

“I Wanted a Career Not a Job”

**First Nations and Métis
Employment in the Construction
of the Lower Mattagami
River Project**



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Table of Contents



Acknowledgements	2
Table of Contents	4
Executive Summary	6
List of Tables and Figures	13
List of Acronyms	13
1. Introduction.....	16
1.1 Building and Construction Trades and First Nations Employment	18
2. Methods	20
3. Project Background: Environmental Assessment and Negotiations with First Nations.....	24
4. Employment at the LMRP	27
4.1 Employment Commitments.....	27
4.2 Implementation	29
4.2.1 Employment and Training Coordinator and the Creation of Sibi	29
4.2.2 Committees to Oversee Employment Plan, Identify and Remove Barriers to Employment	31
4.2.3 Employment Supports On and Off Site	31
5. Employment Outcomes.....	33
5.1 Hiring Numbers	33
5.2 Retention.....	40
6. Successes and Challenges	41
6.1 Successes	41
6.1.1 Employment Outcomes.....	41
6.1.2 Building Relationships and Capacity.....	42
6.1.3 Raising Awareness amongst Non-Aboriginal Workers.....	42
6.2 Challenges	44
6.2.1 Getting Hired.....	44
6.2.1.1 Apprenticeships	45
6.2.2 Challenges to Retention	47
6.2.2.1 Workplace Environment.....	48
6.2.2.2 Travel for Work	49

6.2.2.3 Rigid Camp and Work Policies	50
6.2.3 Funding and Structural Problems Post-Project	50
7. Worker Perspectives	52
7.1 Travelling for Work.....	52
7.1.1 Effect on Personal Life.....	52
7.1.2 Reasons for Travelling.....	53
7.1.3 Adaptations to Travelling.....	54
7.1.4 Commute and Rotation.....	54
7.1.5 Moving away from Moose Factory	55
7.2 Training and Education	55
7.2.1 Recruitment of First Nations Workers.....	56
7.2.2 Providing Funds to Assist with Shortfall of EI to Attend Training....	56
7.2.3 Apprenticeship Teams or Groups	57
7.2.4 Future Plans.....	58
7.3 Job Progression and Advancement	59
7.3.1 Moving into Apprenticeships	59
7.3.2 Opportunities for Advancement	60
7.4 Discrimination and Harassment.....	61
7.4.1 Gender Discrimination.....	61
7.4.2 First Nations Identity.....	64
7.4.3 Reporting	67
7.5 Equity of Layoffs and Recalls	69
7.6 Language	71
7.7 Knowledge of the Amisk-oo-skow Agreement	73
7.7.1 Uneven Knowledge of Agreement	73
7.7.2 Benefits of Agreement for First Nations Workers	74
7.7.3 Perceptions of Aboriginal Rights and Access to Employment	75
7.8 Health and Safety	76
7.9 Union Perceptions	79
8. Conclusions	82
9. References	84

Executive Summary



Introduction

Employment opportunities figure prominently in the private agreements between First Nations, Inuit and Métis governments and the resource companies who want to develop on their territories. Resource companies and Indigenous leadership alike often see employment opportunities as a key way that local communities can benefit from resource-related development. Many early agreements, however, provided for entry-level positions but not for training that would lead to meaningful work that is well compensated for Indigenous communities. As a result, employment provisions in agreements often strive to provide greater detail about access to training and movement into higher skilled positions. Access to training is particularly critical in the construction sector, since jobs are short term and range from unskilled positions that have no upward mobility to registered tradespersons, foreman and superintendent positions. This report offers a detailed examination of how a negotiated agreement facilitated the training and employment of First Nations workers in the construction phase of the Lower Mattagami River Hydro River Project (LMRP) from 2010 to 2015.

The Amisk-oo-skow agreement between the Moose Cree First Nation (MCFN) and Ontario Power Generation (OPG) is a partnership agreement that provides the MCFN with an equity stake in the hydro project, in addition to setting out environmental protections, opportunities for Moose Cree businesses and an Aboriginal employment program. Our research sought to document the strategies used by the MCFN and OPG to maximize the employment and better understand the experiences of First Nations and Métis workers, particularly the Nations included in the original Environmental Assessment (EA) hereafter termed EA First Nations: MCFN, MoCreebec, Taykwa Tagamou Nation (TTN) and the Métis Nation of Ontario. Specifically this report seeks to identify employment strategies that were successful on the project as well as remaining challenges from the perspectives of organizational representatives and workers. The project asks:

- What strategies were used by the MCFN and OPG to maximize EA First Nations employment?
- What were the challenges and successes of the employment plan and strategies?
- How did First Nations and Métis workers experience working the project?
- How were the experiences of First Nations and Métis workers different from those of non-Aboriginal workers?

Methods

To answer these questions we adopted a case study methodology, incorporating community engagement strategies including consultations with the employment coordinator, elders and a handful of workers that informed the design of the interview questionnaires and the focus questions for the project. From February 2013 to February 2015 the research team conducted 76 semi-structured interviews throughout Northern Ontario and in Toronto with 39 workers and 37 organizational representatives. The worker sample over represents First Nations and Métis (59% of the sample but only 13.5% of total population), women (15.4% of the sample and 8.6% of the total population) and workers living in local communities and in Northeastern Ontario (84% of the sample and 40.2% of the total population). Interviews with organizational representatives included employees of the Moose Cree First Nation, OPG, and Kiewit-Alarie a partnership (KAP) involved with employment at the LMRP, business managers and agents from the Building and Construction Trades Unions (BCTUs) involved with the project, and managers and superintendents of some subcontractors.

Context

The LMRP includes the addition of generators to three dams built by Ontario Hydro in the 1960s and the replacement of a dam that was built in 1931. The project is located in the traditional territories of the Moose Cree on Treaty 9 lands, approximately 70km North of Kapuskasing and 150km upstream from Moose Factory. According to Dylan, Smallboy, and Lightman (2013), Treaty 9 included the protection of rights to hunt, fish and trap in the territory. The hydro developments built in the 1960s caused flooding and water fluctuations, hampered subsistence activities and destroyed areas of spiritual significance including historic settlements sites and cemeteries. As a result of these impacts, the EA First Nations developed mistrust towards Ontario Hydro, the precursor to OPG.

In 1990 Ontario Hydro submitted an application under the provincial and federal Environmental Assessment (EA) requirements for the LMRP at about the same time that they initiated a process to settle grievances with First Nations. The project was approved by the provincial government in 1994, without the consent of EA First Nations, but the approval was subject to a number of terms and conditions. The terms and conditions mandated that Ontario Hydro: negotiate benefit agreements with the EA First Nations; provide a 10% price premium on contracting opportunities to EA First Nations businesses; create a Lower Moose River Basin Aboriginal Employment Strategy and an Implementation Plan; hire an undefined number of MCFN personnel into its business unit for its work in the Moose River Basin; and attempt to provide at least 200 person-years of employment for workers from EA First Nations. This target of 200 person-years remains salient: many representatives from Moose Cree First Nation and

OPG mentioned this number, as well as the fact that it has been surpassed. After a delay that spanned over a decade, during which the Ontario Hydro's Demand Supply plan was shelved, and the Ontario electricity industry and Ontario Hydro were restructured, OPG began negotiating once again with the Moose Cree First Nation in 2006 and the parties reached an agreement that was ratified in 2009. The Amisk-oo-skow agreement is comprehensive in that it includes monies for the settlement of past grievances and a community impact agreement. As a partnership agreement it allowed Moose Cree First Nation to buy 25% ownership in the project.

Employment Commitments and Implementation

The Amisk-oo-skow agreement included: the creation of a supervisory position and employment coordinator position; a requirement that the design-build (DB) contractor prepare an annual employment plan in consultation with OPG and EA First Nations; and a general statement regarding preferential hiring. Annual employment plans were to include non-binding targets for First Nation and Métis employment based on the forecasts by the DB of positions that they could reasonably fill by employing First Nation and Métis workers. The agreement did not commit the parties to providing funds for training, but directed OPG and the MCFN to apply for funds from the federal government. The Amisk-oo-skow agreement also set aside 9% of the subcontracted work for MCFN companies or joint ventures; set-aside contractors became a vehicle to increase First Nations and Métis employment since contracts often contained employment commitments that exceeded those in the Amisk-oo-skow agreement. Employment commitments were not consistently included in contracts with non-MCFN subcontractors, though the agreement stipulated that they should mirror employment commitments in KAP's contract with OPG and the MCFN. Collective Agreements between the Building and Construction Trades Unions and the Electrical Power Systems Construction Association (EPSCA), included broad commitment to abide by Aboriginal employment provisions, but did not include specifics about implementation.

The employment coordinator oversaw the implementation of the employment commitments. One of the first steps was to create an organization (Sibi Employment and Training) that served as the main hub for recruitment and training, maintaining a database of available workers and skills and organizing training and placement opportunities. All job requests were to be sent to Sibi for referrals at the same time as they were sent to BCTUs. Working committees with representation from OPG, KAP and the EA First Nations reviewed annual employment goals and identified barriers and solutions. Supports for First Nations and Métis workers on site evolved over time. For example, over the course of the project the team increased Aboriginal awareness training, shortened worker rotations and provided traditional counselling and First Nations advocates on site.

Hiring Outcomes

The target of 200 person-years of EA First Nations employment was surpassed. MCFN comprised 7.1% of the total employees on site and Aboriginal workers as a whole represented 13.5% of total hires. Only in catering and housekeeping positions did Aboriginal workers surpass 50% of total hires. In earlier phases of construction there were higher rates of First Nation and Métis employment because civil work, such as Earth Works, was concentrated at the early phase of the project and was often performed by Moose Cree contractors who had higher rates of First Nation and Métis employment than other subcontractors. The goal of MCFN, however was to ensure that EA First Nation members were moving into trades apprenticeships. Aboriginal people represented approximately 30% of the apprentices hired by the DB contractor. Trades subcontractors had a much lower percentage of EA First Nations and total Aboriginal apprentices and journeypersons than KAP. Some of this discrepancy can be explained by the mechanical nature of the work performed by some of the subcontractors, while some of it is a result of the tendency of smaller contractors to bring their own employees to work.

Table 1 Job type at LMRP based on gender and First Nations membership

JOB TYPE ¹	GENDER			FIRST NATIONS MEMBERSHIP			
	Total (N)	Men (%)	Women (%)	Moose Cree FN (%)	Other EA FN (%)	Other Aboriginal (%)	Non-Aboriginal (%)
TRADES							
<i>KAP employees</i>							
Journeyperson	1065	99.6	0.4	2.2	1	3.8	92.9
Foreperson & subforeperson	255	99.6	0.4	0.4	0	3.1	96.5
Apprentice	171	94.7	5.3	19.9	1.8	8.2	70.2
Trainee	5	80	20	40	0	40	20
Subcontractor employees							
Unspecified	1719	98.1	1.9	3.7	0.8	1.9	93.7
NON-TRADES							
Labourer & truck driver	746	97.9	2.1	13.8	3.2	7.8	75.2
Catering & housekeeping	476	60.7	39.3	27.3	4.6	19.5	48.5
Staff (not including managers, engineers...)	345	59.1	40.9	6.4	1.7	3.8	88.1
Security	56	58.9	41.1	10.7	3.6	10.7	75
Engineers & surveyors	446	91.7	8.3	0.9	0.4	0.2	98.4
Managers, directors, supervisors & superintendents	221	91	9	0.5	0	0.9	98.6
Non-trades trainees	6	66.7	33.3	66.7	0	0	33.3
TOTAL	5511	91.4	8.6	7.1	1.5	4.9	86.4

¹ From KAP employee list covering all hires over the life of the project up to and including Jan. 20, 2015. Gender numbers estimated by modifying the employee list to code all employees with female first names as women.

Over the life of the project, 77 apprentices were hired through Sibi. There was more success placing EA First Nation members in some trades than others because of a combination of interest, education requirements, the availability of work and the willingness of the union to bring in new apprentices.

Retention

Retention was identified as a potential problem early on and mechanisms were put in place to address it. Because construction involves fluctuating personnel needs, retention efforts involved working to ensure that Métis and First Nations workers did not end work prematurely, either voluntarily or as a result of layoff and that whenever possible, they would retain their jobs longer than similarly qualified non-Aboriginal workers. Threats to retention identified by organizational representatives included worker loneliness, lateness, absenteeism, and cases of dismissal that were deemed unjustified by MCFN representatives. An MCFN representative became involved in cases of discipline of EA First Nations workers that would potentially result in dismissal and advocated for the retention of MCFN employees. Despite these efforts, retention rates for EA First Nations workers are not as good as for non-Aboriginal workers: data from the end of January of 2013 shows a retention rate of 44.7% for non-Aboriginal workers and only 35% for workers from EA First Nations.

Successes and Challenges Identified by Organizational Representatives

Organizational representatives cited the employment and capacity building among Moose Cree First Nation people and companies as a major benefit of the project. MCFN representatives also discussed how their relationship with OPG had improved over the life of the project and cited how the project was a step towards Moose Cree self-governance. Interviewees also felt that increasing the awareness of non-Aboriginal workers and managers was a positive outcome of the project.

Interviewees described several issues that had been, or continued to be, challenges to the employment of EA First Nations workers at LMRP, however. These included difficulties placing EA First Nations into jobs on site, particularly apprenticeships. Not all job requests were sent to the Sibi office, and some unions were reluctant to bring in new First Nations apprentices when they had unemployed apprentices in their locals already. There was also a lack of clarity about whether EA First Nations would be prioritized in layoffs and recalls, particularly around the Christmas layoff. Representatives from BCTUs cited difficulties placing apprentices on site because of resistance from contractors. Educational requirements also limited the number of EA First Nations who were able to enter mechanical trades apprenticeships.

Once hired, workers faced additional challenges related to the workplace environment. Although only 29 cases of discrimination and harassment were officially reported to

KAP and deemed legitimate, both interviews with organizational representatives and grievance statistics suggest that many incidents were not reported. Of a total of 163 grievances filed over the course of the project, only six involved First Nations workers (22 grievances would be representative of the population). Respondents described the construction culture as one where racist and sexist comments and behaviour were normalized. Several MCFN representatives also described how in several cases First Nations women left the site and staff only found out after the fact that they were being harassed. Although many respondents felt that MCFN was able to challenge the racism on site this was not true in the case of sexism.

MCFN representatives also felt that the remote camp aspect of the LMRP created additional challenges. Working at a remote camp was a new experience for most MCFN workers and created additional stress on families and relationships. Efforts were made over the course of the project to reduce absenteeism by creating shorter work rotations (two instead of three weeks) and by striving to shorten work commutes to increase time off.

Some MCFN representatives felt that a hard line approach to worker discipline resulted in undue dismissals. Given the disadvantages that many of the workers faced in their daily lives as a result of a long legacy of colonial policies, they faced additional challenges adapting to the rigid regulations governing work and life at the camp. The advocates and coordinators for the MCFN both on and off site also served as advocates for First Nations workers vis-à-vis management.

Last, funding for training programs was also cited as a challenge to the overall employment program. Since funding for training needed to be obtained externally, funding levels were uneven over the course of the project. There was a perception that full funding for the duration of the project would have facilitated the entry of more EA First Nations into apprenticeships in the mechanical trades.

Worker Experiences

The experiences of First Nations men and women and non-Aboriginal men were similar in some respects, and different in others. First Nations men and women who were interviewed were often new to working at a remote camp and being in a BCTU, and First Nations apprentices were often new to their trades. First Nations men and women also faced greater discrimination and harassment and additional barriers to working at the site. The non-Aboriginal men interviewed were more likely to be experienced journeypersons and many had been in their unions for years and were in the mechanical trades. They had a greater level of comfort at the site and had greater economic security so they were able to talk back to contractors and in cases of strong disagreement would sometimes ask for a layoff.

Travel for work - Travelling for work was difficult for all interviewees. First Nations and non-Aboriginal workers, and men and women whether or not they had children, described emotional stress and relationship difficulties that resulted from travelling for work. Most trades workers, nonetheless, accepted travelling as an intrinsic part of their occupation and some noted the positive aspects of travel. Workers travelled because the salaries were higher or because of a lack of work opportunities in their local communities. Parents of young children had particular difficulty, and single workers often felt that work-related travel made it difficult to maintain relationships. Workers often adopted strategies to preserve their relationships with their family and community while travelling. More experienced non-Aboriginal workers would sometimes ask to be laid off or take long breaks between jobs. Workers who got their job through Sibi at times took cultural leaves to spend time with their family. Longer work rotations negatively affected First Nations workers' experiences of travel as did long commute times. As a result some First Nations workers relocated to reduce their commute time to the LMRP.

Training, Education and Opportunities for Advancement - Most First Nations workers accessed their training through Sibi and felt supported by the organization. Workers described how Sibi helped them with financial support, encouragement and the sharing of information and opportunities. Non-Aboriginal workers often described financial challenges that they had faced when attending trade school in another city or location. Perceptions about whether it was possible to advance were mixed for both First Nations and non-Aboriginal workers. Several EA First Nations workers, particularly trade apprentices, felt that their jobs did offer opportunities for advancement, however others felt that nepotism excluded newcomers from higher-level positions such as foreperson. Catering and housekeeping workers were less likely to feel that they could move into higher-level positions easily and some older journeypersons did not want to move into a superintendent or foreman position.

Discrimination and Harassment - Interviews with some white and First Nations workers suggest that the worksite as a whole was perceived to not be a safe environment for First Nations women.

Racist perceptions that First Nations workers were on site only because of the agreement with Moose Cree and that they were not qualified persisted among white workers. Incidents of racism were most often covert since there was a perception from non-Aboriginal workers that overt racism was not tolerated. Experiences of racism also varied among work groups. In some work groups, First Nations workers felt well supported and equally treated however in others they felt that they were treated differentially. Women workers faced additional challenges at the construction site. All but one of the women interviewed described incidents of discrimination and harassment that had happened to them personally. Women at times had difficulty

being properly apprenticed and being placed in positions that matched their skill level. First Nations women had difficulty reporting incidents.

Language - The use of the French language on site was a recurring theme that emerged from the data. Since many of the superintendents and managers working for the DB contractor and specialized subcontractors were Québécois, sometimes instructions or communication occurred in French. Many First Nations workers found this disconcerting. Workers felt that the use of French created communication difficulties and safety hazards. Many First Nations workers also felt that the use of French might have been used to guise racist comments and that not knowing French placed them at a disadvantage.

Amisk-oo-skow Agreement - Workers' knowledge about the basis of the agreement, the role of MCFN on the project and what the agreement meant for employment was highly uneven and greatest among First Nations respondents. Almost all respondents who felt that the agreement benefited First Nations communities felt that the primary benefit was employment. When asked about the agreement, non-Aboriginal workers were prompted to discuss their perceptions of how Aboriginal rights are reshaping work in the north. These perceptions of Aboriginal rights were both positive and negative.

Health and Safety - Worker perceptions of health and safety varied dramatically. Many older workers described the worksite as unsafe and several had quit or been laid off as a result of not being willing to work in unsafe conditions. In contrast, the majority of workers who had obtained their job through Sibi felt that the worksite was quite safe. This discrepancy may reflect the greater experience of senior journeypersons who could compare the site to previous work experiences. The all injury rate (AIR) for the project however (1.81), was more than twice as good as the AIR average for electrical/incidental construction services (4.98).

