Standing Fish Price Setting Panel

Annual Report

2024-2025

Table of Contents

Message from the Chairperson 1

Overview 3
Establishing a Schedule of Hearings 4
Providing Support to Collective Bargaining 4

Highlights and Partnerships 6
Collective Bargaining Facilitation and Hearing Results 6
Changes to Rules and Procedures 6

Report on Performance 7
Issue 1: Ensure binding collective agreements are established annually for particular species 7
Issue 2: Recommend legislative or regulatory amendments that provide a realistic mechanism for price setting 9

Opportunities and Challenges 10

Financial Information 11

Appendix A: Species Negotiations and Results Summary – 2024-2025 Fishing Season.....12

Message from the Chairperson

I am pleased to provide the Annual Report of the Standing Fish Price Setting Panel for 2024-25.

In the Province of Newfoundland and Labrador, the **Fishing Industry Collective Bargaining Act** (the **Act**), in effect since 1971, regulates collective bargaining between fish harvesters and processors. In 2006, amendments to the legislation were passed, resulting in the creation of the Standing Fish Price-Setting Panel (the Panel), whose main functions include: establishing the parameters for negotiations in the fishing industry; facilitating collective bargaining; acting as an arbitration panel in the setting of fish prices and conditions of sale; and ultimately setting fish prices when the parties to negotiations are unable to agree.

The Panel is committed to facilitating and encouraging successful collective bargaining and, where necessary, the Panel setting fish prices and conditions of sale through a well-managed, unbiased, timely, and transparent process. As Chair, I am grateful for the dedication, professionalism, and commitment of all Panel members in ensuring Panel decisions are evidence-based and apolitical.

In October 2022, the Government of Newfoundland and Labrador published a report authored by David Conway on collective bargaining in the fishing industry in the province entitled “Fishing Industry Collective Bargaining Model: Past, Present and Future”.

On October 31, 2023, the Fish Price-Setting Strategic Review Team released its report into fish price-setting, primarily in the snow crab industry (referred to generally as the “Blackwood Report”). This report was based on consultations with the Panel, the parties, and members of industry. Further revisions were made to the Act and its regulations in 2024 following the publication of this report.

In 2024, the Panel’s composition and operations changed based on legislative changes stemming from the reviews done in 2022 and 2023. Some of these changes included:

- Retaining a three-person Standing Fish Price-Setting Panel, with the addition of two alternate chairs;
- Provincial Government appointing arbitrators as the chairperson and alternate chairpersons, based on input and direction from the fishing industry;
- Mandating the certified bargaining agent and the processors’ organization to each nominate one member and one alternate member for appointment to the panel; and
- Where jointly requested by the parties to collective bargaining, allowing the Chairperson alone to hear and consider the parties’ positions and issue a decision on a matter.

The Panel has continued to hear the parties and their presentations when and where the parties are unable to negotiate price and conditions of sale that are mutually agreeable.

On behalf of the Panel, I wish to acknowledge the hard work, dedication, and professionalism of our support team, including but not limited to those who provide us with timely industry research and data for our deliberations, those who provide conciliation and negotiation services to the parties throughout the process, and those who provide us with administrative and ongoing support. We also appreciate and thank the parties themselves for their thorough submissions and participation in the process and their move towards a more evidence-based arbitration hearing process.

The Panel is a Category 3 entity under the **Transparency and Accountability Act**. It is fully accountable for the preparation of this Report and the achievement of the objectives and results contained within. During 2024-25, the Panel was successful in meeting all its objectives.

Sincerely,

Sheilagh M. Murphy, K.C.
Chair, Standing Fish Price Setting Panel

Overview

The legislative authority establishing the Standing Fish Price-Setting Panel's role and responsibilities is contained in Sections 19.1 to 19.17 of the **Fishing Industry Collective Bargaining Act** (the **Act**) and associated Regulations. The Panel is classified as a Category Three entity under the **Transparency and Accountability Act**.

This was the Panel's nineteenth year of operation. Panel members for fiscal year 2024-2025 were:

- **Ms. Sheilagh M. Murphy** (Chair)
- **Mr. Ron McCabe** (Alternate Chair)
- **Mr. John Whelan** (Alternate Chair)
- **Mr. Earle McCurdy** (Member)
- **Mr. Will Reid** (Alternate Member)
- **Mr. Brian Vallis** (Member)
- **Mr. Art Dodd** (Alternate Member)

The Panel facilitator provided support for Panel activities and stakeholders' work in establishing fish prices. Administrative and secretarial support services during the fiscal year was provided by the Labour Relations Division of the Department of Environment and Climate Change. Market intelligence support was provided by staff at the Department of Fisheries, Forestry and Agriculture.

