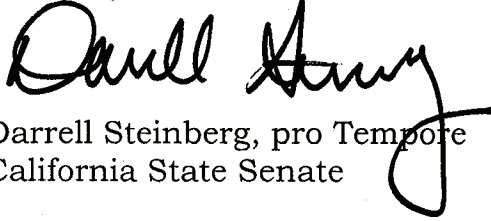
While we well understand the inimical dynamic that can arise in labor negotiations, such conduct often leads to a cycle of strikes and lockouts, harming the employer, the employees and the community at large. In the case of US Borax, which is the major employer in Boron, a strike or lockout could have a devastating effect on an already battered economy in that region.

We respectfully urge you to continue your negotiations in such a way that leads to a mutually beneficial outcome and avoids the suffering that a strike or lockout will inflict on the community and the economy. We are deeply committed to the right of employees organize to improve their wages, benefits, and working conditions through the collective bargaining process. That system works best when both sides negotiate in an atmosphere of mutual respect.



Thank you for your attention to this very important matter. Please do not hesitate to contact us if you have any comments or questions. We appreciate your time.

Sincerely,

A handwritten signature in black ink that reads "Darrell Steinberg". The signature is fluid and cursive, with a large, stylized initial 'D'.

Darrell Steinberg, pro Tempore
California State Senate

A handwritten signature in black ink that reads "Karen Bass". The signature is cursive and somewhat compact.

Karen Bass, Speaker
California State Assembly