Union experiences - Although some longstanding First Nations union members joined BCTUs through organizing drives, members from Moose Cree First Nation and other EA First Nations joined through the creation of new apprentice positions resulting from the agreement. Many First Nations workers had positive perceptions of their unions. These workers described advantages to being unionized, such as improved wages, benefits, and protections, and described positive communications and relationships with their union. However, some First Nations workers had lingering uncertainty about whether they would be accepted fully and whether they would be called for work after the end of the project.

Conclusions

The project was successful in helping several workers gain training and experience in construction. The project also helped OPG and the MCFN build relationships with one another and with the BCTUs and construction contractors. Many strategies were successfully implemented or adapted to improve First Nations employment. For example, training individuals for jobs that were already secured and providing monetary support and guidance for workers was critical to job placement. Other changes such as improving the commute time, creating a 2:1 rotation schedule and allowing flexibility around leaves also improved First Nations workers' experiences.

Remaining challenges include: discrimination and harassment, particularly in the case of First Nations women; ensuring that new workers are aware of their right to refuse unsafe work conditions and challenge employers; ensuring that First Nations workers are fully accepted into BCTU unions and appropriately apprenticed; improving the wages and working conditions for catering and housekeeping workers; increasing First Nations representation in company management and union leadership positions; ensuring accountability for all subcontractors.

List of Tables and Figures

Table 1	Job type at LMRP based on gender and First Nations membership.....	9
Table 2	Comparison of workforce and sample according to gender.....	20
Table 3	Comparison of workforce and sample according to First Nations membership.....	21
Table 4	Comparison of workforce and sample according to job type.....	21
Table 5	Comparison of workforce and sample according to home community	22
Figure 1	Sample according to First Nations membership and previous work experience	22
Table 6	Traditional counselling service use	32
Table 7	Job type at LMRP based on gender and First Nations membership.....	32
Table 8	First Nations employment in LMRP set-asides	36
Table 9	Employment in LMRP set-asides according to gender.....	37
Table 10	Number of workers on site at LMRP at peak according to union local	38
Table 11	Total apprentices hired through Sibi according to trade through life of the project.....	39
Table 12	Number of safety incidents at LMRP according to year.....	79

List of Acronyms

ASEP	.....	Aboriginal Skills and Employment Partnership
BCTU	.....	Building and Construction Trades Union
BETC	.....	Business and Employment Training Committee
CCOHS	.....	Canada Centre for Occupational Health & Safety
DB	.....	design-build
EA	.....	Environmental Assessment
EI	.....	Employment Insurance
EPSCA	.....	Electrical Power Systems Construction Association
FN	.....	First Nations
GED	.....	General Educational Development (high school equivalency)
HRSDC	.....	Human Resources and Skills Development Canada
IBA	.....	Impact Benefit Agreement
KAP	.....	Kiewit-Alarie a partnership
LMRP	.....	Lower Mattagami River Project
MCFN	.....	Moose Cree First Nation
MECC	.....	Mattagami Extensions Coordinating Council
OPG	.....	Ontario Power Generation
RFP	.....	Request for proposal
SEBA	.....	Socio-Economic Benefit Agreement
Sibi	.....	Sibi Employment and Training
Ts & Cs	.....	Terms and Conditions
TTN	.....	Taykwa Tagamou Nation

1. Introduction



Indigenous governments and organizations are gaining influence in employment in resource industries. Legal developments concerning the Crown's duty to consult, the recognition of Aboriginal title, and infringement of Treaty rights, have provided the basis for the negotiation of private benefit agreements between First Nation, Inuit and Métis organizations, companies and governments (McAllister 2007; Notzke 1995; Saku 2002). Corporations or governments wishing to develop on Indigenous territories now must negotiate private agreements such as Impact Benefit Agreements (IBAs) or Socio-Economic Benefit Agreements (SEBAs), with the Indigenous peoples who have title or harvesting rights to the lands to be developed (Haysom 2005). Employment provisions often figure prominently in these agreements since resource companies use employment to compel communities to participate in development and Indigenous leaders want to ensure that their members benefit from resource-related employment. Negotiated agreements have therefore become an institution that seeks to increase the employment benefits that northern communities receive from resource development by addressing employment barriers faced by Indigenous peoples. Agreements outline provisions for training, hiring, recall and retention of local Indigenous peoples on resource development projects and set goals for the creation of Indigenous small business opportunities (Mills and Sweeney 2013; Sosa and Keenan 2001).

The proposition that resource projects will spur broader community development by providing employment to local Indigenous residents retains purchase in Environmental Assessments and negotiations between companies and Indigenous communities. Over time, however Indigenous communities across Canada have become more adamant that the job commitments promised provide a pathway to work that is meaningful and well compensated rather than settling for entry-level positions. As a result, employment provisions in agreements now often provide greater detail about the skill level of available jobs and outline opportunities for new workers to access training so that they build skills that they can use in the future. Ensuring that there are opportunities for training as well as jobs is particularly critical in construction, since jobs in this sector are by their nature short term. Work in construction is also highly variable, ranging from the unskilled position of general labourer or cleaner to work that garners higher status such as that of a tradesperson, foreperson or superintendent. Examining the potential of the construction phase of resource development projects to provide opportunities for training and advancement, as well as employment, is therefore of interest to Indigenous governments and the focus of this report.

Employment provisions in negotiated agreements can also be understood as a way to address the barriers that Indigenous peoples face to wage employment that result from

past and present systemic discrimination as well as direct or overt racism. Systemic discrimination is more insidious than overt or direct racism and is defined by the Ontario Human Rights Commission “as patterns of behaviour, policies or practices that are part of the structures of an organization, and which create or perpetuate disadvantage for racialized persons” (Ontario Human Rights Commission 2015, n.p.). Indigenous peoples’ experiences of wage employment are therefore not only a result of present-day discrimination, but are also influenced by the compound effects of past systemic discrimination in multiple institutional spheres including criminal justice, education, health care, and commerce. Discussing the impacts of systemic racism on the lives of Indigenous peoples in Canada, Patricia Monture writes that “Canadians are not aware of the large-scale impacts and layers of intersectional oppressions such as addiction, violence, lack of educational opportunities, over-incarceration, fracturing of family bonds, [and] loss of language on Aboriginal peoples” (2008, 73). These intersectional barriers in addition to geographical remoteness have created multiple challenges to wage employment. While specialized training programs target education and skill disparities that result from past and present systemic discrimination, hiring and workplace environment provisions can challenge contemporary forms of co-worker and employer racism.

Entry into the skilled construction trades can also be difficult for Indigenous people because the sector is structured by informal relationships between project owners, companies, unions and workers. Building and Construction Trades Unions (BCTUs) have a proclivity towards exclusion because they are required to serve their existing members for whom they operate as a hiring hall. In geographical regions and at times where work is scarce, the drive to minimize unemployment for current members often leads unions to limit union entry. In the case of unionized construction work, longstanding exclusionary practices have historically hampered the entry of women, racialized men and unskilled workers more generally into the skilled trades. In construction, this tendency towards exclusion is also coupled with a culture that privileges white working class masculinity (Paap 2006).

Whether employment provisions in negotiated agreements are able to address the multiple employment barriers faced by Indigenous people that result from a myriad of factors including the legacy of a colonial educational system and barriers to entry in skilled construction remains an open question. Negotiated agreements such as IBAs have come under criticism from academics who have questioned the ability of corporate agreements to provide meaningful change (Caine and Krogman 2010). Furthermore, some previous research has found that the strong personal networks in the unionized construction trades can hamper the implementation of IBA hiring provisions (Mills and Sweeney 2013). The following report builds on previous research on Indigenous employment and resource development by providing a detailed examination of the employment model used by the Moose Cree First Nation (MCFN) and Ontario Power

Generation (OPG) to facilitate the entry of EA First Nations workers into construction in the Lower Mattagami River Hydro extension and redevelopment project. The project is an expansion of previous dams on the river, replacing a dam that was built by the pulp and paper mill in 1931 and adding additional generators to three dams built by Ontario Hydro in the 1960s. The project is situated on the traditional territories of the Moose Cree and Treaty 9 territory approximately 70km North of Kapuskasing and 150km upstream from Moose Factory. As such, this report seeks to answer the following research questions:

- What strategies were used by the MCFN and OPG to maximize EA First Nations employment?
- What were the challenges and successes of the employment plan and strategies?
- How did First Nations workers experience working on the project?
- How were the experiences of First Nations workers different from those of non-Aboriginal workers?

1.1 Building and Construction Trades and First Nations Employment

There are both benefits and challenges to the use of resource-related construction work to increase employment and training in Indigenous communities. On the upside, the volume of work provided by big development projects can serve an important training function in the construction trades. Gaining access to an apprenticeship, however, is often a barrier to prospective trades workers. In the unionized construction sector, gaining access to an apprenticeship typically requires union membership. BCTUs often minimize unemployment amongst new members by only bringing in new apprentices if they know that they can place them on a job. It is particularly difficult to place apprentices on smaller projects. In remote regions, fluctuations in the demand for skilled workers are more acute since the overall volume of commercial and institutional work is smaller. Employers' needs for a readily available, highly skilled workforce, can also act as a disincentive to bringing in new apprentices. In this environment, large-scale resource development projects that have high demands for skilled workers serve an important training function since they allow for more apprentices to be trained. The relatively short time frame of most construction projects and the high level of tradesperson skills required at the onset of construction, however, also leave a small window within which to recruit and train local people. People from remote communities often have less access to knowledge about trades work and may not be prepared with the entry requirements.

Employment in the industrial construction sector is governed by multiple relations between project owners, design and build contractors, and smaller specialized construction firms and the BCTUs who act as hiring halls to supply skilled workers. Because of the small size of many construction firms, the geographic spread of available work and the industry's need to bring differently skilled workers to the job at different times and in different numbers, workers move continuously through a cycle of being hired, laid off, unemployed and rehired. The BCTUs play a crucial role in employment by ensuring that skilled workers are provided on the job and by providing workers with a greater measure of job security than they would have on their own. As such, the industry is built on relationships between unions, owners and firms that are in perpetual flux. Although the relationships are governed by legal agreements, hiring is also governed by the close-knit relationships between unions and contractors and individual workers. The informal character of many of these relationships, and the propensity of craft unions to limit new entrants for reasons explained above, however, has made it difficult to identify and address sexist and racist hiring practices and workplace environments. Therefore, notwithstanding the over representation of many new immigrants and racialized groups in lower skilled construction work, contractors employing more highly skilled trades and union halls have a long history of perpetuating a white masculine culture that is hostile to the entry of both women and racialized workers (Freeman 1993; Duke, Bergmann, and Ames 2010).



2. Methods



The report is based on a series of semi-structured interviews with workers and organizational representatives. Initial consultations, which were held in February of 2013 with a Moose Cree First Nation LMRP Elders and a handful of workers, were pivotal in helping to develop the interview questionnaires and shape research questions. Thirty-nine worker interviews were conducted between June of 2013 and February of 2015. Interviews were conducted by Mills and three research assistants. Most of the interviews were conducted in person in Kapuskasing, Moose Factory and Sudbury. Seven interviews were by phone. Participants were recruited through notices sent out by the design-build contractor to all employees, by e-mail from BCTUs to members and by word of mouth. A focus group with four workers was also conducted in June of 2014 to validate the interview results.

We conducted a purposive sample, with the goal of ensuring that a diversity of worker perspectives is represented. To this avail, some groups of workers are over represented. These include women (Table 2), First Nations (Table 3) and apprentices (Table 4). The sample also over represents workers from Northeastern Ontario (Table 5), an aberration resulting from the locations where interviews were conducted.

Table 2 Comparison of workforce and sample according to gender

GENDER	LMRP WORKFORCE ¹		STUDY SAMPLE	
	N	%	N	%
Men	5037	91.4	33	84.6
Women	474	8.6	6	15.4
TOTAL	5511		39	

¹ From KAP employee list covering all hires over the life of the project up to and including Jan. 20, 2015. Gender numbers estimated by modifying the employee list to code all employees with female first names as women.

Table 3 Comparison of workforce and sample according to First Nations membership

FIRST NATIONS MEMBERSHIP	LMRP WORKFORCE ¹		STUDY SAMPLE	
	N	%	N	%
Moose Cree First Nation	394	7.1	12	30.8
Taykwa Tagamou Nation	40	0.7	1	2.6
MoCreebec	19	0.3		
Métis	25	0.5		
Other First Nation	270	4.9	10	25.6
Non-Aboriginal	4763	86.4	16	41
TOTAL	5511		39	

¹ From KAP employee list covering all hires over the life of the project up to and including Jan. 20, 2015.

Table 4 Comparison of workforce and sample according to job type

JOB TYPE	LMRP WORKFORCE ¹		STUDY SAMPLE	
	N	%	N	%
TRADES				
<i>KAP employees</i>				
Journey person	1065	28.1	12	30.8
Foreperson & subforeperson	255	6.7		
Apprentice	171	4.5	11	28.2
Trainee	5	0.1		
NON-TRADES				
Labourer & truck driver	746	19.7	6	15.4
Catering & housekeeping	476	12.6	6	15.4
Staff (not including managers, engineers...)	345	9.1	3	7.7
Security	56	1.5		
Engineers & surveyors	446	11.8		
Managers, directors, supervisors & superintendents	221	5.8		
Non-trades trainees	6	0.2		
TOTAL	3792 ²		39	

¹ From KAP employee list covering all hires over the life of the project up to and including Jan. 20, 2015.

² Excludes 1719 employees of construction subcontractors because breakdown by job type is not available.

Table 5 Comparison of workforce and sample according to home community

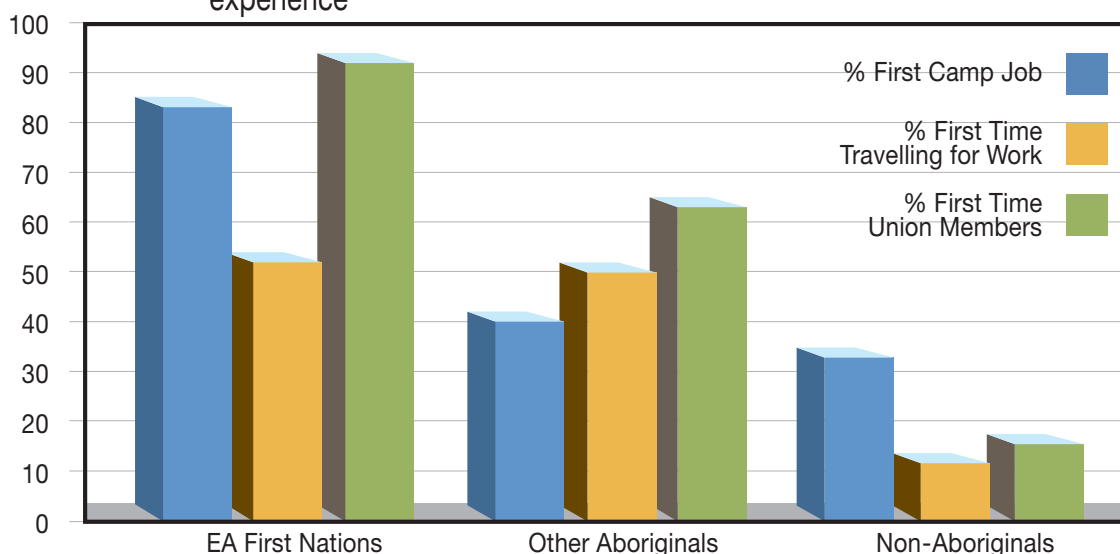
HOME COMMUNITY	LMRP WORKFORCE ¹		STUDY SAMPLE	
	N	%	N	%
Local communities	592	14.2	12	30.8
Other Northeastern Ontario	1086	26	21	53.8
Northwestern Ontario	505	12.1	2	5.1
Southern Ontario	780	18.7	2	5.1
Québec	784	18.8		
Other provinces	385	9.2	1	2.6
United States	47	1.1	1	2.6
TOTAL	4179		39	

¹ From 'Lower Mattagami Employment Summary Tables September 2013', with employees with 'unknown' home community removed.

As can be seen in Table 5, the over representation of workers from Northeastern Ontario results in an under representation of workers from all other parts. In particular, the sample contains no workers from Québec, while the workforce contains many.

As the high rate of First Nations apprentices suggests, workers from the EA First Nations tended to be far less experienced than the other workers on site. Workers within our sample, which in this respect appears to represent the workforce well, were asked a number of questions related to experience: whether this was their first camp job, whether they had traveled for work before, and whether they were first-time union members. The differences in responses (in Figure 1) are stark, especially between EA First Nations and non-Aboriginal workers.

Figure 1 Sample according to First Nations membership and previous work experience



A majority of the Aboriginal workers in our sample obtained their job through the Sibi Employment and Training Initiative (see 4.1 below): 85% of EA First Nations workers and 70% of workers from other First Nations.

A series of 37 interviews was also conducted between February of 2013 and January of 2015 with organizational representatives from Moose Cree First Nation, OPG, BCTUs and contractors on the project. The interviews were semi-structured, and questions varied according to the position and organization of the person interviewed. Mills conducted all but four organizational interviews, in a few cases with a research assistant present. The additional interviews were done by research assistants.



3. Project Background: Environmental Assessment and Negotiations with First Nations



Moose Cree First Nation is a signatory to Treaty 9 and the project is located on Treaty 9 lands. According to Dylan, Smallboy, and Lightman (2013) “signatories to Treaty 9 in part agreed to share jurisdiction over ceded lands, an arrangement that included the retention of treaty rights to hunt, fish, and trap in their traditional territories” (62). Hydro developments built by Ontario Hydro (a crown corporation) through the 1960s had significant environmental impacts, particularly downstream in the Moose River Basin. Water fluctuations resulting from the project caused erosion, lost spawning beds, loss of food for beavers and the flooding of historic Cree settlements sites and cemeteries, which were downriver from the dams. Hydro developments therefore hampered people’s traditional subsistence activities as well as areas of spiritual significance.

In the late 1980s and early 1990s Ontario Hydro¹ had begun a process of settling grievances with First Nations who had been negatively affected by the construction of hydroelectric dams in the past. This policy was motivated by the provincial government’s desire to settle unresolved disputes with First Nations. Ontario Hydro began negotiations with Moose Cree First Nation under the grievance process, however Moose Cree First Nation rejected Ontario Hydro’s offer because they felt that the compensation offered was insufficient and that the agreement did not provide sufficient environmental protection.

Amidst this process, in November of 1990, Ontario Hydro also made an initial application to fulfill the provincial and federal Environmental Assessment requirements for the expansion and development of the Lower Mattagami River Hydroelectric project. The application was part of a broader plan to increase electricity supply in Ontario (the Demand/Supply Plan), which was eventually abandoned. At the time, First Nations groups objected to an independent EA process for the LMRP since they were concerned that cumulative impacts would be overlooked if other developments in the Moose River Basin contained in the Demand/Supply Plan were not considered. As a consequence, the initial EA application did not include input from First Nations, although it did contain some general measures for maximizing Aboriginal employment. The application nonetheless identified the First Nations located in proximity to the project site: Moose Cree First Nation (named Moose Factory First Nation at the time), MoCreebec Council of the Cree Nation and Taykwa Tagamou Nation (named New Post

¹ Ontario Hydro split into five corporations in 1998 one of which is OPG. OPG is responsible for the construction and operation of electricity generating stations in the province.

