



Progressive Conservative Party of Newfoundland and Labrador

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The responses of PC Leader Ches Crosbie are inserted in bold/blue/yellow within the body of your original letter below the respective questions that you have asked.

[ORIGINAL LETTER]

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VIA Email:

Premier Dwight Ball, Liberal Party Leader
Ches Crosbie, Progressive Conservative Party Leader
Alison Coffin, New Democratic Party Leader

FFAW-Unifor's Newfoundland and Labrador Election Questionnaire

Dear Party Leaders,

The Fish, Food and Allied Workers (FFAW-Unifor) is the largest private sector union in Newfoundland and Labrador, representing more than 15,000 workers, most of whom are employed in the fishing industry. FFAW-Unifor members also work in the hotel,

hospitality, brewing, metal fabrication and oil industries. Our members live in more than 500 coastal and rural communities around the province.

On behalf of our members, I am writing to seek commitments from the leaders of each political party on issues of importance to our members, their families and coastal communities. This election is critically important to FFAW-Unifor members, who want to clearly understand where each political party stands on these issues.

The provincial government has a critical and distinct role in the fishery. While management plans and quotas are determined by the federal government, the province does control how fish resources are managed and paid for once landed. Each year, millions of dollars in provincial tax revenue is derived from the industry from fish harvesters, plant workers, processing companies and related industries.

For FFAW-Unifor members in other sectors, the provincial government plays a direct role in advancing and protecting the rights of workers. Ensuring workers are able to join a union and that their union is respected and not undermined by employers is integral to labour harmony in Newfoundland and Labrador.

In advance of election day, FFAW-Unifor will be providing our members with an overview of the responses received from each party on issues that will influence how workers vote in the upcoming election. Please provide a response to the following:

1. Investing in the Future of the Inshore Fishery

The inshore fishery, and the jobs created as spin-offs from the industry, have always been the driver of rural economic development in Newfoundland and Labrador, employing more people in rural communities than any other sector.

The marine ecosystem is experiencing a transition; as shellfish stocks decline, groundfish species such as redfish, halibut and cod, are becoming increasingly abundant. New opportunities in groundfish can support thousands of workers in coastal communities for many years to come.

In 2015, the federal government committed to allocating the first 115,000 metric tons of northern cod to the inshore fishery. Subsequently, all three provincial parties articulated their support for the commitment. As the industry prepares for the return of northern cod, both levels of government must work together to provide necessary investments to establish a new cod fishery in Newfoundland and Labrador. This will require provincial investments in equipment, marketing, technology and infrastructure.

Recent scientific assessments of northern cod confirmed that the stock continues to grow, with the lowest fish harvesting rates in history. Northern cod, if managed responsibly and in collaboration with industry, has the potential to provide significant

opportunity for a sustainable fishery. Modest increases in harvest rates can simultaneously help build markets and increase capacity without having any significant impact on the growth of the stock.

- **Will your government support FFAW-Unifor's recommendation incrementally increase northern cod harvest rates as the stock grows?**

As stocks grow and in accordance with the advice of scientists and fish harvesters, a Crosbie government will support the incremental increase in northern cod harvest rates. We must ensure that all harvesting quota decisions are evidence-based, sustainable and fair to Newfoundland and Labrador.

- **Will your government continue to promote and invest in technology and infrastructure needed to establish new groundfish fisheries?**

Our government will continue to promote and invest in technology and infrastructure needed to establish new groundfish fisheries. Prior to the change of government in 2015, the provincial government achieved an agreement with the Government of Canada for a joint federal-provincial investment of \$400 million in a fisheries investment / diversification fund in association with our province's decision to relinquish minimum processing requirements (MPRs) for the European Union under CETA. (No other province had MPRs to relinquish.) Liberal leader Justin Trudeau committed in writing to honour this commitment, but his government did not honour this agreement, not did the Ball government hold him to it. At an event where this province was given its normal share of an Atlantic fisheries fund, the people of the province were told the \$400 million fisheries fund associated with MPRs was dead, from the Liberals' perspective. We believe this commitment ought to be honoured so our fisheries sector can receive these technology and infrastructure investments.

