

STANDING FISH PRICE-SETTING PANEL

SNOW CRAB FISHERY 2022

The Standing Fish Price-Setting Panel, hereinafter referred to as “the Panel”, issued its Schedule of Hearings for 2022, on March 18, 2022. Pursuant to Section 19 of the *Fishing Industry Collective Bargaining Act*, hereinafter referred to as the “Act”, the Panel set Thursday, March 24, 2022, as the date by which collective agreement(s) binding on all processors in the province that process Snow Crab must be in effect.

The Panel also noted at that time, that it had been advised by the Department of Fisheries, Forestry and Agriculture, that the Association of Seafood Producers, hereinafter referred to as “ASP”, represented processors that process the majority percentage of the species Snow Crab. As a result, under Section 19(11) of the Act, should a hearing be required for Snow Crab, the parties appearing before the Panel would be the Fish, Food and Allied Workers’ Union, hereinafter referred to as the “FFAW”, and ASP. Section 19.11(1) of the Act, and Regulations made pursuant thereto, require that the decision of the Panel must be in accordance with one of the positions, on price and conditions of sale submitted to the Panel by the parties at the hearing. The Panel further advised, that no other positions would be accepted by the Panel, and should other representatives of this species wish to attend the hearing, concurrence from both parties to the collective bargaining must be obtained.

The hearing, if required, for Snow Crab was scheduled to take place at 10:00 a.m. on Friday, March 25, 2022, at the Capital Hotel, 208 Kenmount Road, St. John’s, NL. At the hearing, a preliminary objection motion was raised by ASP. The Panel decided to hear briefs on this motion on Tuesday, March 29, 2022 via WebEX virtual meeting capabilities owing to Covid-19 protocols, and made its decision to reject the motion on Wednesday, March 30, 2022.

After consulting with the parties, the Panel convened the hearing for the species Crab at 10:00 a.m. on Thursday, March 31, 2022, via WebEX virtual meeting capabilities. The parties appearing before the Panel were the FFAW and ASP. The parties having previously exchanged written submissions, copies attached, supported their positions in argument and rebuttal. The parties and the Panel had the benefit of two market reports prepared in March, 2022, weekly market updates and other information on crab production and exports.

The timing of the preliminary motion and the Panel's need to deal with it to ensure an effective conclusion of the collective bargaining process under the Act, resulted in a tight timeframe for the Panel to hear and decide the final offers for Crab. Therefore, the Panel is issuing its decision in summary form at this time, and, will issue its detailed report on its decision in the coming days.

The Panel found itself in a difficult position in light of the volume of raw material involved, the enormous gap in the respective price positions of the parties and the market information available. The Panel's decision is premised on further erosion in the market, the Urner Barry index being the main available indicator.

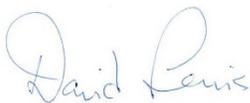
Of course, the reconsideration option under the Act will be available to the parties, as required. Should the reconsideration clause be activated, the Panel urges the parties to go the extra mile in trying to bring their offers as close together as possible.

Considering the review of the market information available and the submissions of the parties, it is the decision of the Panel to accept the final offer of the ASP. The prices for the species Snow Crab will be:

- \$7.60/lb. — 4" carapace and greater.
- \$7.30/lb. — for legal size less than 4" carapace.

These prices will form a collective agreement or part of a collective agreement binding on all processors that purchase the species Crab.

Dated this 1st day of April, 2022.



David Lewis



Bill Carter



Earle McCurdy