First Nation at the time). These First Nations became the EA First Nations, a list which has grown to include Métis living in the region. Moose Cree First Nation and Taykwa Tagamou Nation are signatories to Treaty 9, and members of the Mushkegowuk Council. MoCreebec Council of the Cree Nation is not federally recognized and is not a signatory to Treaty 9. However they are included in the Nishnawbe Aski Nation.

The provincial response to the application (Review of Environmental Assessment: Hydroelectric Generating Station Extensions Mattagami River, hereafter Review), released in March 1992, was highly critical of the application in general and of the lack of consultation with First Nations in particular. The Review mandated consultation with First Nations, and included an early set of Terms and Conditions that were eventually replaced by the Terms and Conditions from the 1994 Notice of Approval (see below).

In January 1994, Ontario Hydro filed an amendment to its EA, made necessary by the withdrawal of the Demand/Supply Plan, and in June 1994 provided supplemental information requested by the province. Ontario's Review of the amendment included documents resulting from consultations with the EA First Nations in appendix. These documents laid the groundwork for 24 final Terms and Conditions (Ts & Cs) for LMRP, which were finalized in the province's Notice of Approval in 1994. Despite continuing opposition from the EA First Nations, the project was authorized to go ahead subject to the final Ts & Cs. The Ts & Cs of approval included a requirement for Ontario Hydro to negotiate community impact agreements with EA First Nations, measures to increase Aboriginal employment and a proposal to create the Mattagami Extensions Coordinating Council (MECC) a body with equal representation from the EA First Nations and the Government of Ontario. The MECC was mandated to evaluate the project and oversee the implementation of the Ts & Cs. According to an OPG representative, the mandate of the MECC has remained constant, but the makeup has changed, with OPG rather than the Government of Ontario being represented.

Employment and contracting measures in the Ts & Cs required Ontario Hydro to “promote and provide meaningful and sustainable employment and contracting benefits to First Nation individuals and enterprises” (Ministry of the Environment 1994, 11). Several concrete measures to reach this goal were identified, including the requirements that: 1) Ontario Hydro create a Lower Moose River Basin Aboriginal Employment Strategy and an Implementation Plan for “the meaningful and sustainable employment of First Nations individuals” (Ministry of the Environment 1994, 11); 2) First Nations business are promoted through the provision of a 10% price premium of contracts; 3) Ontario Hydro work with MCFN and other parties to create training and development programs leading to employment on the site; 4) Ontario Hydro hire an undefined number of MCFN personnel into its business unit for its work in the Moose River Basin and 5) the MECC be assigned the responsibility for mediating unresolved disputes regarding the employment plan or the implementation plan. Despite not guaranteeing set numbers,

the Notice of Approval nonetheless suggested that Ontario Hydro should attempt to provide at least 200 person-years of employment for First Nations workers. This target of 200 person-years remains salient: many representatives from Moose Cree First Nation and OPG mentioned this number, as well as the fact that it has been surpassed.

The project was delayed for many years. According to an OPG representative, the main reason for this delay was the lack of a revenue agreement between OPG and the government, but the unresolved negotiations with First Nations also added to the delay. In 2006 OPG began negotiating once again with the Moose Cree First Nation and a tentative agreement was reached in 2007, however it was not ratified by the Moose Cree First Nation membership. The Amisk-oo-skow agreement was subsequently negotiated, and ratified in 2009.

The Amisk-oo-skow agreement is a partnership agreement, with a 25% stake in the project for the Moose Cree First Nation. According to OPG and MCFN representatives, the agreement is a comprehensive agreement since it combines the settlement of past grievances settlement and a community impact agreement for the LMRP. Moose Cree First Nation representatives refer to the Amisk-oo-skow as a treaty-based agreement since it is based on infringement of treaty rights to hunt and fish. Almost every Moose Cree First Nation representative referred to the agreement as treaty based, viewing it as restitution for the harms caused by past developments, which they saw as infringements on their treaty rights. According to one MCFN representative, the foundation for the agreement was that, when dams were originally built altering the river system, they disregarded the hunting, fishing and trapping rights of the Moose Cree, hence their treaty rights were infringed upon and no one came to talk to them. Alternatively, all of the OPG representatives said that the Amisk-oo-skow agreement was not rooted in treaty rights.

By the time OPG was ready to move ahead, a new EA was required federally, as a result of changes in legislation. To this end, in July 2009, a Comprehensive Study Report was released conjointly by OPG and the Moose Cree First Nation, following the ratification of the Amisk-oo-skow agreement. The report contains a section entitled 'Our View of the Land', prepared by Moose Cree First Nation "to provide counterpoise to the western concept of the environment that is statistical and quantitative in nature" (Ontario Power Generation Inc. and Moose Cree First Nation 2009, 4-2) and detail their relationship to the land, the water, and animals. The section on socio-economic effects does not cover employment because this falls outside of the scope of the *Canadian Environmental Assessment Act*, which only deals with socio-economic conditions that are the effect of an environmental change. Federal approval was granted in March 2010. Construction began in June 2010.

4. Employment at the LMRP



4.1 Employment Commitments

In partnership with OPG, Moose Cree First Nation was charged with ensuring that the EA terms and conditions for employment and contracting were fulfilled for all EA First Nations. During the negotiation of the employment terms of the Amisk-oo-skow agreement, MCFN representatives wanted to ensure that their members gained training and work experience that would provide long-term employability. They were therefore reluctant to specify employment targets since in previous cases employers could meet targets by hiring workers into unskilled positions with little regard for increasing skills or experience. The language of the Amisk-oo-skow therefore reflects the true goals of the partners which were to increase the capacity and self-sustainability of the community and to make all available employment opportunities accessible to interested members of the community through the identification and removal of barriers.

The EA objective of 200 person-years of employment for workers from EA First Nations remained as the only concrete hiring target, but it was redefined as a minimum benchmark for employment. The Amisk-oo-skow agreement also provided for the creation of a supervisory position, of an employment coordinator position, and included language on preferential hiring. According to one interviewee, the agreement states that “the design-build contractor should provide employment opportunities to interested Moose Cree First Nation members in priority to other interested EA First Nations” (13_K_30)² and adds that “Moose Cree First Nation members and other EA first nations must follow the general hiring procedures, must meet qualifications and must comply with general employment terms and conditions as set out in section 4” (13_K_30). The employment plan created by the design-build (DB) contractor also needed to include employment targets for EA First Nations employment per year that “will reflect the actual number of job positions that the proponent considers can reasonably be filled by qualified EA First Nations” (13_K_30). The Amisk-oo-skow agreement also includes the caveat that:

“OPG and Moose Cree First Nation agree to use a reasonable effort to meet and exceed this number, provided that parties agree that the annual target shall not act as a quota nor shall the failure to achieve the annual target be legally enforceable. (13_K_30)

According to one OPG representative: “The goal of maximizing employment as opposed to meeting targets is a significant precedent... (although) the language proved difficult to replicate in contract language, where performance measures tied to payments are required to be quantifiable and measurable” (13_K_16). In lieu of targets, the design and build contractor was charged with providing annual forecasts of employment needs to guide recruitment, training and referral programs.

² Interviews with organizational representatives are identified by year of interview followed by a K and a unique identifying number

The Amisk-oo-skow agreement also stipulated that approximately 9% of the subcontracted work on the project would be set aside for MCFN companies or joint ventures. Amisk-Kodim was the special purpose vehicle developed and clearly separated from the band council to screen and select Moose Cree businesses to be referred for DB contract opportunities. The project bids for MCFN companies needed to demonstrate how they would benefit the MCFN either through donations to community organizations, business development or employment. As a result, several of the set-aside contracts contained employment commitments, ranging from a commitment to maximize employment for MCFN members to commitments that 25% or 50% of hires were MCFN.

According to the Amisk-oo-skow agreement, non-MCFN subcontractors bidding on Request for Proposals were also required to include employment commitments for EA First Nations, mirroring those in Kiewit-Alarie a partnership (KAP)'s contract with OPG and MCFN. According to representatives from OPG and Moose Cree First Nation, although employment targets and commitments do appear in the contract between OPG and KAP, they were not consistently included in KAP's contracts with non-Aboriginal subcontractors. One possible reason for this omission may be that KAP had soft agreements in place with many subcontractors prior to issuing its bid on the LMRP.

The collective agreements between the BCTUs and the Electrical Power Systems Construction Association (EPSCA), which govern work at LMRP, include a broad commitment to Aboriginal employment, with no specifics about implementation. All of the collective agreements include an Aboriginal Content Commitment clause, which in most cases stipulates that "where an aboriginal commitment has been established on a project, the Union will agree to the conditions required to meet the commitment" (among others, The Electrical Power Systems Construction Association and the Carpenters District Council of Ontario, United Brotherhood of Carpenters and Joiners of America 2010, 41). In some of the collective agreements, the second part of the clause reads "the Union will cooperate in meeting the content commitments" (among others, The Electrical Power Systems Construction Association and the International Union of Operating Engineers 2010, 46) rather than referring to agreement on the part of the union. A few of the collective agreements also include "providing the candidates meet the minimum requirements of the Union" (among others, The Electrical Power Systems Construction Association and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada 2010, 42) at the end of the commitment. Finally, in the majority of cases, a clause stating "For a project, or jobs within a project, that are less than \$100,000 field labour, and have aboriginal content commitments, the terms of this collective agreement will not apply to those aboriginal content commitments" (among others, The Electrical Power Systems Construction Association and the International Union of Operating Engineers 2010, 46) is also included.

4.2 Implementation

Implementation of employment commitments involved several components: the hiring of a Moose Cree employment and training coordinator to implement the Moose Cree's commitments and the creation of an organization to facilitate recruitment and training; the regular review of employment goals and identification of barriers by working teams including MCFN, OPG, KAP and TTN; and the creation of employment supports for EA First Nations workers both on and off site.

4.2.1 Employment and Training Coordinator and the Creation of Sibi

The Amisk-oo-skow agreement included a requirement to create a Moose Cree employment and training coordinator to implement the Moose Cree's commitments. This included overseeing the recruitment, training and referral of First Nations candidates to the project and the identification of outside sources of funding (i.e. ASETS (Aboriginal Skills and Employment Training Strategy) dollars and provincial and federal funding programs). The employment coordinator for Moose Cree First Nation sought to ensure that hiring commitments were followed by: maintaining a database of available EA First Nations workers; planning and coordinating training to employment plans in conjunction with OPG, KAP and BCTUS; and by providing additional support to EA First Nations who wanted to work on the project, particularly those who wanted to enter an apprenticeship.

Although EPSCA collective agreements included provisions allowing for the implementation of the employment commitments, the employment and training coordinator played a critical role in ensuring that these commitments were enforced. This was achieved by working with OPG to build relationships with BCTUs and develop training to employment plans that would allow for the entry of EA First Nations into trade apprenticeships through affiliated unions.

The Amisk-oo-skow agreement also had a provision that the parties would seek funding for employment training purposes. MCFN was successful in achieving funds for two years through the Aboriginal Skills and Employment Partnership (ASEP) program of Human Resources and Skills Development Canada (HRSDC). The funding application leveraged funds from the LMRP project and followed a co-management strategy that provided MCFN, OPG, KAP, TTN and the Métis with some ownership and say over how funds were spent. Since the funding required the creation of a separate not-for-profit entity to manage the funds, the Sibi Employment and Training Initiative (Sibi) was created. Sibi supplemented the role of the employment coordinator. After the conclusion of the two year ASEP funding period, feedback from HRSDC on Sibi's outcomes was positive but a subsequent application for HRSDC funding was denied, based on HRSDC's assessment of regional needs. In-kind and cash contributions provided to Sibi through

OPG, KAP and MCFN remained a significant portion of Sibi's budget throughout the project and additional program dollars were achieved through a variety of partnerships with the Ministry of Training, Colleges and Universities, local colleges, Amisk-Kodim Corporation, Mushkegowuk Council Employment and Training and unions.

Sibi offers a wide range of training and employment services including pre-employment training, career counseling, work placements and referrals. Sibi also provides individualized support for apprentices, such as financial support, travel and child allowances, and help preparing for trades examinations and filling out paperwork. In its work referrals function, Sibi recruits, screens and pre-qualifies candidates who are then referred to unions. New jobs get sent to Sibi, and if there is a qualified member of an EA First Nation, their name is sent to the union who then screens the applicant, registers them in the union and refers them to the employer. Members of EA First Nations were to be hired preferentially for positions for which they were qualified and obtain automatic membership in the appropriate union, even if they were not yet members of that union. An MCFN representative explains:

“ So how it's supposed to work is if I have a request come through, and that's a new request, so it's a new job on site, and I have someone who has never been there before, and entering the union, and qualified, then that's where the preferential access gets (applied). That that person ends up going to site, and in fact what was agreed was that Kiewit would then deduct their initiation fee because that is a huge barrier. (13_K_2)

Sibi therefore obtained all job requests at the same time as the union halls and was able to check through their database for available EA First Nations workers.

Trades became the focus of the efforts of Sibi and the employment and training coordinator since trades apprenticeships were a tangible way for workers to increase their skills and future employability. Training was tied to employment positions so that all individuals who were trained, if successful, would be able to gain employment on site. Since the first part of the project, early training programs focused on employment readiness, labourer and truck driver positions and apprenticeships in carpentry and as rodbuster ironworkers. As described by one OPG representative:

“ We really didn't want to have people train and sitting at home for a year. So, we tried to work through a timeline. So that's why we didn't start with the electrical, mechanical, because those positions won't be available until late in the project. (13_K_16)

4.2.2 Committees to Oversee Employment Plan, Identify and Remove Barriers to Employment

A committee structure oversaw the development of training and employment plans, and sought to identify and remove barriers to employment that emerged. Despite few numerical targets, working teams including MCFN, OPG, KAP, and TTN representation operated under the clear mandate of maximizing outcomes. An implementation committee with members from OPG and MCFN was responsible for overseeing the implementation of commitments in the Amisk-oo-skow agreement (including both environmental and employment commitments). The working committee charged with employment, Business and Employment Training Committee (BETC), comprised contractors as well as OPG and TTN and MCFN. The DB contractor was responsible for providing updated manpower requirement forecasts on an annual basis which were used by the committee to guide recruitment, training and referral plans. BETC met regularly to discuss the employment issues, identify barriers to First Nations employment and propose training and employment plans. For the first two years, there was a weekly teleconference to discuss HR issues on site in addition to the BETC meetings. KAP also held a four square matrix meeting that discussed HR issues for the site. When problems relating to employment were not resolved by Aboriginal liaisons, HR or the BETC committee, they were brought to the Implementation Committee. According to one OPG representative: “so any issues that they can’t get resolved and become a thorn in everybody’s side get voiced at the Implementation Committee so any time there’s obstacles or people are frustrated which is quite often.”(13_K_15).

4.2.3 Employment Supports On and Off Site

Implementation of the agreement also involved additional supports to remove barriers for EA First Nations. Supports and changes were made over time as issues arose and were discussed in HR, BETC and Implementation committees. Some of the changes that were made included: adding a train stop at Fraserdale to cut down on travel time to and from the LMRP site from Moose Factory; increasing Aboriginal awareness training; changing worker rotation options so that employees could work two weeks in one week out instead of three weeks in and one week out; and providing traditional counseling and First Nations advocates on site.

Initially Aboriginal awareness training was included as part of employee orientation. This training included anti-discrimination training and a description about why Moose Cree First Nation was involved with the project. Later it became apparent that more training was needed and a Moose Cree company was brought on site a number of times, for four days each time, to provide more detailed training to all of the workers

on site. Later in the project, OPG organized a day-long training for managers provided by Indigenous Corporate Training Inc., a British Columbia based company.

The number of support personnel on site also increase over the course of the project. At the outset of the project, MCFN hired a social advocate to work on site to address First Nations issues. As time passed, however, additional positions were added to provide further support for EA First Nations workers and to improve communication between the DB contractor, MCFN, TTN, OPG and the subcontractors. An on-site project lead was hired as a liaison between the MCFN employment, environment and business coordinators, and project staff on site. Because of the number of First Nations issues, MCFN began to provide on-site traditional counselling services periodically. An off-site community support worker who would work out of Kapuskasing was also hired to help workers when they were not on site or when they were traveling to and from the construction site. From August 2012 to December 2014, the traditional counselling services were used over 4000 times by First Nations and non-Aboriginal workers (Table 6). First Nations and non-Aboriginal women were more likely to access traditional counseling services than men. While First Nations women represented 16.5% of the First Nations workers on site, they represented 43% of the contacts with traditional counselors by First Nations workers. Similarly, non-Aboriginal women comprised only 8.6% of the non-Aboriginal workers on site, but 40% of the contacts with First Nations counsellors.

Table 6 Traditional counselling service use

	COUNSELING		CONTACTS	
	Men	Women	Men	Women
First Nations and Métis Totals (N)	214	182	2735	2028
Per Month (N)	7.4	6.3	94.3	69.9
Non-Aboriginal Totals (N)	62	49	1743	1154
Per Month (N)	2.1	1.7	60.1	39.8

KAP also hired an Aboriginal Affairs worker to manage relationships between First Nations subcontractors, employees and KAP and OPG hired another staff to manage relationships with First Nations in Kapuskasing.

5. Employment Outcomes



5.1 Hiring Numbers

The employment provisions of the EA and the Amisk-oo-skow agreement resulted in significant employment opportunities for Moose Cree First Nation members and members of other First Nations. The target of 200 person-years of employment had been surpassed at the time of the study. Table 7 shows the number of employees within each job type at LMRP, with boxes drawing attention to the areas of high Aboriginal employment: apprentices and catering & housekeeping.

Table 7 includes all independent hires (excluding rehires to the same company) over the life of the project up to and including Jan. 20, 2015. Note that data for most construction subcontractors was not disaggregated by occupation but was reported separately from KAP's data. Patterns of employment on the site resembled those of other construction projects throughout Canada. Members of the MCFN represented 7.1% of total employees on site however they represented 27.1% of the catering and housekeeping employees. Aboriginal workers represented 13.5% of total hires and slightly over half (51.5%) of hires in catering and housekeeping. Jobs in catering and housekeeping were the lowest paid of all jobs on the site and had the lowest skill requirements. An area of relative success was the placement of apprentices with the design and build contractor. Aboriginal people represented approximately 30% of the apprentices hired by the design and build contractor. Trades subcontractors had much lower percentages of EA First Nations and total Aboriginal apprentices and journeypersons than KAP. Some of this discrepancy can be explained by the more mechanical nature of the work of some of the subcontractors or a tendency to bring their own employees along with them. Yet the indirect relationship between subcontractors and the project owners also made it difficult to enforce employment programs.

Employment at the LMRP can be compared with that of the construction of the Wuskwatim Project, a partnership between Manitoba Hydro and the Nisichawayasihk Cree Nation in northern Manitoba. The project had an employment program similar to that of the LMRP. Northern Aboriginal people represented 28% of total hires on the Wuskwatim Project (Deloitte 2013). Northern Aboriginal people were similarly over represented in non-trades positions, representing only 5% of journeyperson hires and 20% of apprenticeship hires (*ibid.*). Total Aboriginal people represented 29% of apprenticeship hires and 17% of the total journey person hires (*ibid.*).