Current funding for the Panel is contained in budget estimates under the Department of Environment and Climate Change (see Financial Information on page 12 for more details). The Panel's office is located at: 2nd Floor, Beothuk Building, 20 Crosbie Place, St. John's, NL, A1B 4J6, telephone: (709) 729-2711.

The vision of the Panel is of an optimal collective bargaining climate between fish harvesters and processors in the province to ensure binding collective agreements are in place for the timely commencement of the fisheries on an annual basis. Through its work during the reporting period, the Panel contributed to the vision of the Department of Environment and Climate Change:

"The vision of the Department of Environment and Climate Change is a clean, sustainable and protected environment supported through effective stewardship as well as a province where employees and employers are supported to achieve a healthy, safe, and productive workplace."

The mandate of the Panel is to annually identify, following consultation with the stakeholders, fish species for which prices and conditions for sale will be collectively bargained, and that these prices and conditions are in place by the date established by the Minister of Fisheries, Forestry and Agriculture. The Panel establishes parameters to facilitate collective bargaining, acts as an

arbitration panel where the parties to negotiations fail to agree, and has the authority to set prices and conditions of sale when negotiations do not take place.

Additional information regarding the Panel, including its schedule of hearings and pricing decisions, can be found at https://www.gov.nl.ca/fishpanel.

Lines of Business

Establishing a Schedule of Hearings

On an annual basis, the Panel will consult with parties prior to negotiations to determine the particular fish species to be bargained under the **Act** for the coming season.

The Minister of Fisheries, Forestry and Agriculture, on an annual basis, sets dates by which prices and conditions of sale must be in effect for the species subject to collective bargaining. The Panel will then provide written notice to applicable industry stakeholders of fish species subject to collective bargaining, the date by which binding agreements must be in effect, potential hearing dates, and places where the Panel will hold hearings and receive submissions in the event binding agreements have not been achieved.

Providing Support to Collective Bargaining

Rules and Procedures

The Panel, in consultation with the major parties to negotiations, has established its Rules and Procedures, as provided under Section 19.4 of the **Act**, for the purpose of carrying out its duties. The intent of its rules and procedures is to provide direction to parties to negotiations through the various collective bargaining stages, including the hearing stage, if necessary.

Facilitation

The services of a facilitator are provided to the parties to negotiations for all species identified in the schedule of negotiations. The facilitator provides support to the parties by helping to identify outstanding issues and mediating/facilitating the collective bargaining process to assist parties in reaching a collective agreement. The facilitator also coordinates activities between the Panel, the parties to negotiations, and relevant provincial government departments.

The Panel believes that their work with industry stakeholders will help achieve the optimum economic value from the fishing industry and thus contribute to economic growth, competitiveness, and prosperity for the provincial economy. In addition, the vision of the Panel is of an optimal

collective bargaining climate between fish harvesters and processors in the province to ensure that binding collective agreements are in place for the timely commencement of the fisheries on an annual basis.

The Panel has a unique mandate to facilitate and act as an arbitration panel to the collective bargaining regime for the harvesting and processing sectors in the province's fishing industry, ensuring that fish prices and conditions of sale are in place to enable fisheries to start on a timely basis every year.

In order to provide improved labour relations supports conducive to positive workplace relations, it is the Panel's intent to work with relevant industry stakeholders to annually identify particular fish species subject to collective bargaining and ensure that prices and conditions of sale are in place prior to dates established by the Minister of Fisheries, Forestry and Agriculture. In the absence of such binding agreements, the Panel will establish hearing dates, receive submissions from industry stakeholders, and conduct hearings to establish such prices and conditions of sale, to enable timely openings of the relevant fisheries.

The intended results include successfully negotiated prices and conditions of sale for the majority processors of fish species, timely decisions on prices and conditions of sale for the normal opening dates for most fisheries, and certainty over prices and conditions of sale for all stakeholders in the industry.

Highlights and Partnerships

Collective Bargaining Facilitation and Hearing Results

On January 15, 2024, the Panel advised the parties to collective bargaining of the deadlines for binding agreements on prices and conditions of sale for 2024-25 for the species lobster, snow crab, shrimp, whelk, lump roe, cod, capelin, squid, halibut, herring, sea cucumber, mackerel and turbot. The Panel also advised of the dates on which hearings would be held for the individual species, should a binding agreement not be achieved.

During fiscal year 2024-25, the Panel conducted a total of two hearings related to prices and conditions of sale. The two hearings were crab and capelin. Fish Food and Allied Workers Union (FFAW) and the Association of Seafood Producers (ASP) participated in both hearings. Of the two resulting decisions, the Panel selected the position of ASP on both occasions.

