



Government of Newfoundland and Labrador
Department of Human Resources, Labour & Employment
Standing Fish Price-Setting Panel

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May 28, 2009

Mr. Derek Butler
Executive Director
Association of Seafood Producers
10 Fort William Place
Suite 103, Baine Johnston Building
St. John's, NL
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Dear Mr. Butler:

This is to acknowledge your request dated May 26, 2009, for a revision of the Panel's decision on raw material prices in accordance with Section 19.14 of the *Fishing Industry Collective Bargaining Act*.


The Panel has acknowledged in previous decisions that 2009 will be a most challenging and difficult year for all parties involved in the Newfoundland and Labrador (NL) fishing industry. The global economic crisis is impacting the NL fishing industry in the same manner in which it has impacted other sectors of the economy. Addressing these challenges, in the opinion of the Panel, can only be achieved through detailed discussions with all parties affected by the current market situation.

The Panel notes that ASP's request for reconsideration of its earlier decision on crab pricing was not copied to the FFAW nor were they advised of ASP's intention to submit this latest request to the Panel. The Panel also notes that no efforts were made by ASP, either on its own or with the assistance of the Panel facilitator, to engage the other party in discussions on this very important matter prior to its reference to the Panel. It is critical that the FFAW, as the certified bargaining agent for harvesters in the Province, be made aware of and be involved in these types of matters directly affecting its membership.


Accordingly, it is the decision of the Panel to defer any further re-consideration of its earlier decision pending detailed discussions between ASP and the FFAW under the auspices of the Panel facilitator.

In making this decision, the Panel has noted that despite the market challenges impacting the NL crab fishery in 2009, the amount of crab harvested to date in 2009 has exceeded the amount harvested for the same period in 2008.

Dated the 28th of May 2009.



Joe O'Neill, Chair

Bill Wells

Max Short