Table 7 Job type at LMRP based on gender and First Nations membership

JOB TYPE ¹	GENDER			FIRST NATIONS MEMBERSHIP			
	Total (N)	Men (%)	Women (%)	Moose Cree FN (%)	Other EA FN (%)	Other Aboriginal (%)	Non-Aboriginal (%)
TRADES							
<i>KAP employees</i>							
Journey person	1065	99.6	0.4	2.2	1	3.8	92.9
Foreperson & subforeperson	255	99.6	0.4	0.4	0	3.1	96.5
Apprentice	171	94.7	5.3	19.9	1.8	8.2	70.2
Trainee	5	80	20	40	0	40	20
Subcontractor employees							
Unspecified	1719	98.1	1.9	3.7	0.8	1.9	93.7
NON-TRADES							
Labourer & truck driver	746	97.9	2.1	13.8	3.2	7.8	75.2
Catering & housekeeping	476	60.7	39.3	27.3	4.6	19.5	48.5
Staff (not including managers, engineers...)	345	59.1	40.9	6.4	1.7	3.8	88.1
Security	56	58.9	41.1	10.7	3.6	10.7	75
Engineers & surveyors	446	91.7	8.3	0.9	0.4	0.2	98.4
Managers, directors, supervisors & superintendents	221	91	9	0.5	0	0.9	98.6
Non-trades trainees	6	66.7	33.3	66.7	0	0	33.3
TOTAL	5511	91.4	8.6	7.1	1.5	4.9	86.4

¹ From KAP employee list covering all hires over the life of the project up to and including Jan. 20, 2015. Gender numbers estimated by modifying the employee list to code all employees with female first names as women.

Although the LMRP had a lower ratio of Aboriginal to non-Aboriginal workers than the Wuskwatim Project, this discrepancy should be understood in light of the higher representation of Aboriginal residents in Northern Manitoba than in northern Ontario. A government website states that 65% of the approximately 81,000 residents of Northern Manitoba are Aboriginal (Manitoba Aboriginal and Northern Affairs 2015). In contrast the total number of Aboriginal people living in northern Ontario appears to be substantially lower, though First Nations in Canada are often underreported in statistical data for numerous reasons. A study by Moazzami (2003) found that the Aboriginal population represented 9.28, 15.41 and 6.72% of the total population of Northern Ontario, Northwestern Ontario and Northeastern Ontario, respectively.

The proportion of Aboriginal people who reside in the local communities designated in the EA is higher. Four non-First Nations communities directly surrounding the project

reported more than 250 Aboriginal residents during the 2011 National Household Survey, which was the threshold for a profile of the Aboriginal population to be reported. These communities include: Cochrane, with an Aboriginal population of 1 050 out of 5 340 (19.7%); Constance Lake, with an Aboriginal population of 655 out of 670 (97.8%); and Kapuskasing, with an Aboriginal population of 500 out of 8 196 (6.1%) (Statistics Canada 2011a). The local communities that did not report an Aboriginal population had an overall population of 10 139 (Statistics Canada 2011a), placing the reported Aboriginal population for the local communities at 9.1%. If Moosonee and the populations for nearby First Nations are included in this estimate, however, the number of residents who are Aboriginal people is 7 685, approximately 29% of the population. Moosonee has a reported Aboriginal population of 1 205 out of 1740 (69%) and the Government of Canada reports that the population the Moose Cree First Nation and Taykwa Tagamou are 3 899 and 376, respectively (Aboriginal Affaires and Northern Development Canada 2013; Statistics Canada 2011a). Ontario also has 86 015 Métis, however this number includes Métis living throughout the province, most of whom live outside of the project area (Statistics Canada 2011b). Since MoCreebec is not a registered First Nation, no number is available. If the nearest regional centre, Timmins is included in the population estimate, Aboriginal people comprise approximately 18 percent of the population.

In earlier phases of construction, there were higher rates of Aboriginal employment. For example compiled data from 2013 showed approximately 16% Aboriginal hires over the life of the project. This is in large part because civil work, such as Earth Works, was concentrated at the early phase of the project, and the larger Moose Cree First Nation contractors, often in joint ventures, were responsible for much of this work. These contractors had much higher rates of Aboriginal employment than other subcontractors who were responsible for more of the mechanical aspects of the project.

This higher rate of Aboriginal employment for Moose Cree First Nation companies and joint ventures can be seen in Table 8. The table gives the rate of Aboriginal employment for all companies awarded set-aside contracts, for specific types of work on site which were guaranteed to go to Moose Cree First Nation companies or joint ventures.

Table 8 First Nations employment in LMRP set-asides

COMPANY	CONTRACT(S)	Employee (N)	Moose Cree FN (%)	Other EA FN (%)	Other Aboriginal (%)	Non-Aboriginal (%)
Advanced Security	Site security	56	10.7	3.6	10.7	75
Air Creebec	Air Transportation	n/a				
Archie Sutherland	Site security	n/a				
Cree Aski (CreeVill)	Road Upgrade	71	32.4	7	5.6	54.9
Cree Carriers	Land Freight, On Site Trucking	63	14.3	3.2	11.1	71.4
CS Enterprises, Nuna Logistics	Clear & Grub, Camp Complex, Transmission Lines, Substations	83	37.3	6	4.8	51.8
Ernie Sutherland	Bussing	n/a				
Filion Bus Lines	Bussing	9	0	0	0	100
First Nations Timber	Land Freight, On Site Trucking, Road Maintenance, Site Remediation	n/a				
Innlink	Batch Plant	4	75	0	0	25
Kiewit/KAP	Batch Plant	n/a for Batch Plant alone				
Larabie	Land Freight, On Site Trucking	n/a				
Morris Modular	Camp Complex	66	1.5	4.5	3	90.9
Paytahpun	Fuel Supply and Transport	n/a				
Power Tel	Transmission Lines	n/a				
Sodexo	Catering & Housekeeping	474	27.4	4.6	19.6	48.3
Trow	Third Party Survey	n/a				
Vallard	Substations	13	0	0	0	100
TOTAL for set-asides		839	24.2	4.6	13.8	57.3
Overall total for LMRP		5511	7.1	1.5	4.9	86.4

The rate of Aboriginal employment was indeed much higher for the set-asides than for the project site as a whole: 42.7% compared with 13.6%. Some caution is required in interpreting these results, given that over half of the employees of set-asides are from the catering and housekeeping contractor, Sodexo, which has high rates of Aboriginal employment, but does not represent highly-skilled or well-paid employment. There were also a substantial number of First Nations workers employed by the companies responsible for road upgrades and clearing and grubbing. The rate of Aboriginal employment for both Cree Aski (CreeVill) and CS Enterprises/Nuna Logistics is nearly half, a rate much higher than the nearly 25% Aboriginal employment for Labourers & Truck Drivers at LMRP overall (see Table 7).

Table 9 provides the rates of women's employment for the set-asides. Here too the numbers are much higher than the overall figures, and here again, this is in large part due to Sodexo, which has a large number of women employees. The only other set-aside to offer a substantial number of positions to women was Advanced Security.

Table 9 Employment in LMRP set-asides according to gender

COMPANY	CONTRACT(S)	Employee (N)	Women (%)	Men (%)
Advanced Security	Site security	56	41.1	58.9
Air Creebec	Air Transportation	n/a		
Archie Sutherland	Site security	n/a		
Cree Aski (CreeVill)	Road Upgrade	71	1.4	98.6
Cree Carriers	Land Freight, On Site Trucking	63	1.6	98.4
CS Enterprises, Nuna Logistics	Clear & Grub, Camp Complex, Transmission Lines, Substations	83	2.4	97.6
Ernie Sutherland	Bussing	n/a		
Filion Bus Lines	Bussing	9	0	100
First Nations Timber	Land Freight, On Site Trucking, Road Maintenance, Site Remediation	n/a		
Innlink	Batch Plant	4	25	75
Kiewit/KAP	Batch Plant	n/a for Batch Plant alone		
Larabie	Land Freight, On Site Trucking	n/a		
Morris Modular	Camp Complex	66	1.5	98.5
Paytahpun	Fuel Supply and Transport	n/a		
Power Tel	Transmission Lines	n/a		
Sodexo	Catering & Housekeeping	474	39	61
Trow	Third Party Survey	n/a		
Vallard	Substations	13	0	100
TOTAL for set-asides		839	25.5	74.5
Overall total for LMRP		5511	8.6	91.4

A major focus of the efforts of Sibi was recruiting EA First Nations members to become apprentices. This involved close work with BCTUs to secure access to apprenticeships for Aboriginal workers, as well as individualized support services for the apprentices. We therefore asked union locals for estimates of how many First Nations apprentices they placed at the LMRP site relative to the total number of apprentices placed on site. We also asked each local how many First Nations workers and women they had on site at the peak. Table 10 provides estimates by union local of employment numbers, with overall numbers as well as numbers for apprentices, First Nations and women. While these numbers are estimates, they provide an indication of how the participation of Aboriginal peoples and women varied among BCTUs.

Table 10 Number of workers on site at LMRP at peak according to union local

UNION LOCAL ¹	Total (N)	Apprentice (N)	First Nations ² (N)	Women ² (N)
Brick and Allied Craft Union 28 (Sudbury)	5	1	0	0
Carpenters and Joiners 1669 (Thunder Bay)	250-300	40-50	15-20	4
Construction and Allied Workers (LiUNA) 607 ⁴ (Thunder Bay)	300	4 or 5	120-150	10-15
International Brotherhood of Boilermakers 128 (Sudbury)	25-30	5 or 6	2	1
International Brotherhood of Electrical Workers 1687 (Sudbury)	90-100	20-25	30-33 ⁴	?
International Union of Operating Engineers 793 (Oakville)	130	3	15	3 or 4
International Union of Painters and Allied Trades 1671 (Thunder Bay)	5 or 6	3	0	0
Millwrights 1151 (Thunder Bay)	60	15	8-10	0
Sheet Metal Workers 397 (Thunder Bay)	35	< 5	3 or 4	?
Teamsters 230 (Markham)	60-70	n.a.	about 25	4 or 5
United Association (Plumbers, Fitters & Welders) 600 (Sudbury)	36	9	5	?
United Association (Plumbers, Fitters & Welders) 628 (Thunder Bay)	25-30	5	1	0

¹ Estimates provided by union locals, in most cases representing the highest number of workers on site at a given time, in others the total number they remember being at site.

² Including apprentices.

³ For construction only, not Sodexo.

⁴ According to staff from the Moose Cree First Nation, this is an overestimate

LiUNA and Teamster locals had the highest estimates of Aboriginal workers on site estimating that 40-50 and 36-42% of their workers were Aboriginal, respectively. There are likely two reasons for this. First, these unions represented workers for the MCFN-owned contractors, and second, the unions represented the lowest-skilled workers on site and largely did not offer apprenticeships. Excluding the IBEW, the IUOE, the Millwrights, UA 600, and the Carpenters and Joiners were the unions with apprenticeships that brought in the highest proportion of Aboriginal workers. In some of these cases, the intake of Aboriginal apprentices was a result of informal agreements between Sibi, the union, OPG, KAP, and a subcontractor if relevant. BCTUS who had smaller numbers of workers at the LMRP often had fewer apprentices and Aboriginal workers. Table 10 also illustrates the scarcity of women within the construction trades. Women were only present in five of the 12 unions and were only present in the unions representing civil trades and general labourer or truck driver positions.

Table 11 provides the number of apprentices placed through Sibi on the project. This table indicates that Sibi was most successful placing apprentices as carpenters or as reinforcing ironworkers than in other trades. With the exception of apprenticeships in reinforcing ironwork, there were fewer First Nations apprentices in the mechanical trades.

Table 11 Total apprentices hired through Sibi according to trade through life of the project

TRADE	N ¹
<i>Cook</i>	
Cook's helper	5
Third cook	2
Cook	1
Carpenter	31
Electrical worker	5
Heavy equipment mechanic	2
<i>Ironworker</i>	
Reinforcing	16
Structural	2
Millwright	1
<i>Operating engineer</i>	
Mobile crane	2
Tower crane	2
Parts person	3
Pipefitter	4
Power line technician	1
TOTAL	77

¹ Figures from 'Coordination Report 14-04-17' and 'Apprentices Total.' Note that Sibi also trained 10 apprentices who worked on projects other than the LMRP.

5.2 Retention

Despite the fact that the Amisk-oo-skow agreement had no language on retention, several MCFN representatives identified retention as a potential problem early on and mechanisms were put in place to address it. Because construction involves fluctuating personnel needs both in terms of numbers of workers and skill requirements, retention efforts involved working to ensure that First Nations workers did not end work prematurely, either voluntarily or as a result of layoff and that whenever possible, they would retain their jobs longer than similarly qualified non-Aboriginal workers. The main threats to retention that were identified by organizational representatives included worker loneliness, lateness, absenteeism, and cases of dismissal that were deemed unjustified by MCFN representatives. Two positions, social and community advocate and employment training coordinator, were created to address barriers that EA First Nations employees might face, provide support and improve their retention. Additionally, an MCFN representative became involved in cases of discipline of EA First Nations workers that would potentially result in dismissal and advocated for the retention of MCFN employees.

MCFN advocates often sought to provide EA First Nations workers with support when they faced difficulties at work that were related to problems such as substance abuse, family difficulties or experiences of discrimination and harassment. This involved educating management about systemic discrimination, arguing against dismissals in some cases, and facilitating leaves and returns to work. Several MCFN advocates felt that being owners on the project was an essential element of their leverage when talking to contractors or management.

Despite these efforts, it seems that retention rates for EA First Nations workers are not as good as for non-Aboriginal workers: data from the end of January of 2013 shows a retention rate of 44.7% for non-Aboriginal workers and only 35% for workers from EA First Nations³. As discussed in relation to Table 7, this may be a result of the shift from civil to mechanical work over the life of the project and the over representation of MCFN workers in civil work, and particularly in the workforces of Moose Cree First Nation contractors who were working in the early phases of the project. Other reasons for a discrepancy in retention will be discussed below in section 6.2 and include the work environment, the effects of long distance commuting and living away from home, and management approach to dismissals.

³ Calculated from numbers in “5.3 Employee List 2013-01-28 Summary”.

6. Successes and Challenges



6.1 Successes

Representatives from Moose Cree and OPG discussed many positive aspects associated with the Lower Mattagami Hydroelectric Project. The employment that resulted for members of Moose Cree First Nation was often cited as a major project benefit (6.1.1). Representatives also discussed the relationship between OPG and Moose Cree First Nation in positive terms, as well as how the project was a step towards Moose Cree self-governance (6.1.2). Finally, many interviewees talked about how positive the project has been in shaping the perceptions of non-Aboriginal workers of First Nations and Métis issues and experiences (6.1.3).

6.1.1 Employment Outcomes

Staff from Moose Cree First Nation and OPG emphasized that employment targets, in particular the EA target of 200 person-years of employment for EA First Nations, had been exceeded at the time the interviews were conducted. The number of Moose Cree First Nation members who had entered apprenticeships was in particular seen as a success by many Moose Cree First Nation representatives:



I: What do you see as the main employment successes of the Lower Mattagami?
K: Uh, I think it's getting people into the trades. Where generally people, when they started they were looking at, you know, getting in as labourers. However, when they got exposed to the environment at the project, it kind of opened their eyes and some of them took their apprenticeship training and some of them that had the previous experience or who were easily qualified, we'll say, to do particular work, to become an apprentice or whatever, is that, I think that's where the benefits were as far as employment and training. (13_K_18)

Representatives talked about the life-changing effects that getting and keeping a job on the project had for Moose Cree First Nation members. Moose Cree First Nation representatives talked about having seen members transformed by becoming aware of the possibilities for their life, and seeing beyond the limitations that some felt life on the reserve had. Interviewees also talked about witnessing some Moose Cree First Nation members coming onto the LMRP site to work jobs requiring lower skills, and being inspired to pursue apprenticeships to become skilled tradespeople, and changing the course of their life.

6.1.2 Building Relationships and Capacity

Many representatives for Moose Cree First Nation described the working relationship they had built with OPG in very positive terms. They viewed members of the OPG team as allies in addressing a range of issues about the participation of Moose Cree First Nation in LMRP, and in particular mediating their relationship with KAP. Moose Cree First Nation representatives also talked about the importance of the partnership agreement in building their autonomy. In particular, interviewees described the funds received as an advance on future revenues as important for community betterment, and the creation of Sibi as key to long-lasting employment gains for the community. A Moose Cree First Nation representative described the strategy adopted by Moose Cree First Nation to use the Lower Mattagami development for long-term gain:

“ One thing that we are trying to really avoid is favouring money to individuals. We are totally against that; we want to use this money that is coming in for community development purposes... We are trying to increase further development of Moose Cree Nation. (13_K_30)

Another important aspect to building Moose Cree First Nation capacity had to do with the contracts awarded to Moose Cree First Nation businesses, often in joint ventures with larger, more established companies. A representative explained that Moose Cree First Nation began by focusing on contracts where they had existing expertise, but that their expertise grew:

“ And, you know, it was basically [a question of beginning with] the existing capacity we had. What we wanted to do, we wanted to expand on that. Like we didn't want to go into an area where we didn't have no expertise. However, if you were to ask me that today, we are capable of building the dam ourselves. (13_K_18)

6.1.3 Raising Awareness amongst Non-Aboriginal Workers

Representatives from Moose Cree First Nation and OPG talked about the impact on non-Aboriginal workers they had seen Moose Cree First Nation's participation in the project and the cultural awareness training that was offered to LMRP workers have. They felt that the training that was given to workers, as well as the experience of working side by side with First Nations and Métis workers, gave non-Aboriginal workers an unprecedented understanding of the experiences of Métis and members of First Nations and of the issues they faced. A representative from Moose Cree First Nation discussed a supervisor who he considered racist, and the positive impact that Aboriginal Awareness Training had on her: “She was the first that spoke up and said ‘this is the type of training that should be held as soon as we go to work because I learned so much in this little training’” (13_K_4).

In general BCTU representatives were guarded in discussing their interactions with Moose Cree First Nation and Métis and First Nations workers. A few BCTU representatives described their relationship with Moose Cree First Nation representatives in positive terms:

“ And so we had numerous discussions, in regards to how we are going to attack or address, you know, some of the requirements in regards to Aboriginal content. And so, you know, most of the building trades unions had their input based on, usually, their criteria in regards to entry into apprenticeship and what the requirements are and what we would be looking for. And, you know, the saving grace was the fact that, uh, Sibi and Moose Cree First Nation, you know, weren't asking us to deviate from our normal processes, right? Because they were quite confined to, they want to play by the rules too, which was good. (13_K_17)

A few BCTU representatives also offered positive assessments of First Nations workers, with one representative stating “they're a very happy people” (13_K_20), and a second commenting that there had been recent changes that he judged to be positive:

“ The First Nations, they used to be timid when they came on the job, or very sensitive, listen to every word, oh are they talking about me? Seems like it's disappearing that feeling that they had... So now they interact with the rest more than what used to happen before and before was really, really bad. I'm talking about five, ten years ago. (13_K_12)

Although this comment unfairly places the onus on First Nations workers (and not on non-Aboriginal workers) for a poor working relationship between First Nations and non-Aboriginal workers on job sites in the past, it does indicate that the worksite environment has improved over time. As a result, First Nations workers are feeling more comfortable working on the construction sites.