The parties to collective bargaining were able to successfully negotiate an agreement on the following species: lobster, shrimp, halibut, lump roe, whelk, herring, sea cucumber, turbot, capelin, squid and cod; there was no mackerel fishery permitted in 2024-25.

Please see Appendix A for the Species Negotiations and Results Summary for the 2024-25 fishing season.

Rules and Procedures

The Panel consulted with industry stakeholders through a series of meetings in the fall of 2024, to conduct a review of its Rules and Procedures. There were no changes to the Rules and Procedures resulting from this review. The latest version of the Panel's Rules and Procedures may be found at https://www.gov.nl.ca/ecc/files/REVISED_Rules_Procedures_March10.pdf.

Report on Performance

In its 2023-26 Activity Plan, the Panel identified two strategic issues aimed at ensuring that fish prices and conditions of sale were in place for species under consideration between the parties to collective bargaining in the fishing industry: (1) Ensure binding collective agreements are established annually for particular species; and (2) Recommend legislative or regulatory amendments that provide a realistic mechanism for price setting.

The following table provides a summary of the Panel's objectives and its success in achieving those objectives. As stated in the 2023-26 Activity Plan, the objectives and indicators identified by the Panel apply to the 2023-24, 2024-25 and 2025-26 fiscal years.

Issue 1: Ensure binding collective agreements are established annually for particular species.

Objective: By March 31, 2025, the Panel will have ensured collective agreements were in place and prices and conditions of sale for fish species were established prior to the date established by the Minister of Fisheries, Forestry and Agriculture.

Indicators for 2024-25	Performance for 2024-25
Industry stakeholders responsible for collective bargaining of fish species are notified of the dates by which binding collective agreements are in effect.	The Panel consulted with industry stakeholders prior to the start of the 2024-25 fishing season and advised by way of a letter to all stakeholders on January 15, 2024, the dates which binding collective agreements were to be in place for lobster, snow crab, shrimp, sea cucumber, turbot, whelk, lump roe, cod, capelin, squid, halibut, mackerel, and herring. This consultation was conducted prior to the 2024-25 fiscal year, as the Panel advises industry stakeholders early in the calendar year to ensure that they may have meaningful input in establishing an appropriate schedule for collective bargaining.
Requisite facilitation and mediation services are made available to the parties to collective bargaining through the Panel facilitator, to assist the parties in achieving a collective agreement.	The Panel facilitator worked with the parties to collective bargaining for all species throughout the fishing season to help achieve binding collective agreements on fish prices and conditions of sale. The facilitator was available to support collective bargaining by answering enquiries, scheduling Panel meetings, and coordinating administrative communications and functions.
Industry stakeholders responsible for collective bargaining of fish species are notified of hearing dates, where the parties did not achieve a collective agreement.	The Panel advised industry stakeholders on January 15, 2024, of the dates on which hearings would be held for all species, should they be necessary. Consultation was conducted just prior to the 2024-25 fiscal year, as the Panel advises industry stakeholders early in the calendar year to ensure that stakeholders have adequate time to prepare for collective bargaining and conclude collective agreements prior to the scheduled hearings for each species.

Where collective agreements are not achieved in bargaining, hearings are conducted in order to provide the parties to collective bargaining with an opportunity to represent their respective positions to the Panel.	The Panel conducted a total of two hearings in 2024-25, allowing the parties to collective bargaining an opportunity to represent their respective positions, one hearing was held for crab and one for lobster. Please see Appendix A for a full summary of 2024-25 fishing season activity.
Following a hearing, the Panel will make and inform industry stakeholders of timely decisions establishing prices and conditions of sale for the particular fish species.	For each species under consideration, the Panel made timely decisions, typically within four days of the hearing, and prior to the start of the fishery for the species under consideration. When a hearing was required, the Panel notified the parties to collective bargaining (and other affected stakeholders) of its decision at least three days prior to the start of the fishery. Written copies of the Panel decisions were sent to impacted stakeholders and placed on the Panel's website for public viewing. Two notifications related to decisions were distributed and posted on the website in 2024-25.

At the end of 2024-25, the Panel had ensured that collective agreements were in place and prices and conditions of sale were established in accordance with deadlines established by the Minister of Fisheries, Forestry and Agriculture, for all species subject to collective bargaining.

Issue 2: Recommend legislative or regulatory amendments that provide a realistic mechanism for price setting.

Objective: By March 31, 2024, 2025, and 2026, the Panel, where in its opinion it was warranted, may make recommendations to the Minister responsible, with respect to an amendment to, or modification of, the **Fishing Industry Collective Bargaining Act** and **Regulations**.

