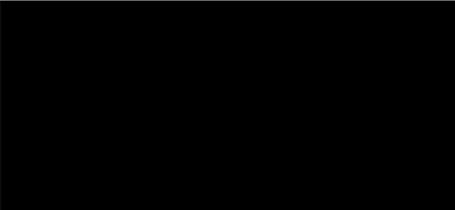




Government of Newfoundland and Labrador
Department of Natural Resources

December 5, 2019



Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-243-2019)

On November 25, 2019, the Department of Natural Resources received your request for access to the following records/information:

Any briefing notes or materials prepared specifically for the November 14 meeting between Minister Coady and Trades NL

I am pleased to inform you that a decision has been made by the Department of Natural Resources, confirmed by the Deputy Minister, to provide access to the requested records. The responsive records are attached.

As set out in section 42 of the Act you may ask the Information and Privacy Commissioner to review the department's decision to provide access to the requested information. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your request should identify your concerns with the department's response and why you are requesting a review.

The request for review may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P.O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309

Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

Pursuant to section 52 of the Act, you may also appeal directly to the Supreme Court Trial Division within 15 business days after receiving the department's decision.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

For further details about how an access to information request is processed, please refer to the Access to Information Policy and Procedures Manual at <http://www.atipp.gov.nl.ca/info/index.html>.

If you have any questions, please feel free to contact me at 709-729-0463 or rhynes@gov.nl.ca.

Sincerely,

A handwritten signature in cursive script that reads "Rod Hynes".

Rod Hynes
ATIPP Coordinator

Meeting Note
Department of Natural Resources
Trades NL
November 14, 2019
9:30 - 10:30 am
Minister's Boardroom

Attendees:

NR:

- Minister Siobhan Coady
- Ted Lomond, Deputy Minister
- Craig Martin, Associate Deputy Minister
- Nena Abundo, Director of Economics and Benefits

Trades NL:

- John Leonard, President
- Darin King, Executive Director

Nalcor – Oil and Gas:

- Jim Keating, Vice President

Purpose of Meeting:

- On November 8, 2019, Trades NL wrote Minister Coady and requested an emergency meeting with the Minister and DF Barnes to discuss the evolving situation at the Bull Arm Fabrication Facility, the scope of work for DF Barnes recent contract for the Transocean Barents, the DF Barnes lease agreement with Nalcor-BAF and the labour model, in an effort to seek a way forward that would include the building trades. The letter is attached as **Appendix A**.

Background:

- Trades NL represents more than 20,000 trades workers and 16 building construction unions in Newfoundland and Labrador including: Boilermakers Local 203; Bricklayers Local 1631; Carpenters Local 579; Elevator Constructors Local 125; Hotel & Restaurant Workers Local 779; IBEW Local 1620; IBEW Local 2330; Insulators Local 137; Iron Workers Local 764; Labourers Local 1208; Millwrights Local 1009; Operating Engineers Local 904; Painters & Allied Trades Local 1984; Sheet Metal Workers Local 512; United Association of Plumbers and Pipefitters Local 740; Teamsters Local 855.
- In mid-June 2019, Trades NL launched “NL First. Our Resources. Our Benefits” campaign (NL First). The campaign centers around Trades NL’s position that the provincial government can do more to ensure Newfoundlanders and Labradorians receive first consideration to work on projects in the province and from our natural resources. The NL First position statements include:
 - Government to maximize NL benefits from oil and gas developments by negotiating an increased level of local construction, fabrication and procurement; and
 - Newfoundland and Labrador to receive maximum benefits of the Bull Arm Fabrication Facility.
- Minister Coady has met regularly with Trades NL over the past year, most recently on September 23, 2019 and previously on July 3, 2019, November 23, 2018 and July 24, 2018 to discuss the Bull Arm fabrication site, benefits from natural resource developments and the Bay du Nord project.

Agenda Item #1 – Bull Arm Fabrication Site

- Bull Arm is Atlantic Canada's largest fabrication site and has hosted large component/module construction/fabrication for all four of Newfoundland and Labrador's offshore developments (Hibernia, Terra Nova, White Rose and Hebron).
- The Province owns the land on which Bull Arm is located, which is currently leased to Nalcor-Bull Arm Fabrication (Nalcor-BAF) until March 30, 2022.
- Nalcor-BAF released an EOI in early 2017 to lease the Bull Arm site for future use. This was followed by a RFP in late 2017. Nalcor-BAF received four relevant submissions through the EOI/RFP process and two proponents were selected to enter into negotiations.
- A decision on the RFP process is pending in an effort to maximize site utilization and local employment and business opportunities for communities in the area.