Furthermore, almost all of the BCTUs recognized that they needed to increase Aboriginal representation within their memberships. This was in part instrumental: business managers and agents stated that they need First Nations and Métis members because projects like the LMRP increasingly require that a certain number or percentage of the workforce is Aboriginal. Other business managers, however, understood the inclusion of local First Nations workers within an understanding and respect for Aboriginal territory:

“ The argument is that if we don't agree to this, we are not going to be up there at all... you have to look at the laws, you have to look at the rights, you know, if it's their land... people made those decisions a long time ago. If we want to work on that land then, it's like... if you've got somebody coming in from another country to work here, well these are the rules, these are the laws, these are the regulations, this is what you have to do. (13_K_17)

6.2 Challenges

Interviews with organizational representatives identified a number of issues that had been, or continued to be, challenges to the employment of EA First Nations workers at LMRP. Interviewees identified several challenges to participating in training and getting hired (6.2.1), particularly access to apprenticeships (6.2.1.1), both for EA First Nations members was also challenge. There were also challenges to retention (6.2.2) that related to the workplace environment (6.2.2.1) and travelling for work (6.2.2.2), and MCFN's relationship to the contractors (6.2.2.3). Finally, funding was discussed as an issue (6.2.3), in particular by Moose Cree First Nation representatives.

6.2.1 Getting Hired

Representatives from Moose Cree First Nation, OPG, BCTUs and contractors discussed problems that arose in securing access to employment at LMRP for EA First Nations. All representatives emphasized access to apprenticeships (6.2.1.1) in their discussion of employment, since this was seen as the main avenue to well-paid employment. Non-trades employment also posed a challenge, however. One Moose Cree First Nation representative discussed the fact that ensuring EA First Nations access to non-trades employment was particularly difficult, given that non-trades jobs are often obtained through informal networks on projects like LMRP. MCFN representatives described how contractors would hire workers without sending the employee requests to the Sibi office. Ensuring that EA First Nations workers were aware of all of the opportunities on the project required constant vigilance on the part of MCFN personnel.

Several MCFN representatives also felt that their understanding that EA First Nations would be the last laid off and the first recalled was not followed on the project and several referenced the Christmas layoffs as an example. There was a perception that First Nations and Métis workers were not being called back to work on an equal basis with non-Aboriginal workers. Work at LMRP was suspended over Christmastime for the first three years of operation. The Christmas shutdowns at LMRP created major issues related to unfair layoffs and dismissals of Aboriginal workers. A representative for Moose Cree First Nation explained:



As an example, after the Christmas shutdown, 2012, they shut the project down for a period of... 10 days. After the layoff, the commitment that we had from KAP was that our First Nations employees would be called back to work first... But they would not give it to us in writing, and uh the previous two years at the Christmas shutdown, we never had any real positive outcomes to the recall of our First Nations employees. So we were really reluctant to believe that this was actually going to occur and we were right. Out of 180 employees we had working before Christmas, they got rid of 73 or 78 of them and had no intent to call them back at all and uh so we had took some strong disagreement with that. (13_K_4)

By the time of the interview, in June of 2013, all but two or three workers had been called back, however this required significant efforts on the part of Sibi. OPG also required that the contractor address the MCFN's perceptions of wrongdoing.

When faced with resistance from the DB contractor or the subcontractors, MCFN often used their political leverage as co-owners with OPG to insist that employment commitments were upheld. This existed even in the case of the set-aside contractor Sodexo, who initially did not hire a sufficient number of EA First Nations workers. As noted previously, MCFN had greater leverage with the DB contractor and the set-asides than with the other construction subcontractors. For example, representatives from Moose Cree First Nation talked about how they used their ownership stake in the project to push the DB contractor to follow through with employment commitments:

“ So there was a couple people that were, umm, not supportive of our involvement, and were not supportive of us trying to get people enrolled in apprentice programs... we said “no, this is our project”, we wanted things to change, so they changed the structure of KAP upper management again and now we are having really good successes. (13_K_4)

The management turnover led to a more positive climate, but issues related to employment persisted, in particular having to do with placing EA First Nations members in apprenticeships.

6.2.1.1 Apprenticeships

A variety of perspectives related to placing First Nations apprentices came out of the interviews with unions, MCFN and OPG staff. For representatives from Moose Cree First Nation, challenges arose from unsupportive KAP management (see above) and the need to build a relationship with BCTU representatives. For BCTU representatives, unwillingness by KAP and other contractors to take on apprentices, the lack of availability of qualified First Nations and Métis members, and issues specific to First Nations and Métis workers were hurdles that had to be overcome. For KAP, resistance from BCTUs and lack of availability of qualified First Nations and Métis members created problems.

For Sibi, building strong relationships with the BCTUs was a fundamental aspect of placing apprentices. Representatives talked about targeting only those workers who were interested in long-term union membership for apprenticeships, in order to satisfy the unions who wanted new members to be committed to remaining union members. Some BCTU representatives reported initially feeling that Sibi had unrealistic goals for Aboriginal hiring, but many representatives described their current relationship with Sibi as positive.

Representatives from the BCTUs talked about the fact that it was difficult to get KAP and

subcontractors to hire apprentices, for First Nations and non-Aboriginal apprentices alike. Some of the EPSCA agreements did not have provisions guaranteeing specific numbers of apprentice hires. Only eight of nineteen agreements include ratios between apprentices and journeymen, and in some cases the ratio is only to specify a maximum number of apprentices but not to ensure an employer must accept apprentices. Possibly as a result of the absence of apprentice ratio language in the agreements, a number of BCTU representatives talked about having to convince contractors to take apprentices.



K: I had to, well I didn't bribe them, but I had to encourage Kiewit to take apprentices for [trade specified] because they don't have language in the EPSCA.
I: So they didn't want to take apprentices?
K: They were reluctant. Same as any, you know, they are always reluctant. But they took them. (13_K_19)

But other BCTU representatives, including from trades that had agreements not specifying apprentice ratios, reported that they had no problems placing apprentices. Experience in this respect seems to have varied, although as the following excerpt suggests, this may be a question of perspective as the interviewee who claimed to not have had problems nonetheless refers to having to push to get apprentices on site.



I: So they were willing, all these contractors are willing to take apprentices?
K: Oh yeah. I never had a problem with getting an apprentice, I always push. (13_K_20)

According to a number of BCTU representatives, the main obstacle to placing First Nations and Métis workers in apprenticeships was the inability to find a sufficient number of people wishing to become apprentices. One representative described low turnout at a job fair that had been organized to draw Aboriginal people to apprenticeships. Some BCTU representatives described a similar situation to describe the low number of women in apprenticeships, stating that they were unable to find women who wanted to become apprentices. These perspectives, however, were contradicted by the experiences of Sibi, and by further comments from BCTU representatives themselves, which suggest that there was a desire by BCTUs to ensure that non-Aboriginal apprentices who they had accepted in the union were also able to gain work hours on the project.

BCTUs were also sometimes hesitant to bring First Nations workers into apprenticeships because of negative preconceptions that they held about First Nations workers. Despite Sibi's attempts to only place apprentices interested in long-term union memberships (see above), several BCTU business agents or managers believed that First Nations and Métis apprentices were less likely to want to stay with the union in the long term. BCTU representatives also stereotyped First Nations workers as being more likely to have problems with absenteeism and lateness. Finally, BCTU representatives talked about the fact that some First Nations workers were not prepared for apprenticeships, either because they did not have their high school diploma, or because the pre-apprenticeship

training did not adequately prepare First Nations workers for work on site.

Despite these opinions, most BCTU representatives claimed to have done their best to place First Nations apprentices, and denied feeling pressure from their membership to provide jobs for longstanding (white) union members rather than workers from EA First Nations. One interviewee from a BCTU did however discuss this tension:

“ So we have to be careful because we get it from both sides, you know? First Nations are squeezing us, our members are saying what the hell are you doing, why you bringing First Nations there, I’m out of work. I’ve been a member for 30 years. You hear all kinds of things, so we’re trying to balance it. (13_K_12)

When asked why they did not have more First Nations apprentices, subcontractors also stated that they had difficulty finding qualified people from EA First Nations to place into apprenticeships:

“ The other issue with dealing with the Aboriginal employment group is educational barriers. A number of the employees... they’re parents at very young ages, they haven’t completed high school in many cases... that created barriers for moving into the more skilled trades, so a majority of the people that were hired here are, um, are from like a labour force like Sodexo, housekeeping, kitchen help. On the construction side, you have the, uh, labourers... or some of them move into more of, uh, carpentry... for us to move them into electric, um, functions, move them into piping, mechanical, um, millwright work, there are barrier tests of course, aptitude tests and math and uh it’s not significant math, it’s not, you know, big bang theory algebra, it’s adding, subtracting, um, working with some fractions and they were not passing. (13_K_7)

A representative from KAP described KAP as committed to bringing First Nations apprentices on site, and facing obstacles from BCTUs. He described pressure from BCTU representatives to bring in their own apprentices, and having to negotiate with them to also bring in First Nations representatives:

“ So, we’ve said, I think, we want two First Nations and that gives room to bring in two of theirs, we’ve got enough people... It’s usually just a phone call “can I bring in, can you let these two come if they pass” but they said we won’t lower our standards, they have to meet the minimum standards (13_K_7)

6.2.2 Challenges to Retention

There were several challenges to retention cited by organizational representatives. These included challenges related to workplace environment (6.2.2.1), such as experiences of racism or sexual harassment for First Nations and Métis women, travel for work and camp life (6.2.2.2) which was hard on families and individuals, and challenges related to a lack of flexibility in camp and work policies (6.2.2.3).

6.2.2.1 Workplace Environment

MCFN representatives felt that the workplace environment was not always conducive to ensuring that EA First Nations workers were free from discrimination and harassment on site. KAP reported that there were 29 documented cases of discrimination and harassment from the beginning of the project to April 2015. This number did not include cases that were reported but that were not deemed to be acts of discrimination or harassment after investigation by KAP management nor did it include incidents that were communicated to MCFN support staff but not reported as an official incident to Human Resources.

While 29 incidents is low for a project that is five years in length, other statistics suggest that many incidents may not have been reported. In a chart of statistics kept by the MCFN support staff on site, the category “workplace environment” accounted for 182 visits from First Nations and Métis workers. While broad, this category included workers’ descriptions of feeling discomfort on site related to experiences of discrimination and/or harassment that were not reported to Human Resources. Some interviewees also commented on the reluctance of First Nations and Métis workers to report incidents of discrimination or harassment to HR.

Grievance statistics indicate that First Nations and Métis workers may also be less likely to approach the union for support in cases where they feel that they are treated unfairly. First Nations workers were less likely to file grievances than other employees. A total of 163 grievances were filed over the course of the project and only six of these involved First Nations workers; if the number of grievances were proportional to the number of First Nations and Métis workers on site it would be 22 (Gernon, pers. com 2015).

First Nations and Métis women faced additional challenges on site and were also reluctant to report incidents of sexual harassment. Several organizational representatives stated that they would often find out about harassment after a woman had quit. As described by one MCFN representative, “construction fields are predominately male... so it’s not ‘till after the female chooses just to leave the project where we find out that she was being sexually harassed as well” (13_K_4).

Some BCTU respondents and contractors described how perceived discrimination was the result of First Nations and Métis men and women not understanding the culture of construction work. When asked about discrimination and harassment, one BCTU representative said that he felt that there were more incidents reported at the LMRP than he “had ever heard of” (13_K_13). He further described how he would warn workers going up to the LMRP that the site was ‘sensitive’ and that they could not talk in the way that they would at a regular construction site.

Another interviewee felt that reports of discrimination and harassment were subjective since they depended on who was conducting the investigation. The respondent suggested that at times they were underreported by management because people would not want to jeopardize their future relationships in an industry where work and jobs are highly reliant on relationships and reputation.

There was a general feeling amongst organizational representatives, however, that the MCFN was able to challenge the racism on site because of their ownership capacity. In one case, MCFN staff fought to have a manager from the DB contractor let go. According to some people interviewed, however, the zero tolerance for racism was not matched by a similar attention to sexual harassment. When asked about the experiences of women on site, several people interviewed implied that the masculine culture of construction that degraded women was unchangeable. For example one organizational representative stated “you’re working at a construction site with a lot of construction workers... and they’re rough around the edges... it’s harder to speak, properly or politely to a lady... Not everyone is politically correct” (13_K_5).

6.2.2.2 Travel for Work

Working at a remote camp was particularly challenging for many of the First Nations workers, adding a degree of stress and contributing to worker retention. Working at a remote camp was a new experience for most MCFN workers. One MCFN member described how living in the camp could be triggering because of past experiences living in institutions. Another MCFN representative described how traveling for work created additional stress on families and relationships: “the stress of being on a remote camp site... things coming up at home and... that’s a big problem... for First Nation workers... they’re separated for an extended period of time, loneliness” (13_K_5).

Deaths in extended families and the need to spend time with children and partners caused many workers to leave the worksite. Although workers were only entitled to three days of bereavement leave for immediate family members, First Nations and Métis workers were able to request unpaid leaves for deaths of extended family members as well as additional days for all deaths.

Catering and housekeeping was identified by many of the MCFN representatives as the unit with the highest turnover. One factor that contributed to high turnover among Sodexo employees was the long rotation schedule of 3:1 versus 2:1 for other workers on site. The longer rotation schedule was preferred by Sodexo employees since it allowed them to earn more money; since their hourly wages were much lower than those of other workers, working more hours allowed them to approximate the money of other workers. Staying at the camp for three weeks at a time, however, was more emotionally taxing for workers. One interviewee drew a connection between absenteeism and the

short amount of time off faced by this group of workers:

“ The biggest concern that we were faced with right now is absenteeism and lateness... People not coming back on their turnaround. Three weeks is a long time away from home and then they go home for a week and then you’ve got two travel days and then you’re only home for five days versus 21 days gone so we face a lot of times [when workers] don’t call back to work or show up. (13_K_4)

6.2.2.3 Rigid Camp and Work Policies

To address lateness and absenteeism, advocates and coordinators offered support and counselling to EA First Nations workers experiencing camp life and long work rotations for the first time. Some MCFN representatives felt that the hard line approach to dismissals of the DB contractor resulted in undue dismissals. Given the disadvantages that many of the workers faced in their daily lives as a result of a long legacy of colonial policies, they faced additional challenges adapting to the rigid regulations governing work and life at the camp. The advocates and coordinators for the MCFN both on and off site also served as advocates for First Nations workers vis-à-vis management. One Moose Cree First Nation representative described a typical situation:

“ Say the guy misses a shift or two because he didn’t hand in his doctor’s slip right away, or something like that, but he had it... So the guy comes back to work and they say, “You’re fired,” and we say, “No, no, no.” They [KAP]’ve done that too many times to our people. (13_K_6)

The DB contractor sought to apply strict policies equally for all workers, yet this meant that many First Nations and Métis workers were losing their employment. As a result MCFN aimed to educate the DB contractor about the additional challenges faced by First Nations peoples so as to provide more leeway in terms of discipline.

6.2.3 Funding and Structural Problems Post-Project

Funding issues featured as a major challenge in many interviews with Moose Cree First Nation representatives. When the funding for Sibi was not renewed by HRSDC, it created challenges to the delivery of training to job programs. At the time of the interviews, Sibi was being funded by OPG and KAP, but not at the level of the previous HRSDC funding. The reduced funding meant that programs that successfully trained and placed workers in jobs were not replicated to the same extent later in the project. Representatives expressed frustration at the inadequacy of funding, both for employment and training purposes, and for supporting workers from Moose Cree First Nation and other EA First Nations on site. There was a perception that full funding for

the duration of the project would have facilitated the entry of more EA First Nations into apprenticeships in the mechanical trades.

There were also some structural factors that created barriers to future work for First Nations apprentices post-project. For most BCTUs, Northern Ontario was serviced by two locals that were based in the more southern centres of Sudbury or Thunder Bay. The dividing line between these two areas was near Timmins and Kapuskasing. This north-south division worked for most BCTU members who lived further south, however it created difficulties for more northern residents since a worker might be unavailable for jobs that were close geographically but located on the other side of the dividing line. Moreover, because jobs near the local did not provide a live-out allowance, it would not be feasible for northern residents to travel to jobs further south. The structural organization of the hiring hall function of BCTUs therefore tended to favour southern workers who lived near their union hall.



7. Worker Perspectives



A number of themes emerged from the interviews with workers at LMRP: travelling for work (7.1), training and education (7.2), job progression and advancement (7.3), discrimination and harassment (7.4), equity of layoffs and recall (7.5), language (7.6), knowledge of the Amisk-oo-skow agreement (7.7), health and safety (7.8), and union perceptions (7.9). Workers discussed these topics both as responses to direct questions related to the themes and unprompted in some cases. The sections below deal with each theme in turn, concluding with recommendations based on the worker interviews. Note that since we only interviewed one Métis worker we were not able to make generalizations about Métis employment experiences. For this reason, and to protect the confidentiality of the worker, in the analysis below, we refer only to First Nations workers when discussing Aboriginal worker experiences.

7.1 Travelling for Work

The difficulties related to travelling for work featured in interviews from all groups of workers. Most workers discussed the negative effects travelling had on their personal lives, although many workers felt that travelling was an intrinsic part of their occupation, and some found positive effects in travel. Most workers travelled because the salaries were higher or because of a lack of work opportunities in their local communities, and a number of workers had developed adaptation strategies to address the difficulties this created.

7.1.1 Effect on Personal Life

Most workers cited the toll that travelling takes on their personal lives. The difficulties related to travel were expressed differently depending on personality, how long workers had been in their profession, and whether people had children. Parents, especially women and single parents, felt the effects of being away from their children very strongly. Single workers also felt the negative effects of being away from their community.



I: How does travelling affect your home life, like with your family and participating in the community that sort of thing?

21: To be honest I guess I was missing out some things, you know, like social events. That's about it, just the social events. I don't have any kids, but it's hard on the other guys who do have kids. (MCFN man)⁴

Other single workers felt that the travel related to their work was the reason they were

⁴ In quotations from worker interviews, a unique number identifies the worker, preceded by FG in the case of workers who were focus group members. 'I' identifies the interviewer. At the end of the quotation, the worker's First Nations membership (MCFN=Moose Cree First Nation, TTN=Taykwa Tagamou Nation, FN=other First Nation) and gender are provided in brackets.

single. Some workers expressed that travelling lead to an inability to maintain healthy relationships, while others talked about the toll it took on families, and the addictions that they felt resulted from it. One male worker as part of a focus group specifically mentioned how being away from home for work damaged his relationship at home: “FG42: Things weren’t working at home in Thunder Bay because I was travelling, gone most of the time... so it wasn’t working out, yeah, travelling home and going to work, yeah that kind of affected my life” (MCFN man).

Women seemed to feel the effects of travel more acutely, in particularly citing loneliness as a negative effect.

“ 2: It is lonely a bit I guess. When you have people up there that you know it is okay. But I sleep most of the time, so, well now I sleep most of the time because it passes the day I guess. (FN woman)

Another woman remarked on the tiring nature of the travel as well as the negative impact on her ability to be there for her children’s’ milestones.

“ I: What were the impacts of travelling on your life?
39: Tiring. That’s about it. Tiring and I wouldn’t be able to spend as much time at home.
I: Like family life or anything?
39: Yeah... One thing I did notice is I missed a lot of my kids’ lives. Graduations. Birthdays.