- **Will your government continue to support the federal government's commitment to allocate the first 115,000 metric tons of northern cod to owner-operator fish harvesters and Indigenous groups?**

This is what we state in our Blue Book: Our government will promote the enhancement of Indigenous access to our fishery resource. It should be attained through an open and transparent process by the federal government in collaboration with appropriate stakeholders. The resource would be available through voluntary transfer/sale from existing quota holders or with a total allowable catch (TAC) increase.

2. Transparency in Fish Price Negotiations

Fair collective bargaining is essential for good labour relations in the fishery and requires the sharing of information that goes to the essence of setting a per pound price for fish. This information includes products produced by plants, yields achieved from processing, and prices received from domestic and international markets.

Transparency will vastly improve collective bargaining. The current structure of the collective bargaining system is beneficial; however, the lack of accurate information being disclosed by processors undermines the credibility of the Panel's decisions. See Appendix A for additional information.

• Will your government commit to collecting from fish processors accurate information on all product forms processed in Newfoundland and Labrador, including information on production, yield, and domestic and international prices for all species of fish, and accompanying by-products processed in Newfoundland and Labrador?

I believe in transparency in reporting information. We will work with the fish processors, workers and union representatives to determine the enhancements that may be required to reporting.

3. Supporting Young Fish Harvesters

The growth in value of wild fisheries provides significant opportunities for growth in coastal Newfoundland and Labrador. As with many industries, the fishery in Newfoundland and Labrador is transitioning and facing demographic challenges. A recent comprehensive study conducted by the Canadian Council of Professional Fish Harvesters highlighted these opportunities and challenges.

Young fish harvesters often encounter barriers in purchasing their own enterprise due to processing companies who circumvent the fleet separation policy in order to control inshore licenses or due to well-established fish harvesters consolidating quotas.

In order to reduce barriers to young people getting involved in the fishery, special consideration must be given to ensure they have an opportunity to transition and become enterprise owners. There are a variety of measures government can take, including making adjustments to the provincial loan guarantee program to improve the ability for young, potential owner operators to invest in their own enterprise.

• Will your government commit to review and invest in the future of the Newfoundland and Labrador fishery through a program that will support young harvesters to invest in their own enterprise?

I commit to working with fish harvesters and their representatives to explore initiatives that may be required to reduce entry barriers to new entrants.

4. Fish Processing Health and Safety

The fish processing sector is amongst the largest employers in Newfoundland and Labrador, with more than six thousand people employed on an annual basis. Entire regional economies are built around the processing sector and it is not uncommon for employees to work in the same plant for twenty or thirty years. It is also common for processing facilities to not just employ locally but employ people from other regions.

Given the economic importance of the fish processing sector and the current and future demographic challenges that it faces, it is essential that all parts of the processing sector – owners, operators, employees, organized labour – all work together to provide the safest workplace possible.

Safety statistics in fish processing are alarmingly high, with lost-time and soft tissue incidence rates exceeding the provincial average by a significant margin and with high rates of shellfish asthma. For more than a decade, fish plant workers have advocated for the establishment of a fish processing sector safety council to address the unique safety concerns of their workplace that have gone unaddressed for decades. Unfortunately, at every turn, progress on the issue of workplace safety in fish plants has been undermined by fish processing companies and employer groups.

• Will your government establish a fish processing sector safety council with or without the endorsement of employer groups?

Workplace health and safety is important to me. I commit that we will discuss with fish processors, fish processing plant workers and union representatives any regulatory enhancements, mechanisms and oversight that may be required to promote workers' health and safety. We will consider the proposal for a fish processing sector safety council within this context. We look forward to a robust, evidence-based discussion of the facts and will make a decision in the best interest of workers.

5. A New Model for the Aquaculture Industry

Over the last 25 years, millions of dollars in provincial and federal funding has been invested in the aquaculture industry while the sector only produces meagre, precarious employment for production workers in the industry.

Most of the province's salmon aquaculture occurs on the Connaigre Peninsula. The Harbour Breton processing plant, which processes salmon, has barely provided enough hours of work for some workers to qualify for Employment Insurance, while at the same

time, farm-produced fish continues to be shipped out of the province for value-added processing. In St. Alban's, workers at the processing plant have not had any work in more than a year with little hope for increased production in the future. Government has touted aquaculture as an industry that will experience significant growth in the years to come but that growth must be coupled with strong environmental protections and consistent, secure employment for processing workers.

