



T-Mobile USA, Inc.
12920 SE 38th Street, Bellevue, WA 98006

Arvind Ganesan, Director
Business and Human Rights Division
Human Rights Watch
350 Fifth Avenue
34th Floor
New York, NY 10118-3299

February 23, 2009

Dear Mr. Ganesan,

I have been asked to respond to the specific comments regarding T-Mobile USA, Inc. in your February 5, 2009 letter to Rene Obermann and Thomas Sattelberger of Deutsche Telekom AG.

Before addressing the specifics of your letter, perhaps it would be helpful to provide some context in which to consider the state of employee relations in our company. At T-Mobile USA, we enjoy direct, open and frequent communication between employees and management, as well as prompt resolution of issues raised by employees. This culture allows us to hear our fellow employees' perspectives and issues, and to address them quickly (as, for example, when they recently told us that they would like a back-up child care benefit, and more generous phone benefits, we concurred and provided these benefits).

T-Mobile USA provides an employee friendly workplace where employees are motivated and enjoy coming to work. But you don't have to take our word for it. This fact is illustrated by the results of multiple, anonymous employee satisfaction surveys which, over the last several years, consistently show that approximately 80% of our 40,000 employees believe T-Mobile USA is a great place to work. When compared to the responses of more than 10 million employees surveyed annually at hundreds of companies worldwide over the last several years, T-Mobile USA has repeatedly been rated near the top 10% of all surveyed employers.

Our status as a great place to work is also illustrated by the many best-place-to-work awards our operations have won in multiple locations, including being named by FORTUNE magazine as one of the 100 Best Places to Work in the United States just a few weeks ago (a conclusion based in significant part on a large, independent, random sample, anonymous employee survey). We would submit that these are not the kind of

evaluations employees and independent entities would give an employer which engages in inappropriate treatment of its employees.

With respect to the assertions in your letter, we understand that your report will discuss employees' freedom of association and right to organize unions. On that score, let me be extremely clear: T-Mobile USA has and will abide by both the letter and the spirit of the U.S. National Labor Relations Act, under which it is ultimately the employees' decision whether to support or not support a union. Under the NLRA, both the union and the company have the right and ability to communicate with employees about their workplace, and to share their relative perspectives of unionization. We believe it is important that employees have the benefit of both perspectives.

With respect to T-Mobile USA's response to previous organizing activity by the CWA in Allentown, Pennsylvania, T-Mobile has at all times acted in a lawful and appropriate fashion. Again, it is important to put this situation in context. Three years ago, in 2006, agents of the CWA came to the Allentown call center to attempt to organize T-Mobile USA employees. Those agents repeatedly prevented T-Mobile employees from entering the premises and leaving work, and annoyed employees by physically striking employees' automobile windows as they entered and left. Employees complained to T-Mobile management about the CWA's conduct. As a result of this misconduct, T-Mobile did monitor what was going on at the entrance to the call center, and asked these agents to refrain from impeding the travel of T-Mobile employees. When the CWA agents failed to stop, calls were made to the police to stop the CWA agents from impeding employee movement—and the CWA agents finally complied. While the CWA's actions were improper, there was nothing improper about T-Mobile's effort to assist its employees' freedom of access to and from their workplace. One should note that this incident is three years old and has not been repeated.

With respect to your reference to "captive audience meetings," it is accurate that T-Mobile management met with employees in Allentown in 2006 to discuss, among other things, the company's perceptions about unionization. As you may know, such communication is perfectly lawful under the NLRA, and the union clearly was communicating their perspective concurrently. With respect to Case No. 4-CA-34590, which you cite, involving allegations of inappropriate surveillance, please note that the National Labor Relations Board dismissed that case two years ago on January 4, 2007.

Finally, with respect to the documents you mention, I would first note that it has never been suggested that any T-Mobile manual or memorandum was in any way in violation of the NLRA. Additionally, we believe that the May 2008 document you refer to was in fact not a company memorandum, but an e-mail message sent by a single manager to the employees in a small number of regional stores, representing less than 1 percent of more than 1400 retail outlets nationwide. Indeed, materials provided by T-Mobile USA to its managers set forth what is lawful and unlawful under the NLRA precisely, so that managers have the information necessary to abide by the law.

In summary, consistent with the laws of the United States, T-Mobile USA acknowledges and respects its employees' rights under the NLRA to form, join or assist labor organizations, and respects their right to refrain from doing so as well. Over multiple years, our employees have shown little apparent interest in union representation, notwithstanding repeated CWA overtures. We respect the voice of our employees and would hope that others would acknowledge and accept their voice as well.

Thank you for the opportunity to respond to your letter.

Very truly yours,



Larry L. Myers
Senior Vice President, Human Resources
T-Mobile USA, Inc.