7.1.2 Reasons for Travelling

When asked whether they would be willing to travel in the future, most workers said yes, however the reasons they cited were instrumental. Money was universally cited as the main reason for travelling. In the case of apprentices, this financial motive meant that they were willing to travel to get the hours required to reach the next stage of their apprenticeship, and eventually achieve journeyman status. More experienced workers had more choice in their decision to travel, as they were not dependent on reaching a specific number of hours worked, and in some cases had capital saved, so were in a better financial position to say no to work. As a result, some of the apprentices who got their job through Sibi and did not like travelling for work were willing to travel for work until they became journeymen, but planned to stop travelling after getting sufficient hours to obtain their Red Seal: “31: But my plan after I get my journeyman ticket is to slow down and work back at home [Moose Factory] for a year or so” (MCFN man).

7.1.3 Adaptations to Travelling

Both seasoned journeypersons and workers who got their job through Sibi had also adopted strategies to preserve their relationships with family and friends in light of the difficulties from travelling. Some workers who got their job through Sibi talked about taking leaves to spend time with family, especially during particularly trying times for spouses or children. The more experienced white workers did not have the same access to leaves as workers who got their job through Sibi, but had strategies to take time off. Some talked about asking to be laid off to take time off, while others planned to take long breaks between jobs. Some workers also put limits on the distances they were willing to travel, with some for instance deciding to stay in Ontario, or saying they would not go to Alberta.

7.1.4 Commute and Rotation

The impact of travelling for work was also affected by workers' commute and their work rotation. Having a reasonable commute time was important to allowing some workers who got their job through Sibi to continue living in Moose Factory rather than moving to more southern locations. The interviews highlighted the importance of ensuring that commutes are reasonable for workers without personal vehicles, for workers who got their job through Sibi in particular. This was successful in the case of the commute to and from Moose Factory: the addition of the Fraserdale stop on the train resulted in a six-hour commute, which workers seemed satisfied with. The commute to and from Timmins however required at least some workers to spend hours in a Tim Hortons in the middle of the night. One worker as part of a focus group described such a scenario:

“ FG40: I had to travel by bus, stay overnight all night, and I had to wait for the bus to go to camp then go straight to work and I was just dead tired by the time I get to work. (MCFN man)

Living further away from the construction site often meant longer commute times, even though workers could take airplanes. When workers were coming from other northern locations such as northern Manitoba, commute times were longer than if workers were coming from southern centres such as Toronto.

Work rotation also had an effect on workers' experience of travelling. At the time of the interviews most workers had the choice of what they wanted their rotation to entail, either three weeks on and one week off or two weeks on and one week off. Because of this, there were few complaints about rotation, which highlights the fact that choice is fundamental for this aspect. Workers typically preferred the two and one rotation, choosing more time with their families and in their communities over more money. In some cases, if workers were going to be required to work three and one, they chose to not work at LMRP. As an example of this, this EA First Nations worker initially opted

not to work at LMRP because he would have had to work three weeks in a row, which would have been too difficult on his family life:

“ 22: The reason [I did not work at LMRP for a period of time] is because the turnaround or the rotations were three and one, and I had a small family, two kids at the time. So with a three and one rotation, it was just too much. I worked [elsewhere] for two years then I got wind that it was a two and one now. (MCFN man)

However, many workers preferred three and one (or even longer) rotations when they needed money.

One worker reported that Sodexo workers were initially required to work particularly long rotations which negatively affected retention.

“ 38: [Housekeepers] and kitchen staff ... When they first started... they had to do five weeks, they had no choice. But now towards the end of that project, now they had choices to work two and one, two and one. So at the beginning they had no choice but to put in five weeks and that was a long time, it was hard to keep them there. Because being away from home and their children and their boyfriend. (MCFN man)

As described in the above excerpt, later in the project Sodexo workers were able to work shorter rotations, normally three and one, but they could request a shorter rotation if they desired. However most preferred the three and one rotation, likely because their lower wages meant that the financial need was greater.

7.1.5 Moving away from Moose Factory

Moose Cree First Nation workers discussed reasons to move away from or stay in Moose Factory. Many chose to move away after obtaining jobs at the LMRP, for a variety of reasons. Some felt that Moose Factory was too small a community, with limited infrastructure and opportunities. In some cases, the reluctance to stay in Moose Factory was also related to conflict or personal problems with specific individuals. One worker talked about moving away from Moose Factory because he likes living in larger cities, another due to the high cost of living, and for some workers moving away was a natural consequence of their occupation.

7.2 Training and Education

Many workers described how Sibi helped them find out about and enter training to be an apprentice. Sibi facilitated the movement of many workers into apprenticeships by recruiting First Nations and Métis workers, anticipating potential problems apprentices might face along the way in their training and resolving problems pre-emptively. Sibi

also addressed problems workers faced as they arose. Sibi helped workers by advertising training opportunities, organizing the provision of courses, providing funds for training and ensuring that workers were properly registered as apprentices and that their hours were counted accordingly. In addition, Sibi organized for groups of First Nations and Métis workers to enter pre-apprenticeship training and apprenticeships together helping to shield against tokenism that may be experienced by workers if they were to enter as individuals.

7.2.1 Recruitment of First Nations Workers

Although not all First Nations and Métis workers described finding out about their jobs initially through Sibi, Sibi was central to the placement of many in necessary training programs and positions on site. Not all of the workers specified how they found out about training opportunities, but of those that did, two workers found out through postings at LMRP, one from a job board at a different worksite, two went into the Sibi office, one learned about the apprenticeship training because he did his GED through Sibi, and six heard about training and employment opportunities from someone (Joyce Spence, in one case; Kim Radbourne, in another; and family members in three). Once people heard about the training, they described the process of obtaining it as simple: “5: There was a job posting for apprentice [trade specified] so I called that number. Then I was directed from Sibi to call the union hall and I went to the pre-apprenticeship there for three weeks” (FN man).

7.2.2 Providing Funds to Assist with Shortfall of EI to Attend Training

Most trades require in-class training after a certain number of hours are completed to obtain the required training to become a journeyperson. Funding is provided through the federal government through Employment Insurance (EI), but the first two weeks without work are unpaid. Apprentices are therefore typically out of pocket for the first two weeks of their training. In addition, funds are not provided for transportation to the location of the training. The locations where training is provided differ by trade. The training for some trades is provided by union training centres, while for others it is provided by community colleges. Very few trades had all the required training available in Northern Ontario, and for several trades the only training available was in Southern Ontario. Most apprentices living in the north are therefore required to travel for their in-class instruction.

Most tradespeople interviewed felt that EI funds themselves were not sufficient to pay for short-term accommodation and food. As a result, travelling to attend apprenticeship training was potentially prohibitory for both First Nations and Métis, and non-Aboriginal respondents. Non-Aboriginal workers described a variety of

financial strategies that they had used to attend the in-class training such as finding an inexpensive place to rent with many other apprentices to cover their costs, staying with a friend or relative or bringing a trailer such as the respondent below:

“ I: So how did you manage? ... Especially living in Toronto?
32: It was brutal. You can know someone. I brought my tent trailer down there, the one year, and my buddy and I stayed in a campground, which was pretty awesome. (white man)

Despite the financial difficulties involved, however, only three of the white men interviewed discussed facing challenges obtaining training. Some of the challenges included being able to get time off from their employer to attend the required training.

First Nations workers who obtained their employment through Sibi did not describe challenges to attending training because Sibi provided additional support to ensure their success at trade school. The cost of attending school would likely have been prohibitory for many northern First Nations and Métis residents because of higher travel costs to attend trade school from more remote locations and because northern First Nation and Métis workers may be less likely to have funds from personal or family sources saved that they could draw on while at school. The provision of funds by Sibi was therefore crucial to ensuring that northern First Nations and Métis members had financial means to complete their apprenticeship training. Several respondents showed a deep trust in Sibi helping them attend their apprenticeship training:

“ 31: I am not too worried about money once my E.I. comes in, because I'm pretty sure Sibi will continue to help, because that is what they did last time too when I was [living in a city in Northern Ontario]. (MCFN man)

7.2.3 Apprenticeship Teams or Groups

Another strategy Sibi used to help ensure that First Nations workers would complete their apprenticeship training successfully was to organize apprenticeship training in groups. Often new apprentices were brought in together in groups of four to eight workers. Cohorts of First Nations apprentices guarded against the tokenism of working in a predominantly white environment and also facilitated mentorship among workers. An older apprentice described how he helped other apprentices through the training process:

“ 36: Probably because I'm a little bit older than the guys, umm, you know, a little more experienced I guess, umm, I don't know, I tried to help them out as much as I can, especially the young guys, you know, push them when it came time to go to trade school, help them with their studies, mentored them, you know. I do what I can, you know. (MCFN man)

Another experienced worker recounted how cohorts of First Nations workers also created competition on the worksite with non-Aboriginal work groups to the benefit of production:

“ 38: And all us Moose Cree we stuck together as a group because you know at the beginning there you gotta stick together. And then the non-natives had their own group. So we worked together... [and] we seemed to be faster... and they didn't like it. And they said: “you guys are racing.” “We're not racing,” I told them, “we're just doing our work. Everybody has a job to do and we put it together.” ... But I mean, I think they tried to keep up with us... So we sort of gave them a push... So we sort of sped up their work a bit because they're trying to keep up with us. So that was one of the good benefits. (MCFN man)

Bringing in apprentices in groups, however, required that Sibi negotiate with unions to get a commitment for them to bring in certain number of new First Nations apprentices and in some cases modify the entrance requirements. One respondent described the latter as an example of how the union was helping First Nations workers.

“ 18: I think my union has done a perfect job because when we first wrote the entrance exam... there was a high rate of Aboriginal, we're not passing the exam because, what they told us is, well it's just common sense but for us, for the majority of the people back at home they had no knowledge of construction, of the trades... So they noticed the high rate of people not passing so what my union did was they offered a course... they told us, hey, take this course, you know, basically if you take it and if you fail our exam we'll let you take it over and over and over until you pass because they wanted to know how we learned and what was wrong and how can they improve the success rate. (MCFN man)

7.2.4 Future Plans

When asked whether there was training they were interested in for the future, all of the workers who got their job through Sibi said yes. Several workers identified the next steps in their apprenticeships as the future training they were interested in, four workers identified training in a trade related to theirs (for instance, getting their welding ticket), one wanted to get their red seal, one identified a leadership course to become foreperson, two wanted to get their GED, one planned to go to college, one planned to complete more university level education, and one wanted to get their GED and go to college. One last worker mentioned many possibilities:

“ I: Is there any other education or training at a higher level that you would want to participate in?

...

22: Well, I could be pragmatic or I could be idealistic right, so which do I say?

I: If you were to be pragmatic, what would your answer be?

22: It would be a welding ticket, boom tickets and operator tickets for the job,

related, and idealistic would be project management or something like that. And to consider a completely different career path it would be to go to university as a [science] student or something like that. (MCFN man)

Despite the major challenges to obtaining training that Sibi addressed for the workers, First Nations apprentices still faced a range of challenges. These ranged from fundamental life changes to more minor organizational issues including moving into the trades from a different occupation and not having a high school diploma to enter their desired profession.

7.3 Job Progression and Advancement

One hope of the Moose Cree First Nation was that the LMRP would provide opportunities for First Nations members to gain skills and move into more highly skilled jobs. In addition to progressing through the apprenticeship process, workers also advanced by changing their employment on site. Of the 18 workers who obtained their job through Sibi, 11 changed at least one aspect of their employment such as their employer or job description. In some of these cases, changes allowed workers to move into jobs with a greater opportunity for advancement.

7.3.1 Moving into Apprenticeships

Four workers started their employment at LMRP with Sodexo, but moved to a different subcontractor to pursue better opportunities in the trades. When explaining why he took a job at the LMRP, one man described how his approach changed from getting a job to training for a career.

“ 36: In the beginning it was about work. I was doing seasonal work at the time... the season was coming to a close and this opportunity came up. I got my foot in the door at LMRP through Sodexo and, when the apprenticeship was offered and a date was given, I continued working for Sodexo in maintenance until I had to leave to start my pre-apprenticeship training. (MCFN man)

Compared to other work on site, working in cleaning and housecleaning offered few opportunities for advancement. One of the few opportunities that did exist was to apprentice as a cook or baker. One worker described leaving Sodexo when he discovered that the company was not submitting his hours to the ministry as an apprentice. Another worker described leaving Sodexo so that he could enter a career and because the pay difference between Sodexo and work covered by the BCTUs was substantial:

“ 5: As a janitor they paid me \$13 but because I went to pre-apprentice training you usually start off at 60% of journeymen rate. Since I went to that thing for two weeks, the hall jumped us right away to 70% which was about \$24 something an hour, and it goes up from there. It goes 60%, 70%, 80%, 90%, 95% then once you write your test you get the full rate.

- I: That is a lot better.
5: Yeah, it is almost double.
I: Any other reasons for changing employers?
5: I wanted a career not a job. (FN man)

Two First Nations workers similarly started with Kiewit and then moved into apprenticeships within the same company. One moved from a non-construction staff position while another moved from a labourer position to an apprenticeship position in a mechanical trade. Other moves were lateral. Several workers worked for more than one contractor on site and some workers moved within Sodexo.

Most workers who did not get their job through Sibi remained with the same employer while working on site. In a handful of cases workers changed crews or advanced to foreman on site. First Nations workers who obtained their job through Sibi were more likely to return to work at the site with another employer after layoffs because of the efforts of personnel to ensure that EA First Nations obtain the first chance at employment.

7.3.2 Opportunities for Advancement

There was some optimism among EA First Nations, particularly trade apprentices, who felt that their jobs did offer opportunities for advancement. These perceived opportunities included moving forward through more training, gaining journeyperson status, or becoming a foreperson or superintendent.

- “ I: Do you have any opportunity for advancement in your job?
36: Oh yeah, uh, we started out at the bottom, and we’re working our way up. Now that we’re journeymen, you know, there’s opportunities for us to move up the ladder, become subforeman, or foreman, or general foreman, or superintendent, you know, maybe even management within the company, you never know. (MCFN man)

However, other workers from EA First Nations, particularly more seasoned workers, were less optimistic about the prospects for advancement. For example, one journeyperson described how most supervisory positions were already occupied by workers from Québec.

- “ I: So for the LMRP job, did you have opportunity for advancement in that job?
38: Not there, I don’t think. They had their own people.
I: ...You say their own people, like that they brought in from the South?
38: More like East. Québec, Montreal, around that area, mostly from there... Even at the beginning, when we first started, a lot of Québec people... Well, I mean, they’re all hired from Québec, most of the foremen, some supervisors. So basically they have control of the project. (MCFN man)

This view of workers from Québec was echoed by other EA First Nations workers as part of a focus group: “FG42: There was people from other locals like 1669 Thunder Bay could have been foremans taking positions instead of people from Québec, you know. I find that, you know, discriminating ‘cause Kiewit’s from Montreal” (MCFN man). Still other EA First Nations workers instead expressed a lack of interest in the prospect of advancement in general.

Amongst the non-EA First Nations workers, about half felt that there were opportunities for advancement. One maintenance worker and one labourer felt that they were stuck in their positions, with no possibility for advancement within their employment at LMRP. For some of the more experienced white workers, advancement would mean becoming a foreman or other supervisor, and a number of workers expressed that they were either not interested in this, or felt it was not a possibility for them.

7.4 Discrimination and Harassment

Our interviews with white and Aboriginal workers suggest that the worksite as a whole was not a safe environment for Aboriginal women. Although there were fewer incidents on the basis of Aboriginality than gender, perceptions that Aboriginal workers were on site only because of the agreement with Moose Cree and that they were not qualified persisted among white workers. Incidents of racism towards Aboriginal peoples seemed to be localized within particular work groups. In other work groups, Aboriginal workers felt well supported and equally treated. Aboriginal respondents were also more likely to report incidents of discrimination and harassment than white men.

7.4.1 Gender Discrimination

Both men and women working at the site described challenges that women workers faced at the construction site. Although very few men reported observing incidents of discrimination and harassment on the basis of gender, this was not the case for the women interviewed. Similar to men, women were reticent to answer yes to the direct question of whether they had witnessed discrimination and harassment on the basis of gender, yet all but one woman had described incidents of discrimination and harassment that had happened to them personally at some point in their interview. When asked if the Amisk-oo-skow agreement benefited women, one woman responded: “9: Not really, no. Where we work, they don’t seem to care and nothing has changed. There is a lot of discrimination” (FN woman).

Several women described feeling uncomfortable with the lewd comments or unwanted gazes of male co-workers. When asked if she faced discomfort being a woman on the site one woman responded: “11: Um, sometimes, yeah... Just the guys there, they’re sometimes really perverts, or they make comments, try to like ask you to like come to their room and...” (FN woman).

The experiences reported by women were also confirmed by those of several men who felt that women faced discomfort on the construction site. One man described how he felt that women would feel uncomfortable being stared at by men.



I: Do you think that women face any discomfort being a woman on site?

16: Yes.

I: Can you describe?

16: Uh, get gawked at. Gawking, you know what I mean. (white man)

Respondents also described particular difficulties for women working in catering and housekeeping. Particularly telling was one man who described some specifics regarding the kind of harassment experienced by women working in housekeeping:



38: Basically I think the housekeepers are getting the worst of it... the washrooms, for instance... you see discrimination there... Writing stuff or, I mean, you know, plugging up the toilets. Toilet paper in the disposal there. So every time they go in the washroom when it's time to clean, they see those things almost every day. Or even someone wiping it on the toilet seat or even on the shower stalls, and the cleaners have to clean that. (MCFN man)

Two women also discussed incidents of sexual harassment that had happened to other women on site. A small number of men also described being aware of incidents of harassment of women, although in some cases it was not clear whether the men considered the incident to be gender-based sexual harassment, or simply personal conflict: "22: There is this one woman that was getting, a guy was being a jerk, and she said I don't like that" (MCFN man).

Worksite policies prioritizing the employment of Aboriginal workers have been linked to feelings of tokenization on the part of the workers that benefit from the policies (Mills 2011). These feelings can be exacerbated for Aboriginal women, who represent a small minority of workers on site, and a vanishingly small minority of tradespeople. Several workers commented on the very low numbers of women on site, and within construction and specifically within the BCTUs. The only woman in a trade in the sample reported being the only woman at her union meetings. A number of men also commented that there were few women in their trade or in trades in general. One stated:



I: What do you think your union can do to better represent women on site, if at all?

18: To tell you the truth there aren't that much women in the union. Like, for example, like [woman worker], she is the first woman that happens to be Aboriginal to be [an apprentice in this trade] for our union and our union covers all of Ontario [for our trade]. So like unions are all about brotherhood and all that... So I guess you could say it's not a girls club. (laughs) (MCFN man)

Another suggested that the Amisk-oo-skow agreement did not help women as much as men since there were not very many women apprentices:



I: What about women, do you feel like the agreements helped First Nations women?

36: ... I think maybe they could have pushed a little bit more to get the females into the trades... I didn't find that there were enough, especially for our members, Moose Cree First Nation, and any other First nation involved... I noticed a lot of the Aboriginal people that were working there were in the kitchen and then housekeeping, was there anything offered to them to advance? You know I'm not too sure. (MCFN man)

Other respondents also pointed to the limited opportunities women had for advancement because of their under representation in the trades and their over representation in catering and housekeeping, positions that offered almost no opportunity for advancement and were paid much lower wages. In response to the question of whether the Amisk-oo-skow agreement benefited women, one man stated: "16: I really haven't seen too much of it... maybe administration... As far as advancement, I'm not too sure how many will get away from Sodexo, but it does get them more job opportunities..." (white man).