The provincial government can mandate, as a Condition of License, that aquaculture enterprises provide production plans however, this is rarely requested by government. In fact, when there is a loss of work due to a failure of the business, the closure of a plant or grow out, or a breach of contract between the companies and the province or companies and workers, there is no mechanism of support for workers.

• Will your government introduce legislation that requires all aquaculture companies operating in Newfoundland and Labrador to establish, as part of a Condition of License, a yearly production plan, outlining job numbers and weeks of employment?

This is what we commit to on aquaculture in our Blue Book: The aquaculture industry is key to the economic revival of rural Newfoundland and Labrador. Our government will champion an environmentally sustainable industry that provides long-term opportunities for our rural areas that are not to the detriment of our existing wild stocks. A Crosbie government will work to streamline the existing regulatory framework while increasing transparency in reporting and monitoring of the industry. Our rural economic security depends on a balanced approach to industry. Aquaculture projects must not be added to the Bill C-69 Project List.

• How will your government maximize value of aquaculture development and ensure the industry offers secure, adequate work?

The preceding answer covers this question as well. Our intention is to grow the industry. Also, we will bring together partners from industry, government and post-secondary into multiple Partnerships for Jobs (in fisheries, aquaculture, offshore oil and gas, minerals, hydroelectricity, marine services, tourism, creative industries, and other industries with proven success in the province). The Partnerships will identify potential for growth in sectors of the economy where the province has industry leaders, strength in skill development, technology, research, opportunities in supply chain development, and strong links to markets. These Partnerships will advise government on appropriate policies tailored to the needs of each industry that will help build new capacity for jobs and growth. The ultimate goal will be to find ways to increase the size and scope of these industries in Newfoundland and Labrador and increase participation by local companies in

supplying goods and services and creating jobs. We point out that no agrifoods industry in the world is growing as fast as marine aquaculture. We intend to make Newfoundland and Labrador a world leader in sustainable, ecologically responsible aquaculture development.

6. Impact of Oil and Gas Activity on Fishing Industry

In Newfoundland and Labrador, the fishing industry must share the ocean with the petroleum sector. Co-existence of the two industries has not always been easy. Fish harvesters feel our sector is not given the consideration it is due. For example, fish harvesters continue to bear the brunt of marine closures while the oil and gas industry is permitted to continue operations in the same areas.

Record-levels of seismic testing are occurring, with the goal of doubling oil and gas extraction offshore over the next decade. Some of the effects of seismic activities on our fish stocks are still unknown. Additional scientific research is required to examine the impact of seismic testing on fish stocks and ecosystems.

Fish harvesters in Newfoundland and Labrador invest tens of millions of dollars and considerable time, annually, in science on important commercial fish species and the greater marine ecosystem. Other ocean users, particularly the oil and gas sector, operate and impact the marine environment and are not expected to contribute to such important science in the same way.

• Will your government commit to a robust process to review the impact of offshore oil and gas development on the fishing industry?

We commit in our Blue Book that we will work with stakeholders and industry to make sectors such as agriculture, the fishery and aquaculture aware of the effects of climate change and make their industries more resilient and resistant to current and future impacts. The federal Liberal government, highly influenced by extremist environmentalists, has increased marine exclusion areas from 2 to 8.27% of our oceans and intends to further increase this exclusion area to 10%. While marine protection areas afford environmental protection, there has not been sufficient study or consultation with the fishing, or oil and gas, industries. We demand that our important industries be provided the careful analysis required before further decisions are taken.

• Will your government fund research on the impact of seismic testing and activities associated with oil and gas development on fish stocks?

The preceding answer pertains to this question as well. While marine protection areas afford environmental protection, there has not been

sufficient study or consultation with the fishing, or oil and gas, industries. We demand that our important industries be provided the careful analysis required before further decisions are taken.

• **How will your government ensure other marine operators, such as the oil and gas sector, fulfil their responsibility to invest in science on commercially important fish species and the marine environment?**

Marine operators invest in science at the environmental assessment stage. The Canada-Newfoundland and Labrador Offshore Petroleum Board takes environmental concerns into account when managing and monitoring the offshore oil and gas sector. The Government of Canada has a primary role to play in advancing proper marine science so the scientifically valid foundation of information exists for evidence-based decision making in the best interest of a sustainable fishing industry. Under a joint fisheries management mechanism similar to the CNLOPB, our province would have a vested interest in ensuring the adequacy of scientific information so our decisions are evidence-based and sound. We believe scientists ought to work more collaboratively with fish harvesters, who understand the resource better than most and can be instrumental in data collection.