Indicators for 2024-25	Performance for 2024-25
The collective bargaining process is monitored.	Throughout the 2024-25 fiscal year, the Panel continuously monitored with the assistance of the Panel Facilitator the collective bargaining process to ensure that where the services of the Panel were required in relation to assisting in the setting of fish prices, parties were engaged and provided with support to ensure the timely commencement of the fishery.
Recommendations for changes to the legislation and regulations are proposed, as warranted.	The Panel, as warranted, makes recommendations to the Minister Responsible for Labour and the Minister of Fisheries, Forestry and Agriculture on the collective bargaining framework for the fishery and on possible amendments to the legislation. The Panel did not indicate any changes to the legislation were warranted during the 2024-25 fiscal year.

At the end of 2024-25, the Panel had ensured it had, where it was warranted, made representations to the Minister responsible, with respect to an amendment to, or modification of, the **Fishing Industry Collective Bargaining Act** and **Regulations**.

Opportunities and Challenges Ahead

The 2024–25 fishing season presented a range of operational and environmental challenges, consistent with the dynamic nature of the fisheries sector. Despite these difficulties, the season was notable for its continued development and the emergence of new opportunities within the industry.

The snow crab fishery remains a foundational component of the rural Newfoundland economy, contributing significantly to both direct employment and broader economic activity through associated industries and services. As the first major commercial fishery of the calendar year, the timely commencement of the snow crab harvest is critical. As the first major commercial fishery of the year, it is crucial that the snow crab harvest commences on schedule to ensure the smooth progression of subsequent fisheries.

In the previous year, the crab industry faced a significant setback due to a market collapse in the United States. The price set by the Standing Fish Price-Setting Panel was deemed unacceptable by the union, resulting in a six-week delay during which processors remained idle and harvesters were docked. In response, the provincial government established a committee comprising representatives from both harvesters and processors to examine the industry and develop a pricing formula. This initiative led to the creation of the "Blackwood Formula," named after the committee chair.

To support this initiative, the province amended the **Fishing Industry Collective Bargaining Act** to mandate the use of a pricing formula for crab. Although the season experienced a one-week delay, the adoption of the formula was a notable success. It introduced a mechanism that allowed

harvesters to benefit from price increases, fostering greater transparency and responsiveness to market conditions. This development marked a significant achievement for the 2024–25 season.

This reporting year also stood out as one of the most successful in terms of labour relations, with only two species—crab and capelin—requiring arbitration. Looking ahead, the industry faces several global uncertainties, including fluctuating costs, market demand, inventory levels, and geopolitical influences. Diversifying export markets remains a top priority to reduce reliance on any single region.

Looking forward, the development of pricing formulas for additional species could further stabilize the industry and enhance collective bargaining outcomes. These efforts will be crucial in ensuring the long-term sustainability and resilience of the provincial fishing sector.

Financial Information

The following table is a summary of Panel expenditures for 2024-25.

Expenditures included in this document are unaudited and based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year Ended March 31, 2025. The Standing Fish Price-Setting Panel is not required to provide a separate audited financial statement.

Standing Fish Price-Setting Panel
Summary of Expenditures
For the Year Ended March 31, 2025

Summary of Expenditures For the Year Ended March 31, 2025			
Activity – 4.1.04	**Actual Expenditure $**	**Amended Budget $**	**Original Budget $**
Salaries	$109,345	$110,600	$110,600
Transportation and Communication	$3,610	$17,200	$17,200
Supplies	$874	$200	$200
Professional Services	$30,000	$42,400	$77,400
Purchased Services	$1,061	$3,500	$3,500
Property, Furnishings and Equipment	$0	$100	$100
Total	$179,890	$209,000	$209,000

Appendix A

Species Negotiations and Results Summary – 2024-25 Season

Species	Parties to Bargaining	Agreement Reached	Hearing Held	Panel Decision
Halibut	ASP & FFAW	Yes	No	n/a
Snow Crab	ASP & FFAW	No	Yes	ASP
Lobster	ASP & FFAW	Yes	No	n/a
Spring, Summer & Fall Shrimp	ASP & FFAW	Yes	No	n/a
Whelk	ASP & FFAW	Yes	No	n/a
Lump roe	TBD & FFAW	Yes	No	n/a
Cod	ASP & FFAW	Yes	No	n/a
Sea Cucumber	ASP & FFAW	Yes	No	n/a
Turbot	ASP & FFAW	Yes	No	n/a
Capelin	ASP & FFAW	No	Yes	ASP
Herring	ASP & FFAW	Yes	No	n/a
Squid	ASP & FFAW	Yes	No	n/a
Mackerel	ASP & FFAW	No Fishery	n/a	n/a

Abbreviations:

ASP: Association of Seafood Producers
FFAW: Fish, Food and Allied Workers' Union

2nd Floor, Beothuk Building
20 Crosbie Place
P.O. Box 8700

https://www.gov.nl.ca/fishpanel/