Several respondents also remarked on the small number of women in many BCTUs:



27: To this day, because that hall just got taken over by Toronto, about six months, to that day, we had three Natives in that hall but never a woman. That hall had never taken a woman... they never ever wanted a woman in that hall, and the reason why was because they figured it would be trouble on the job site, like with the men and whatnot. (white man)

Since women are a small minority both at the dam and within the BCTUs in Ontario they were perceived to be an anomaly. This token status contributes to the construction of women as unskilled workers. Previous research has found that women entering construction are held to higher standards than white men since the definition of skill in construction is embedded in notions of masculinity (Paap 2006). Accordingly two women experienced discrimination by supervisors. In one case, a woman apprentice described difficulties getting properly apprenticed. According to her, the journey person she was working under felt that women needed to be taken care of and should not do difficult tasks. She approached her foreman with her concerns, but he did not act, so she then went to her shop steward. This angered her foreman, who assigned her to unsupervised tasks, forcing her to teach herself required skills. Another woman described a series of issues and problems with co-workers and supervisors, and concluded: "9: If you argue more, you'll get fired, especially if you're a woman" (FN woman).

Notwithstanding the material above, many men described the site as being a positive environment for women. The presence of any women in non-traditional trades seemed to be sufficient to give workers the impression that the site was a positive environment for women, and/or that the agreements between OPG and First Nations were benefiting women. For example, the worker below suggested that there were now women in the trades where there were none before.

“ 5: I guess you hear things like teasing sometimes. Things are changing now and I think even the unions are starting to realize that, because back in the day, you know what I mean, you wouldn't see a women in construction. But now they have women truck drivers, ironworkers, welders. I don't know, some people would tease them, I guess, but in solidarity type thing, I guess. Not to put them down just, I guess they would still have to put up with it sometimes though. (FN man)

In his comment, the worker above acknowledged that women in the trades were often teased, though he minimized the potential impact of the teasing suggesting that it was a form of worker solidarity. Another worker described a situation where he observed woman apprentice being properly trained:

“ FG42: I know this one apprentice just like, she uh... she got treated right, I guess. They made her try to handle the work situation, do it on your own kind of thing and try and figure it out... This journeyman who's a foreman... came there to show her... techniques, you know, how to do things. (MCFN man)

7.4.2 First Nations Identity

Overall, First Nations workers reported there not being a great deal of discrimination on the basis of First Nations identity and that when incidents of racism were reported, they were handled quickly and seriously. Only two of the women interviewed felt that the discrimination and/or harassment she experienced was related to being Aboriginal. The other women attributed discrimination they faced to being women, stating either that there was not racism on site, or that they did not feel discomfort being Aboriginal on site.

Most of the thirteen Aboriginal men who got their job through Sibi were aware of incidents of harassment or discrimination, although there were only two cases where respondents described incidents that were specifically directed at them. In most cases, however, workers described an environment where comments that were overtly racist were not tolerated. One worker described overhearing racist comments:

“ 5: I notice stuff like that. Overhearing people saying “I don't know, see, why they get this and that, you know what I mean, I have to work and they get tax-free money”. It's just ignorance is what it is. Or “I don't care that it is their land, why is it their land anyway?”, you know. Stuff like that, you hear. It is kind of hush-hush it seems at times. (FN man)

The comment of this worker indicates that although he was aware that there were racist comments shared among white workers, they were not being shared openly. Another respondent described how there was less racism on site than what he had anticipated when starting his job:



I: Did you think there would be racism more than there was?

31: I thought there would be some. But I haven't encountered any except for one guy, but he got fired shortly after because he started picking on quite a few Natives. So everyone kind of banded together and they got rid of him.

I: By everyone banded together, what do you mean, who is everyone?

31: It was everybody, like he wasn't a very liked guy. He was an asshole to most but he did a lot of his picking on towards natives. Then even the French guys and the English guys from [Northern Ontario] noticed that. (MCFN man)

This worker similarly described an environment whereby overt racism was not tolerated by white and First Nations workers. Other First Nations workers who obtained their jobs through Sibi described observing racism in job allocation on site even if they did not experience it directly. Two workers observed that First Nations workers were being given the more tedious or physically arduous jobs such as the dish pit in the kitchen or digging work in the case of labourers.

Another worker described how the systemic racism faced by First Nations translated into racist constructions of First Nations workers as incapable or unskilled on the job site.



18: And so when we come work here... we're working with people that have, years of experience. Their fathers have been in the trades, it's like their third, second, fourth generation... So we're working with them and... we're not that knowledgeable about the trade. And so, as being a Native, we're, I guess you could say looked down upon. And we're, it's like we're not fit for the job because we're competing... you know, something new to us, to, opposed as a worker that's fourth generation [trades worker]. And so, we're looked down upon and so it's like we're incapable to do the job. (MCFN man)

First Nations workers' perceptions of whether they were being properly apprenticed or trained, however, were very dependent on their trade union. Some workers had very positive experiences being apprenticed: "24: But with our hall... I have seen that they treat us with respect and they teach us. They are not pushing us away or pushing us to the back. They care and everyone is awesome... it's a great union" (MCFN man).

Other First Nations worker had less positive opinions about whether or not people were being properly apprenticed on site. One experienced worker had the view that First Nations apprentices were not always properly used, and explained how he would

work to rectify that issue, stating:

“ 38: [The] apprentice is just the one that’s carrying the lumber: “oh we need that tool there,” and they need to get into that practical. That’s why sometimes I just stand back and let the younger ones do the work, because my time is almost up... and these ones are just starting out, so I give them some opportunity for some practical work at least.

Several participants in a focus group of First Nations workers also expressed frustration and negative perceptions of the quality of apprenticing on site. Of these workers, one even decided to resign his position due to his perceptions of unfair treatment:

“ FG41: I quit because three rotations I was just cleaning... I didn’t look at it as racial, it was just because I was apprentice they always wanted to put me in shittier jobs so I just said: “I wasn’t hired for this so I’m quitting.” (MCFN man)

Another participant in the focus group described his own experience of being improperly apprenticed and the consequent conflict with his supervisor:

“ FG40: It was my first time working on the dam eh, my first night shift. I was there and my site supervisor came up to me like: “What are you doing? What the hell are you doing?” “I don’t know man, everybody’s speaking French, like what do you want me to do?” Like he expected me to know, you know where to go, what to do. “I never did this before in my life man, like, tell me where to go, there’s a reason why they call you a supervisor, you know?” (MCFN man)

This same worker also described observing a woman working as a carpenter’s apprentice being improperly apprenticed.

A few of the white men interviewed were aware of incidents of discrimination or harassment against Aboriginal workers.

“ I: Did you ever observe or experience any behaviour that you considered to be discrimination or harassment that other people faced?

34: Yeah, mainly the Natives. Not from electricians but in a subtle way. Just in a derogatory sense, you know, calling a guy a brown man. You know what is meant.

I: Which is what?

34: He is not going anywhere. They were mostly housekeeping and cooking staff... (white man)

Another worker perceived a connection between the Aboriginal identity of workers and their likely place in the informal hierarchy of the construction site. In the case of the LMRP, he noted that many First Nations workers were concentrated in the lower

skilled jobs such as housekeeping and consequently experienced particularly poor camp conditions.

“ 38: I don't know if it's all of them at Sodexo, but we had some temporary trailers before they had the main camp available. It took about almost a year and a half I suppose before they got a permanent camp. So I think that first year and a half, two years, was pretty rough. Because one trailer was in pretty bad shape, a lot of First Nations were in there... they mentioned it a few times, and nobody done anything about it. Finally, got to the point where we almost had to get the chief in there to back us up. So they finally condemned that trailer. Well it was condemned, I don't know why people were living in it. (MCFN man)

In this comment, the worker states that it was not only Sodexo workers who were living in the condemned trailer but specifically many First Nations workers, drawing a parallel between poor conditions, lower skilled labour, and Aboriginal identity.

7.4.3 Reporting

Reporting about incidents was uneven. First Nations women faced some challenges reporting incidents, in some cases feeling more comfortable reporting to Aboriginal Liaisons representatives than to employers. Also, in the case of the woman apprentice previously discussed, she had to bypass her foreman for her issues to be addressed, and the results were not optimal. However, another First Nations woman told the interviewer of a sexual harassment incident where the victim reported the incident to their supervisor and it was handled to the satisfaction of the victim.

When First Nations men who were interviewed reported incidents, they felt that incidents were responded to promptly, often with the perpetrator being laid off. One worker described:

“ 18: I had a situation, um, with one person... I guess you can call it racism and all that. He's no longer here though.
I: And who did you go to for help about it?
18: I went to my union steward.
I: And was it addressed right away?
18: Yeah it was, um, when I reported it, I was, um, it was a day before turnaround and when I came back he was already, he was no longer here. (MCFN man)

However, other First Nations men found the Aboriginal Liaisons less helpful, as indicated by the experiences of some of the participants in a worker focus group:

“ FG41: I found that there were two guys hired at the site... because [the liaison office] office is either [in Timmins] or in Moose Factory, but the other two that were at the office didn't help me at all... and as soon as you see them: “oh I'll get

back to you on that,” and you don’t see them for two months. (MCFN man)

This sentiment was echoed by a second focus group participant: “FG42: I stopped talking to the Aboriginal Liaisons, [one] person there... gets right on to it, but other ones...” (MCFN man).

Another First Nations man indicated that despite seeing evidence of discrimination on site, such as washroom graffiti, he did not report such incidents, not because of a lack of faith in Aboriginal Liaisons, but because he did not feel it was worth reporting:

“ 38: Well usually I just brush it off, and just know that things do happen like that in reality. Nothing to say about it, but it does. Not just First Nations, but everybody. Just how they see people I guess, for some reason. (MCFN man)

This reluctance to report incidents of discrimination by First Nations workers is also reflected in a report on the training and employment initiatives of the Wuskwatim Power Generation Station compiled by Deloitte. The authors of that report indicated that there was a “preference [among Aboriginal workers] to avoid confrontation and to only discuss issues with other members of the community” (Deloitte 2013, 88).

The white men differed substantially from the Aboriginal men with respect to reporting harassment and discrimination. White men were less likely to report harassment and were also less happy with the outcome of reporting. One worker described an incident which was reported, but he did not feel was dealt with adequately:

“ 1: Umm, uh, in our department there was a lot of harassment being made from that foreman and it was never looked over... like, he harassed a Native and it went pretty far. He also went doing death threats and it never even went anywhere, so I was like, hmmm.

...

I: Did anybody report it?

1: Yes, but it went underneath the carpet.

I: Oh, even to the union? So?

1: It went to management and even up to safety.

I: Yep. Did it go to the union at all?

1: Yes it did. Mmhmm. (white man)

Other white men who said they were not aware of any cases of discrimination or harassment said they would not report it if they were. When asked why, one worker stated “16: uh, just, I don’t want to disturb the cart” and another stated “7: Uh ‘cause I’m not a rat”. Their comments reflect the culture of the building trades where if you have a problem you discuss it with the person who you have the problem with rather than reporting it to a higher authority.

7.5 Equity of Layoffs and Recalls

One way that women and racialized men in the construction trades are disadvantaged is by being more quickly and frequently laid off and for longer periods of time than white men. Because of the fluctuating labour needs on a construction site, layoffs are frequent and it is not uncommon for workers to be at the site for relatively short periods of time prior to being laid off. While some of the EPSCA collective agreements require that layoffs follow the reverse order of seniority, others provided employers with discretion to layoff whomever they chose. One strategy used by contractors to increase their control over their crews was to hire more workers than necessary and then lay off workers who they felt were unproductive.

Layoffs are also used to minimize costs resulting from inclement weather. Each year KAP shut down the site, laying off all employees, over Christmas. In January and February workers would begin to be rehired depending on how much work the employer wanted to do given the weather. For two years in a row, there was a delay bringing First Nations apprentices back onto the site. First Nations workers were not receiving priority being called back to work. Also, when First Nations workers left for trade school, there was often a delay in getting them back to work. One worker described a long break in his employment after the Christmas layoff, stating:



5: I got laid off in December of last year because there was no work. And then we had to go to school in January.

...

5: School finished March 1st and I have been laid off not working since March until two weeks ago [interview in early June].

I: Why is that?

5: I don't know. They had trouble getting us back on site I guess, I called them almost every day for I don't know how long. There just wasn't enough work at the dam at the time to hire us back, or not enough journeymen for the apprentices. (FN man)

In other cases, however, First Nations workers were called back to work at the site in a timely fashion after layoff, either because of the company's desire to prioritize First Nations workers or because their name had risen to the top on the union list. One worker described getting a call from the union to go back to site after two months, stating: "21: The next thing I knew when drill and blast came to an end, I got a call to go back to work from the labourers union..." (MCFN man).

Since most of the First Nations workers who obtained their job through Sibi were apprentices, they were also more vulnerable to layoffs. When describing his vulnerability to layoff, one worker stated: "24: Because the project is over, like we are done the dam, so it goes down to the bottom of the ladder, seniority, right? I am an

apprentice, so I was the first on the chopping block” (MCFN man).

While some workers described vulnerability to layoffs and slow recalls to work, others felt that the agreements between First Nations and OPG had protected them from layoffs. Two workers describe:



I: So you didn't get laid off and the others did?

22: No.

I: Why not?

22: Because I am a local, and so they have an agreement with the Moose Cree. (MCFN man)

36: ... because of the agreement I think it benefitted any members, or First Nations people, working at the project, knowing that as long as there's work there, yeah, we'll bring you back. So I think that it affected my work life that way, I didn't use it to my advantage... I knew I had to work and I had to prove to the company, yeah, I'm worthy of working for you guys, you know, yes, I'm a Moose Cree member, that's good, but you know. (MCFN man)

A majority of the workers who did not get their job through Sibi also described layoffs. Most workers who were laid off at Christmas said that it was easy for them to get back on the site.

Three workers also described their understanding of how KAP used the Christmas layoff and recall to bring in workers who they knew from Québec, violating collective agreements and causing conflict with northern Ontario trade union halls.



35: Yeah, 'cause well Kiewit is from Québec, so they try to bring as much people as they can... A lot of guys were getting laid off from KAP and they were bringing in a Québec guy. (white man)

32: Labour problems. KAP wanted all of the guys from Québec to come back, but it is not their jurisdiction. So there was a grievance filed by the carpenters after they had been off for a bit, and all of the Québec guys came back. They said that is not right, you're signatory with us, those guys are gone, we are coming back and you are paying us for when they were there too. So it ended up costing KAP \$2 million from what I heard. (white man)

38: I know we had a grievance there a couple years ago... a grievance regarding returning to work because they hired guys from Québec first before we were. And some of the Thunder Bay locals weren't hired... [and] Thunder Bay local is priority. (MCFN man)

7.6 Language

The perception, discussed directly above, that a number of workers from Québec had unfairly been brought on site by KAP contributed to a recurring theme that emerged from the data: the prevalence of the French language on site. Since many of the superintendents and managers working for the DB contractor and specialized subcontractors were Québécois, sometimes instructions or communication occurred in French. Several workers found this disconcerting. When asked why it was a problem, workers' responses ranged from providing no justification to citing difficulty communicating and/or feeling as though they were being discriminated against.

Several workers justified their claim that French should not be used saying that the LMRP was officially an English-speaking project:

- “ 19: It was supposed to be an English-speaking project... a lot of their [Kiewit's] supervisors were French speaking. Didn't seem, I found they didn't seem to honour it being an English-speaking project. Radios, all that.
I: And what problem has that caused if people are speaking French?
19: Lots. (laughs) (FN man)

During a focus group with First Nations workers, one participant also mentioned the officially English-speaking project while describing the use of French language on site as an issue:

- “ FG42: We signed an agreement that everybody is supposed to speak English on site, so everyone [could] understand each other. A lot of times you got your partner with you [and] he's French... it feels like you're left out when the foreman talking French to the worker, you don't know what's going on. (MCFN man)

Other workers more specifically cited the language barriers this created:

- “ 22: There is a communication barrier too almost, the powerhouse [the area where the turbines are] is French and the intake [the area where the water comes in] is English. So when [an employee] came over to the powerhouse, they were all speaking French in the meeting rooms, when they were discussing their ideas and their goals and sharing input, so he was basically left out in the cold. (MCFN man)

Four workers (none of whom got their job through Sibi) felt that the language barriers created by the use of French on site were safety issues:

- “ 25: There are people who could barely speak English. Like it is fine to speak French, it is a lovely language, but on a dangerous worksite that is big and that requires a lot of communication, something as basic as a miscommunication due to the language barrier, I thought that was ludicrous. (FN man)

Several workers expressed negative opinions about employees from Québec. These negative opinions about workers from Québec were due in part to the language barrier issues discussed above, in part to preconceived discriminatory notions about Québécois people and also to the perception that the local area was not benefiting from the project as much as it should, because of Kiewit bringing in employees and sourcing products from Québec. For example, one French-Canadian worker from Northern Ontario generalized that all people from Québec are dishonest, and claimed that for this reason the Québécois employers were bringing in workers from Québec rather than hiring locals.

“ 15: And Québec is not the most honest people. You just look at the Charbonneau inquiry, it will tell you a whole whack. And they feed their own, okay? They feed their own, that's what they, that's how they do it. And really, this is an OPG project, it's Ontario project. Kapuskasing area should be profiting quite a bit more than it is. Quite a bit more and it's not profiting. It's profiting a bit. (white man)

A First Nations worker participating in a focus group also had a negative opinion about French-speaking supervisors:

“ FG42: I would say they're racist yeah, you know a few times they just don't want to talk to you, you know. Like they have a group of them talking and they just ignore you, like I feel like I was left out. Even the guys I used to work with, our foreman... [he had] guys in his crew he didn't like... who are French [and] give him a hard time and I don't want to say anymore, but it gets me in trouble man, but we had issues with French people yeah. (MCFN man)

Not all of the workers interviewed had concerns about the use of French on site. About a third of the workers who discussed language issues did not make any negative statements about French, and some workers who spoke French as well as English felt that they had an advantage at LMRP because they were able to communicate with everyone. One worker dismissed claims that the French language was creating a safety hazard, stating:

“ 6: The guys that I worked with on that crew were fine. And a guy I worked with, [name], he's another mechanic, he's still on the site too and he doesn't speak a lick of English. He speaks about as much English as I do French, and that's not very much. And we were fine. Nobody ever got hurt, there was no injuries, there was no issues. We were fine. (white man)

Another worker also dismissed claims that French was a problem stating that he didn't mind the French language on site:

“ 21: At Kiewit, I know a lot of people are complaining about the French people coming to work over here.
I: And what do you think about that?
21: I don't mind it, at least they can teach me French. (white man)

Although many workers complained about the French language on site, tensions likely arose from the fact that French workers represented managers, superintendents and foremen rather than workers, the fact that Québécois workers were displacing local union members, and the perception of insufficient local sourcing of products by KAP.

7.7 Knowledge of the Amisk-oo-skow Agreement

Questions about the Amisk-oo-skow Agreement elucidated several themes. First, workers' knowledge about the basis of the agreement, the role of MCFN on the project and what the agreement meant for employment was highly uneven and greatest among First Nations respondents (7.7.1). Second, almost all respondents who felt that the agreement benefited First Nations communities felt that the primary benefit was employment (7.7.2). Third, the question about the agreement prompted white workers to discuss their perceptions of how Aboriginal rights are reshaping work in the north (7.7.3). These perceptions of Aboriginal rights were both positive and negative.