7. Fairness in Labour Relations

Free and fair collective bargaining has been eroded in Newfoundland and Labrador over time. Employers engage in tactics to undermine and circumvent workers' rights and unfortunately, our labour legislation has failed to hold those employers accountable.

Large corporations have long worked to undermine the strength and success of organized labour through the use of contract-flipping, whereby contracts of unionized units at work sites are put up for tender, thus jeopardizing the job security of unionized units.

Contract-flipping is anti-worker. Not only does it threaten organized labour, it destabilizes the workplace and leaves workers and their families with no sense of security for their future. In Newfoundland and Labrador, FFAW-Unifor members at Long Harbour and our offshore tanker members have been directly impacted by this issue. As well in the offshore oil industry, from time to time, re-tendered supply contracts threaten FFAW-Unifor members' job security and collective agreements. Strengthening successor rights at worksites that utilize contract-flipping will help provide for the fair and consistent treatment of workers and the protection of collective bargaining rights.

Further eroding workers' collective bargaining rights is the use scab replacement workers in cases of lawful work stoppages is regressive and anti-worker. For years, the labour movement in Newfoundland and Labrador has called on successive government

to remove the ability for employers to use scab labour from the Labour Relations Act in order to facilitate smoother labour relations and shorter labour disputes.

● **Will your government commit to amending the Labour Relations Act to address the following?**

i. Ensure that, if a company re-tenders work provided by a third party, that any bargaining rights related to the contracted work is maintained, even if the third-party provider changes, as if there had been a sale of business?

ii. Appoint a special mediator with the power to compel parties to meet and negotiate in good faith, after 90 days of a strike or lockout?

iii. Allow either party to apply to the Labour Relations Board for an order requiring the resolution of a strike or lockout by binding arbitration and provide the Board with specific authority to make such an order, where the Board is satisfied that:

a. Based on a review of the bargaining history, the parties will not be able to conclude a collective agreement; or

b. One of the parties has committed an egregious unfair labour practice relating to collective bargaining.

iv. Ban the use of scab replacement workers?

Here is what I wrote to Unifor regarding similar issues:

Starting at your last question here, I was well aware of the labour dispute at D-J Composites in Gander while I was engaged in the by-election campaign in Windsor Lake district last year. There was a NL Federation of Labour debate among candidates at the time, and this issue arose at the forum. I stated at the time that I believe the existing law, regulations and processes related to such labour disputes seemed quite robust, but I was concerned that the government of the day had wasted a great deal of time before properly applying it. It was not until the by-election campaign focused intense scrutiny on the issue that the government finally got directly involved. While they were applauded by some for intervening, no one was very happy that it took them so long to get around to it. Once they did get around to it, the tools at their disposal proved to be effective. I know that Unifor and others are concerned that the rules right now are unfairly balanced and need rebalancing. We need to talk about this around a common table – government, labour, business and others – and resolve to strike a balance that works well for everyone and makes our labour climate

healthier and more resistant to protracted labour disputes like this. Let's be proactive and not wait for another situation like this to emerge; and if such a dispute does emerge, let's agree to make addressing it an urgent priority. Newfoundland and Labrador is not well served when labour disputes drag on, and would be even better served if disputes did not arise in the first place.

I commit to reviewing the Labour Relations Act and any associated regulations and policies to ensure it is the best we can achieve to promote labour peace and a healthy working climate in Newfoundland and Labrador. We will look at the issue of bargaining rights when work is contracted. In principle, it seems wrong to throw up barriers to workers being organized and represented by unions in their working environment when clearly so many workers in our province have chosen to be represented by unions. I will not stand for union-breaking loopholes that violate the principles and objectives of the Labour Relations Act. I also believe those who deliberately undermine a healthy labour relations climate are doing the entire province a disservice and should be held to account for that. If current laws make it too easy to violate the spirit and intent of the Labour Relations Act, then let's work together to reform the law. I believe most employers are willing to work within the rules and should be respected for that. Those that flout or twist the rules need to be held to account.

