

STANDING FISH PRICE-SETTING PANEL  
SEA URCHIN FISHERY - 2014

The Standing Fish Price-Setting Panel, hereinafter referred to as "the Panel", issued its Schedule of Hearings for 2014 on February 11<sup>th</sup>, 2014. Pursuant to Section 19 of the *Fishing Industry Collective Bargaining Act*, hereinafter to as "the Act", the Panel set February 18<sup>th</sup>, 2014, as the date by which a collective agreement(s) binding on all processors in the province that process Sea Urchin must be in effect. In the absence of such collective agreement(s), the Panel set February 19<sup>th</sup>, 2014, as the date on which the Panel would conduct a hearing regarding prices and conditions of sale for the species Sea Urchin.

It was noted by the Panel, at that time, that it had been advised by the Department of Fisheries and Aquaculture that no processors' organization had been identified that represents processors in the province that process the majority of the species Sea Urchin. As a result, should a hearing be required for Sea Urchin, presentations would be accepted by the Panel from any processor, processors' organization and the Fish, Food and Allied Workers, hereinafter referred to as the "FFAW". The Panel further advised that in the event of a hearing the parties are to provide the Panel with written submissions not later than 24 hours before the scheduled hearing time and date at fax number (709) 729-5905 or the Panel's office at the Labour Relations Agency, 3<sup>rd</sup> Floor, Beothuck Building, 20 Crosbie Place, St. John's, NL, A1B 4J6.

The parties were also reminded that Section 19.9 (2.1) requires that a party who has engaged in collective bargaining may not make a submission to the Panel at a hearing unless that party had submitted an offer respecting price and conditions of sale to the other party not less than 48 hours before the commencement of the hearing.

At the request of the parties, and with the consent of the Minister of the Department of Fisheries and Aquaculture, the Panel rescheduled the hearing to 2:00 pm, Thursday, November 27<sup>th</sup>, 2014.

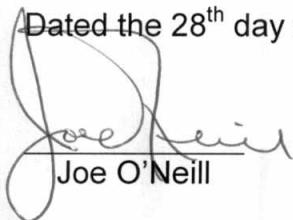
The FFAW filed with the Panel a Sea Urchin Schedule dated the 26<sup>th</sup> day of November, 2014, agreed to with Wood-Pick Enterprises and Hodder Enterprises, which companies are buyers and processors of Sea Urchin. The schedule is to apply from the 1<sup>st</sup> day of December 2014 until the 30<sup>th</sup> day of April 2015.

No other submissions have been filed with the Panel. There is no matter in dispute relating to the price and conditions of sale for Sea Urchin, which has come before the Panel or to its attention. Section 19 of the Act, requires that the Panel must have in place a collective agreement, or part of a collective agreement, that is binding on the parties and all other processors in the province that process the species of fish to which the Panel's decision relates.

At the present time, the Panel has no information to confirm if any other processor will be involved in the purchase of Sea Urchin. It is understood by the Panel that the processors, signatory to the agreement with the FFAW, purchase by far the majority of Sea Urchin from harvesters.

It is the decision of the Panel that the provisions of "Schedule A – Sea Urchin" attached, which forms part of the collective agreement with the FFAW and the above mentioned processors, are binding on all processors that purchase the species Sea Urchin in the province, and will form a collective agreement, or part of a collective agreement with the FFAW.

Dated the 28<sup>th</sup> day of November, 2014.



Joe O'Neill



Bill Wells



Max Short

SCHEDULE "A"  
SEA URCHINS

1. All landed sea urchins will have all debris removed from the catch by the fisher prior to it being weighed. Sea urchins shall be weighed according to the current standard practices of the fisher and Companies.
2. The following information will be recorded with respect to the harvesting of sea urchins:
  - a. The yield of roe from the urchin;
  - b. The pack out weight of roe from the plant;
  - c. The price of Companies receive at market for:
    - i. Live urchins
    - ii. Semi-processed urchins
    - iii. Plant-processed roe
3. The percentage of roe in a shipment will be based on the pack out weight in the plant divided by the net weight of the round sea urchins as originally established at the dockside or at the plant.
4. The Companies agree to give access to a representative of the FFAW to its plant for the purposes of observing the weighting of round urchins and confirming the pack out weight in shipment so that the percentage of roe in the shipment can be calculated.
5. The Companies agree to inform the person appointed by the FFAW of its production schedule.
6. The parties jointly appoint the Fisheries Science Stewardship and Sustainability Board to serve as the Independent Third Party and to generate a weekly report to be provided to both parties. The weekly report will verify the quality of urchins processed in the Companies plants and the return the Companies received from the market place. The Companies will provide proof of weight and prices received from the market place for any sea urchins shipped outside of the province for processing.
7. The cost of the Independent Third Party shall be set out at three thousand dollars (\$3,000.00) and the Companies and the FFAW shall each be responsible for one-half (50%) of the cost.
8. Both parties shall undertake all efforts to secure outside funding to cover the cost of outside monitoring at dockside and at the processing plant. Monitoring shall begin as soon as funding is provided and shall continue for as long as funding is available.

9. Where a portion of an individual load of urchins is processed and a portion is shipped out either whole or partly processed, the market return for both will be reported to the Independent Third Party.
10. The parties shall agree that the Companies, if deemed necessary, shall provide access to their books by the Independent Third Party for audit purposes.
11. By May 30, 2015, the Independent Third Party shall make a final report to both Companies and the FFAW. The report shall include the amount purchased and shipped on a weekly basis, as well as the market return for all product forms. The report shall also provide information on where the final sale takes place and all of the costs of transportation, brokerage fees, insurance, etc. whether Japan or United States.
12. The information gathered and stored in 2014-2015 shall aid the parties to arrive at an agreement on the fair sharing of the market returns for both harvesters and the processors.
13. This Schedule shall remain in effect from December 1, 2014 to April 30, 2015.