7.7.1 Uneven Knowledge of Agreement

Worker knowledge of the Amisk-oo-skow Agreement was uneven. Few white workers had a clear understanding of the origins for the agreement or of how it affected employment. Almost all First Nations workers who obtained their job through Sibi were aware of the agreement, however many only had a vague understanding of the agreement. All five workers who described a basis for the agreement said that it was because the project was on Moose Cree First Nation land. Workers often had more knowledge about the priority hiring provisions that result from the agreement than the fact that MCFN was a partner, and only two workers talked about training and education measures. Workers were also asked what other people on site knew about the agreement. Some felt that it was common knowledge that Moose Cree were part owners of the project:



I: Are most people aware that Moose Cree are part owners of the site?

24: Yeah, every one of us who are Moose Cree we know.

I: What about non-Moose Cree workers, do they know?

24: They know too because they are rip us a little bit. Just joke with us that we are owners, you know. (MCFN man)

Other workers felt that many of their white co-workers were not aware of the agreement.



I: To your knowledge are other people on the site aware or do they know about the agreements properly?

38: Oh no. I think that probably has to be mentioned I guess, with the agreement... That's why the contractor was really trying to push their weight too much with their own policies, not knowing that.

Of the 21 workers who did not get their job through Sibi, only two (both of whom were white) were unaware of the Amisk-oo-skow agreement and another three were only vaguely aware.

7.7.2 Benefits of Agreement for First Nations Workers

When asked what effect if any the agreement had on their work life, approximately half of the workers who obtained their jobs through Sibi felt that it had no effect, and one said he did not know. Those who saw a benefit described how the agreement helped them get a job, and two thought that they were prioritized in layoffs and therefore were able to continue working on site longer than other workers. One worker described getting a job as a result of the agreement:



I: how has the agreement affected your life?

22: I got a job. Because that is one of the things that they do, they provide training for local guys. I got a job there now. (MCFN man)

Several First Nations workers also felt that the agreement helped their home community by providing youth with employment opportunities. One worker described how he felt it was good for the community, while also describing how it was helping young people see life off of the reserve.



I: What do you think about the agreements?

...

12: Well, it's good I guess. People get trained for certain fields they've never been in before. It gives the younger generation a chance to experience a new life other than the reserves.

...

12: A lot of them leave home. (FN man)

However, another worker felt that the agreement did not benefit the community as much as it should have.



I: Do you feel that the employment and training has benefited your community?

38: I don't think so.

I: You don't think it benefited your community?

38: I wouldn't say a high percentage, maybe a low percentage... by the time they get all trained the project will be over. But it's more like small, the only thing that benefited me was they got me the scaffolding two week crash course to get a little cracker jack certificate there. (MCFN man)

Another First Nations worker who participated in a focus group had a more ambivalent view of who benefited from the Agreement, stating:

“

FG41: It's all mixed.

I: You think it's all mixed?

FG41: Some people benefit on it, some people don't, they're neutral. (MCFN man)

Several white workers also felt that the agreement benefited Aboriginal communities. In response to a question about whether the agreements benefited different First Nations communities, one white worker stated:

“

16: Absolutely. Opportunity. Tremendous.

I: And what do you think about the agreements?

16: I think it's awesome. Great opportunity for the First Nations people. I see it every day here. (white man)

In one case a First Nations man said he hoped the agreement did not affect his work life since, having experience in the trades, he wanted to be able to obtain work for his skills:

“

I: And do you feel that the agreements have affected your access to work?

25: I'd like to think not because that is not why I do all of this training and all of the thousands of apprentice hours. I didn't do all of that to get preferential treatment. (FN man)

7.7.3 Perceptions of Aboriginal Rights and Access to Employment

Almost all of the workers who did not get their job through Sibi felt that the agreement did not affect their work life. Three workers did say that it caused them to be more aware of Aboriginal issues, while one white worker from Kapuskasing said that the agreement allowed him to get his job. In a small number of cases, questions about the agreement prompted white workers to describe their opposition to the notion of Aboriginal rights. One worker stated:

“

I: Do you have any opinions about the agreements?

15: Well, I know they got a lot of pull. I know the Natives got a lot of rights. And, uh, I have my opinions on that, let's say, sometimes they are not favourable and sometimes, you know, I'd rather maybe not discuss those, those, uh, not feelings but those thinkings... (white man)

Although not all Aboriginal workers were aware of how the Amisk-oo-skow agreement affected their employment at LMRP, those who were aware tended to have positive perceptions. White workers similarly had incomplete knowledge of the agreement, but when they did have some understanding most felt it didn't affect them and a few had negative perceptions.

7.8 Health and Safety

Worker perceptions on health and safety varied dramatically. Many older workers described the worksite as unsafe and several had quit or been laid off as a result of not being willing to work in unsafe conditions. Alternatively, the majority of workers who had obtained their job through Sibi felt that the worksite was quite safe. Well over half of the workers who did not get their job through Sibi described the worksite as unsafe. Workers who did not get their job at Sibi were more likely to be experience journeypersons and tended to compare the site to previous work experiences.

Workers who felt the worksite was not safe attributed the lack of safety to systemic problems: attempting to save money in sourcing parts and equipment, lack of leadership, generalized low worker morale and Kiewit pushing production. One worker described an incident where he felt cost-cutting had resulted in a near miss for a co-worker:



34: One guy almost fell into the tailrace. Do you know what a tailrace is?
I: No.

...

34: He wanted to solve the problem because the reality was the condition wasn't safe. A tailrace is the discharge end of the turbine and it is water that is probably 20 feet deep and 20 feet wide coming out at a tremendous volume... He was working up here, it is a fairly wide walkway but he leaned over to pick up a cable and the railing gave way... somebody had ruined the railing's security condition so that it was no longer rigid... Had he not fallen the way he did he would have fallen into this tailrace, but his foot snagged in the cable and it held him there. So the real solution here is nets but nobody wanted to pay for them so they mandated that nobody could go up there anymore.

...

34: ... the general foreman told him "don't say anything because we are not supposed to be up there and we will be in shit"... So the general foreman hung him out to dry so he left that job. [The contractor] fired him. (white man)

Three white workers felt so strongly about the lack of safety on site that it lead to disagreements with management and ultimately to their being laid off. In these cases workers were experienced journeypersons and therefore willing to lose their job rather than perform or assist with the performance of unsafe work. In one case, a worker tried to address a problem created by leaking propane because of faulty piping: "1: They had to evacuate the camp a couple of times because a furnace will blow out, propane is leaking, there was propane leaks. We addressed that problem and that's when we kind of got laid off" (white man).

In another case, a worker disagreed with a superintendent about whether a lift should

be used to move a heavy object. He describes:

“ I: Why did you quit or stop working there?
27: Because I had butted heads with management... What happened was the one day they pissed me off because I had two guys, and said okay you have to put this big flange up... We are going to get a borrowed lift, you guys grab your harnesses and we will meet back. So I left and they went to get their harnesses and came back and two of the head supers came and said well what are you doing? He said [worker's name] just went to get the lift... and they said no just lift it up. So the kid, because he was young lifted it up, and the other guy was on a ladder. (white man)

Some workers who did not get their work through Sibi described the worksite as safe, often citing the DB contractor's safety policy with little elaboration. One more experienced worker answered the question of whether it was a safe and healthy worksite stating:

“ 8: Yes, I do feel that it is a safe and healthy worksite. Safety mostly I'll speak about. I have never seen in my thirty years' career, or more, the safety that is implemented within this site. Every step, it really is safety before all. (white man)

In some cases, however, workers pointed to a discrepancy between an emphasis on safety in meetings and policy and safety in practice. One worker who initially stated that the site was safe reconsidered his position when asked how the employer could improve the work environment on site:

“ 7: It's not any better. I'd say it's the same as any other place I've worked you know, any other union job I've worked, safety is always priority.
...
7: Well they preach safety, safety, safety, so much... we've had a lot of mishaps lately with some pretty dangerous stuff like people could have been seriously hurt by them not following their, the protocol that they enforce, you know I guess, just practice what you preach. (white man)

Another worker also highlighted the incongruity between the company's emphasis on safety at meetings and the high number of safety incidents that had occurred at the LMRP when compared with a previous worksite:

“ 3: Yeah, it's safety first all the time... they talk safety every day... [But at another remote worksite] ... in our three years we were there and nobody got hurt, and with rocky conditions it was dangerous. At LMRP, oh my god, people got hurt all the time. (white man)

In contrast, most of the workers who got their job through Sibi stated that they

felt that the worksite was safe and healthy. However, when asked to explain their answer, few workers provided justification: most kept their answers short, or seemed to hesitate. This hesitation may indicate that some workers did not feel comfortable saying critical things about safety to the interviewers.

Alternatively, the discrepancy between the responses of more senior journeymen and the new First Nations and Métis apprentices may reflect the youth and lack of experience of the latter group. Not having other projects to compare with, new apprentices may not be as aware of safety norms and what constitute unsafe practices. Some workers who obtained their employment through Sibi described safety as the responsibility of workers rather than the contractor. When asked why he had answered that his worksite was safe and healthy, one worker responded “12: Well, you make it safe for yourself” (TTN man). Another worker who gave a quite detailed response attributed his feelings of safety to working on a crew with co-workers who take care of one another:



I: Do you feel that it is a safe and healthy worksite?

24: I have never had any concerns. With my crew... we are forever watching each other's backs, looking overhead and making sure no one gets hurt. We go through our meetings, safety meetings, every morning. It's all about safety, safety, safety that's the number one concern because we all want to go home to our families. (MCFN man)

One of the two workers who got their job through Sibi and did not think the site was safe listed a number of accidents he had heard about, ranging from minor to serious, while the other described an accident that happened to him.

Official safety records from the worksite do document a number of incidents although based on data from the Infrastructure Health and Safety Association the safety record for the project measured as the all injury rate (AIR) was more than twice as good as the industry average the AIR at the LMRP was 1.81, whereas the AIR for the for electrical/incidental construction services in 2013 was 4.98 in 2013). The yearly number of safety incidents at the LMRP are in Table 12, according to type of incident: Near Miss (an incident which could have resulted in fatality or disability), First Aid (an incident which required first aid), Reportable Injury – WSIB (an injury reported to the Workplace Safety and Insurance Board of Ontario), Reportable Injury – MOL (an injury reported to the Ontario Ministry of Labour), MOL Orders – Timed compliance (a violation of the Occupational Health and Safety Act for which the inspector from the Ministry of Labour ordered compliance within a specified time frame), and MOL Orders – Stop work (a violation of the Occupational Health and Safety Act for which the inspector from the Ministry of Labour ordered work to stop immediately).

Table 12 Number of safety incidents at LMRP according to year

INCIDENT ¹	2010	2011	2012	2013	2014
Near Miss	25	28	45	39	6
First Aid	78	55	146	178	54
Reportable Injury – WSIB	12	20	44	64	10
Reportable Injury – MOL	0	3	4	3	0
MOL Orders – Timed compliance	13	12	12	36	3
MOL Orders – Stop work	2	10	3	18	2

¹ Data from KAP document: Safety Stat Table - February 2015

The LMRP is by no means unique within the construction industry for experiencing safety incidents. According to a report published by the Canada Centre for Occupational Health & Safety (CCOHS) (2010), 40 per cent of workers who died from workplace accidents in Ontario between 2005 and 2009 were construction workers. During this time period, ninety-seven workers died in construction-related incidents and 999 workers were seriously injured. According to the Infrastructure Health and Safety Association (2011), the majority of Lost Time Injuries (LTIs) in heavy construction work are caused by “musculoskeletal disorders (MSDs), falls, and contact with equipment, materials, and tools”, and the main causes of death are from workers “being struck by materials and equipment”, motor vehicle accidents, and “falls from height” (29). Safety violations on construction sites are problematic. According to the CCOHS (2010), in only three months of inspections in 2009, the Ministry of Labour found over 2,800 safety violations on construction sites, mostly related to “missing or inappropriate use of guardrails, scaffolding and fall protection systems” (n.p.).

7.9 Union Perceptions

While many of the white workers employed at LMRP were long-time union members, for many workers from First Nations and Métis communities, particularly those who got their job through Sibi, the project provided their first unionized employment. Although some longstanding First Nations and Métis union members joined BCTUs through organizing drives, those from Moose Cree First Nation and other EA First Nations joined through the creation of new apprentice positions resulting from the agreement. Unlike the longstanding members, many Moose Cree First Nation workers did not know about the union or how to join prior to working at the site, as discussed by one worker:



I: So what did you know about unions before you started?

18: Absolutely nothing.

I: And why did you join your union?

18: Uh, it was part of the requirements, because like I said, everything is lined up for my apprenticeship. And if it wasn't for the agreement I would never get into, I would never be, like, in that union because, I don't know. (MCFN man)

Some might have preconceptions of Aboriginal workers as anti-union or less supportive of unions than non-Aboriginal workers, based on perceptions of unions as white organizations, lack of experience with or knowledge about unions, or the fact that union membership was obligatory at LMRP. However, in our results many First Nations workers had positive perceptions of their unions. These workers described advantages to being unionized, such as improved wages, benefits, and protections, and described positive communications and relationships with their union. One Moose Cree First Nation worker who was asked why he planned on keeping up his union membership after his work at LMRP ended explained:

“ 36: The pay is good, the benefits are good, the pension plan, like I said before, that's what appealed to me. So they're there for me, and if they can find me work, great, you know. And union, I think, union workers are umm, uhh, how could I put it, are looked upon as the skilled tradesmen, you know. (MCFN man)

A female apprentice summed up her interactions with the union, stating “29: they like me and know who I am” (MCFN woman).

However, for some First Nations workers who had entered their union as a result of the project, there was a lingering uncertainty about whether they would be accepted fully and called for work after the end of the project:

“ 5: I think the only reason we got in was because of the agreement, and then the union hall needed people to work there but they had the agreement with OPG. But I think if that didn't happen, there would be no way I'd be able to get into the union. It's hard getting in, but I am in now. I know there are a lot of people that are scared that after this job they will blacklist us. You know what I mean?
I: Yep, put you at the bottom of the list and not get you more work?
5: That's what lots of people are worried about, but I don't see it that way, like, they have been good to me. But I guess there is always going to be that type of insecurity about stuff like that. (FN man)

In regards to being called for work after the end of the LMRP, two First Nations workers who participated in the same focus group had differing opinions and experiences. One of these workers had a pessimistic view of the union contacting him for future work:

“ FG40: I [was hurt at work] and I was kind of mad at the union I guess because, about that issue of compensation, and they wouldn't help me at all, and when I finally submitted my doctor's note to return: “oh you're on the waiting list,” okay, still waiting. (MCFN man)
I: To get called back you mean?

The other focus group participant had a more optimistic view as well as more experience with his union. In this case, the worker reported that he made sure to keep paying his dues despite not currently working to ensure that he kept in good standing with his union:

“ FG42: I pay my dues all the time even though I’m not working, I still pay them because they told me... if you don’t pay a few months of dues, you’re at the bottom of the list plus you lose your benefits until those dues are paid up. (MCFN man)

More white workers than First Nations workers expressed negative feelings about unions, although here too, a majority had positive perceptions. One white worker described how he was anti-union for a long time because he felt that unions created a lack of work ethic: “6: I thought they, in laymen’s terms, protected dog fuckers, and I thought, a lack of work ethic, they were kind of forced upon people, kind of slowed them down” (white man).

Therefore despite having a lack of experience with unions, Aboriginal members actually had positive perceptions of their unions while white workers were not always supportive of their unions.

Direct contact with union representatives (stewards, business agents, etc.) was an important factor in determining whether workers had positive feelings about their union. When asked whether there was anything his union could do to better represent workers, one apprentice stated:

“ 24: Well my union, they represent us pretty good. Like our job steward, [name of steward], comes into camp once in a while. He comes right into site, puts on his hard hat and bends over talking to you while you work.
I: How often does he come on site?
24: Since I’ve been there I think I’ve seen him about five times. That’s pretty good. He doesn’t hang out in the office or anything, he comes right on site. He gets his boots dirty and I like that. (MCFN man)

Conversely, a truck driver who was asked the same question responded that the union should come to see them, adding “20: I never seen them. I never seen that steward” (MCFN man). Another worker also described observing a lack of union representative presence for some unions, but not for others:

“ FG40: I noticed too that there’s a lot of union reps and union stewards, but I never hear of union stewards or reps in carpentry, operators... just mostly labourers you know, they’re visiting everywhere, I never see carpenters.
I: Carpenter reps?
FG40: Yeah or operator reps, you know like stewards, someone you could talk to you know? ... Yeah but... the labourer’s union was pretty good. (MCFN man)

Similarly, some focus group participants were dissatisfied with their union representatives. Two of these workers agreed during the discussion that their union representatives did not fight for them:

“ FG41: I could still work in a camp but I don't think I'm interested in a union anymore.

I: Okay... because they didn't fight for you?

FG41: No. (MCFN man)

FG40: Yeah, like I asked them about that, I asked them about my compensation... they didn't really do anything, didn't explain anything to me. (MCFN man)

Another First Nations worker described a situation where he did not feel he was given adequate advice from his shop steward when dealing with the prospect of having his employment terminated.

Attending union meetings also made workers feel more connected to their unions, but for many, work schedules and meeting locations prevented them from doing so. Workers talked about being too busy with work to attend meetings. This was particularly the case for the few workers in our sample who worked nightshifts. While a number of unions had held meetings on site, workers from those that had not or did not meet regularly on site talked about travel distances being prohibitive to attending meetings. Locations workers described as being too far for them to be able to attend included Timmins, Thunder Bay, and even as far as Burlington.



8. Conclusions



Workers and organizational representatives cited a number of employment challenges and successes from the LMRP hydroelectric project. The project was successful in helping a number of workers gain training and experience in construction. Some workers finished their high school diploma while at the site while several others attended trade school and became registered apprentices. Others still were able to complete their apprenticeships on the project and become journey people in their respective trade. The project also helped OPG and the MCFN build relationships with one another and with the BCTUs and construction contractors. Strategies that were implemented from the outset and were successful included:

- Recruiting and training individuals for jobs that were already secured
- Providing monetary support and guidance for workers throughout the training process

Many of the successes of the project, however, were the result of continuous efforts to change and adapt policies and practices. Over the course of the project MCFN and OPG adapted to challenges as they became apparent by making several changes including:

- Providing greater support to EA First Nations workers on site
- Providing additional Aboriginal awareness training to all employees and management on site
- Improving the commute time for workers from Moose Factory by creating a Fraserdale train stop
- Creating a 2:1 rotation schedule for the majority of workers
- Allowing workers some choice in their rotation schedule and the ability to change their rotation when needed
- Training workers in cohorts or groups
- Providing some flexibility around leaves for traditional activities

Learning and Areas for Improvement:

- Discrimination on site towards Aboriginal people and particularly Aboriginal women
- Protecting the safety of women on site
- Ensuring that new workers are aware of their right to refuse unsafe work conditions and challenge employers
- Ensuring that workers feel safe to approach personnel in cases of discrimination and harassment
- Providing mechanisms for Sodexo workers to advance, such as through chef apprenticeships or movement to other work

- Improving the wages and work conditions for the lowest paid workers on site where women and First Nations men are over represented
- Varying the times and locations of union meetings to allow participation from the greatest number of members
- Ensuring that shop stewards are present
- Increasing First Nations representation in union leadership positions
- Ensuring accountability for subcontractors – that employment language is included in subcontracts

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