I am a firm believer in mediation and arbitration. I have seen it work. We need to make it easier to get people around the table when there are disputes. But we must be equally vigilant to address matters proactively so disputes do not arise in the first place. Workers and their unions will have my ear. Please hold me to account on this. I am sure you will.

8. Good Manufacturing Jobs

FFAW-Unifor represents hundreds of skilled trades workers in the steel fabrication industry in Newfoundland and Labrador. In years past, oil and gas companies and the provincial government have neglected to respect and enforce benefits agreements requiring steel fabrication to be conducted in Newfoundland and Labrador.

With the recently announced Bay du Nord oil development project, it is expected that more than 5,000 metric tons of metal fabrication will be required, thus providing oil and gas companies and the provincial government with an opportunity to live up to existing agreements.

• Will your government ensure skilled trades and metal fabrication work for the Bay du Nord development and other provincial megaprojects is carried out by Newfoundland and Labrador workers and is not contracted out of the province?

We believe the employment benefits of offshore development ought to come to Newfoundland and Labrador workers, as envisioned and entrenched by the Atlantic Accord. Newfoundland and Labrador must be the principal beneficiary of offshore oil and gas development, and this means in terms of employment and skills transfer as well as revenue. This is our Blue Book commitment:

In keeping with the spirit of the Atlantic Accord that Newfoundland and Labrador is to be the principal beneficiary of our resource development, a Crosbie government will use the Atlantic Accord as the guiding principle for negotiations with the oil industry surrounding benefits agreements. This means Newfoundlanders and Labradorians should be the beneficiaries of jobs, especially but not only in construction, and Newfoundland and Labrador companies should be the beneficiaries of construction, supply, service, and maintenance contracts.

As outlined in the section on Standing Up for our Province, a Crosbie government will stand up for the Atlantic Accord by opposing federal Bill C-69, federal Bill C-55 and Canadian Environmental Assessment Act, 2012 provisions that threaten to impede development of the Newfoundland and Labrador offshore.

A Crosbie Government will take a “life of field” perspective with respect to all oil and gas development. This perspective will ensure local economic benefits and local jobs accrue all along the way, from land tenure to exploration to production to decommissioning. Maintenance, operations, supply and service will provide Newfoundlanders and Labradorians with jobs and Newfoundland and Labrador companies with economic benefit.

A “life of field” approach will ensure the great prospectively identified through seismic and geoscience will result in job growth in our provincial economy. A Crosbie government will work with the service sector to ensure they are ready to take full advantage of future growth.

A Crosbie government will work with the oil and gas industry to pave the way for the next stage in the oil and gas frontier. Newfoundland and Labrador has potentially 100 billion barrels of oil equivalents unexploited offshore – equal to Norway’s remaining resources. A Crosbie government will work to advance development of our vast natural gas reserves.

Offshore Newfoundland and Labrador contains immense reserves of natural gas, a clean, green and potentially valuable resource. A Crosbie government will, in consultation with industry and labour, initiate a review of the

development options, economic benefits, execution risks and economic rewards with a view to monetizing this stranded asset. Natural gas brought to shore holds the prospect for job creation and the increased availability of affordable and abundant electricity, a potential export and a key enabler for the knowledge economy. Natural gas can be a significant contributor to the next phase of offshore development; we intend to have a full understanding of the possibilities.

Keeping in line with ensuring our province is the principal beneficiary of our offshore resources, a Crosbie government will modify the land tenure award system to consider not only the highest bidder but also the provincial benefits. This will become an integral part of all future bids, starting in the fall of 2019.

A Crosbie government will negotiate benefits agreements that target maximum sustainable supply, service, and maintenance industries with employment opportunities where we have the potential to capitalize on our competitive advantages, and indeed to "create" competitive advantages. The agreements will include commitments related to employment, contracting and procurement, gender equity and diversity, and prescribe work to be done in the province related to engineering, construction and fabrication.

The Bull Arm Fabrication Site is a world class facility, which a Crosbie government will retain as a Crown asset and ensure it is maintained in a state of readiness for usage by the private sector. A Crosbie government will promote Bull Arm as a facility for construction, fabrication, topside development, and maintenance of offshore platforms and drill rigs. We will engage Trades NL in future projects on the Bull Arm site, through a Special Project Order (SPO).

Sincerely,



Ches Crosbie
Leader of the PC Party of Newfoundland and Labrador