Analysis:

- In 2019, Nalcor-BAF signed a short term lease with DF Barnes for West Aquarius warm stacking at site. In October 2019, Nalcor-BAF signed a further short term lease with DF Barnes for upgrade work for the Transocean Barents which will last until spring 2020.
- DF Barnes has negotiated a labour agreement with the Atlantic Canada Regional Council of Carpenters, Millwrights and Allied Workers (ACRC) Local 585 for work at Bull Arm. While the agreement is solely with the ACRC and is non-trade jurisdictional, certain other unions from Trades NL are able to supply workers under the agreement.
- There have been a number of discussions, meetings and exchanges of correspondence between Trades NL and Government regarding the Bull Arm Site RFP over the last two years. Trades NL has communicated that the current labour model being used by DF Barnes is not acceptable to their membership. Their main issue is that every project to date at the Bull Arm Site has been through the jurisdiction of the Building Trades, including two previous drill rig refits, until the latest two contracts by DF Barnes. Trades NL's position has been that they should continue to be given opportunities for work on the site.
- On Friday, November 8, 2019, Trades NL members staged a protest at both the Bull Arm Site and the Confederation Building with a call to action to support unionized work at Bull Arm.
- On November 13, 2019, a media article reported that *"Trades NL Condemns Wall to Wall Labour Agreement at Bull Arm and Calls on Government to Publically Disclose Details of the Lease with DF Barnes."* The article cited quotes from the Trades NL Executive stating, in summary:
 - *"Government has signed a lease with DF Barnes for the site, with no public consultation, no engagement with our membership, and no disclosure of the details."* – John Leonard, Trades NL.
 - *"This is the second time in the past year that this company has used a "wall-to-wall" labour agreement with a project at Bull Arm, and it is nothing short of an attempt to break the building trades unions. Without making the Local 585 agreement public, we understand that the wages and benefits are significantly reduced from collective agreements we have fought long and hard for, for many years."* – Robert Fiander, Trades NL.

- *We are now seeing a trend in this province of resource projects being developed, but constructed out of the country.* – Rick Gill, Trades NL.
- As well, on November 13, 2019, the Atlantic Canada Regional Council of Carpenters, Millwrights and Allied Workers - Local 585 Regional Manager Mike Williams was quoted in the media as stating: the Local 585 performs maintenance work and not construction work; the Building Trades Construction Council is a construction council; and the union was “tired of watching other non-Building Trade unions” and non-unionized workers secure work that their members should be performing.

Potential Speaking Points:

- What is it you are seeking from the Government of NL?
- This project is a short term refit, as opposed to a construction project. There is no special project order (SPO) in place. In addition, benefits agreements are not typically negotiated for short term contracts in the offshore oil and gas industry such as refits and upgrade work to drill rigs and other offshore infrastructure.
- Labour disputes among unions are not the jurisdiction of the Department of Natural Resources.
- Although you have stated in the media that Trades NL has not been consulted on Bull Arm, I have in fact met with and discussed Bull Arm with Trades NL a number of times over the past year as well consulted with communities in the Bull Arm Area. We have also exchanged numerous correspondence on these issues.
- I consider the views of the tradespersons of this Province to be important regarding their participation in Natural Resource projects, and my Government requires, through benefits agreements, that qualified Newfoundland and Labrador residents receive first consideration for employment on resource development projects. It is my understanding that NL Residents are currently employed at the Bull Arm site and are in a unionized environment.
- A decision regarding the final outcome of the Bull Arm RFP has not been made. We are continuing these discussions in an effort to maximize site utilization. Any decision by Nalcor-BAF regarding the outcome will carefully consider impacts on local benefits and labour issues

Prepared/Approved by: A. Philpott/N. Abundo/C. Martin
Ministerial Approval:

November 13, 2019

Appendix A



November 8, 2019

Honourable Siobhan Coady
 Minister, Natural Resources
 P.O. Box 8700
 St. John's, NL
 A1B 4J6

Dear Minister Coady,

As a result of a meeting this morning among some of our union business managers, I was asked to coordinate an emergency meeting with both you Minister and Mr. Sean Power of DB Barnes. The intent of the meeting is to discuss the evolving situation at the Bull Arm Fabrication Facility, the scope of work, lease agreement and labour model, in an effort to seek a way forward that would include the building trades.

As outlined to you in our November 26, 2018 correspondence, the current labour model being used by DF Barnes is not acceptable to our membership, therefore, the labour unrest we are seeing lead by boots-on-the-ground trades women and men today.

As an organization, we commend DF Barnes for bringing new work to the province. The issue at point with our membership is that every project to date at the Bull Arm Site has been through the jurisdiction of the Building Trades, including two previous drill rig refits, until the latest two contracts by DF Barnes.

Trusting you will be available for this requested meeting. If there are any questions, feel free to reach out to me or President John Leonard at your convenience.

Sincerely,

Corey T. Parsons
 Manager, External Affairs

Cc:/ Darin King
 John Leonard

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