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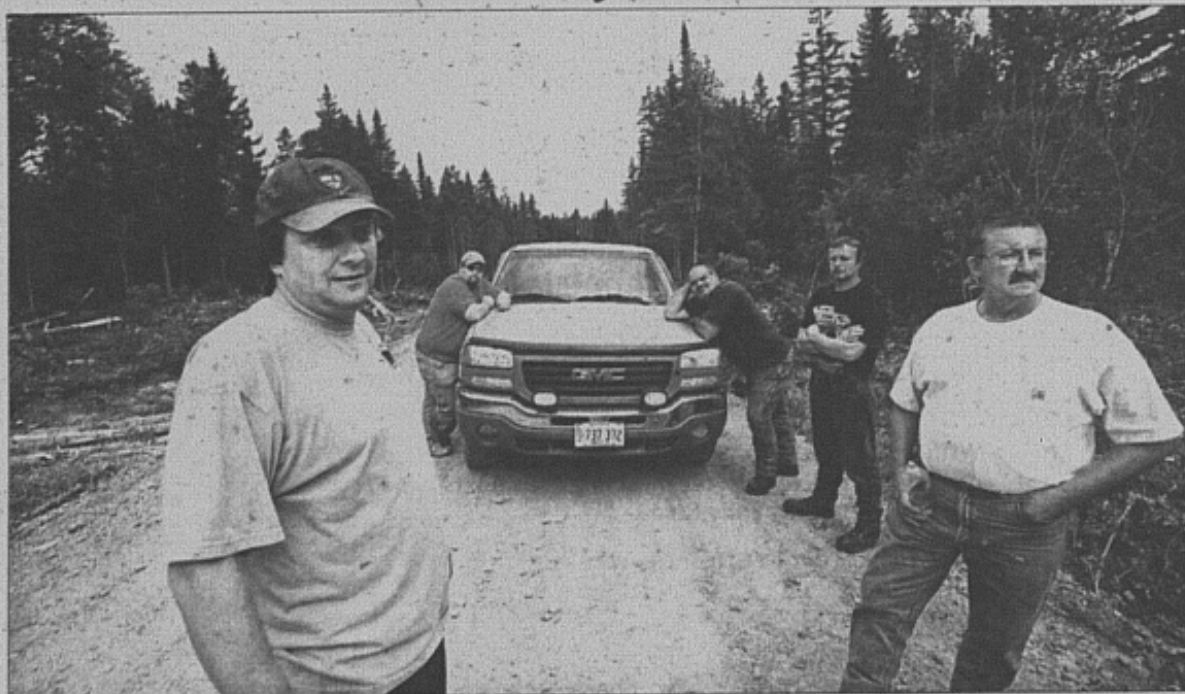
FINAL EDITION  
bangordailynews.com

FRIDAY, AUGUST 7, 2009

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## BORDER TENSIONS

### Maine loggers contend Canadian companies are skirting labor laws



BANGOR DAILY NEWS PHOTOS BY GABOR DEGRE

Troy Jackson of Allagash (above, left), a Maine senator and logging equipment operator, and Carney McBreairty (right), a logging contractor, have been visiting logging operations such as the one in T16 R14 on Tuesday where Canadian logging crews work in wood harvesting. Both men have been unable to find work, and McBreairty said his employees and equipment have been idle while work is being done by foreign labor. Canadian logger Mathieu Cloutier (below) said he and his father have operated equipment in Maine for years. They were harvesting wood Tuesday in T16 R14.

BY KEVIN MILLER  
OF THE NEWS STAFF

**TOWNSHIP 16 RANGE 14** — The two pickup trucks had been bumping down logging roads near the northernmost tip of Maine for about half an hour when a radio inside the cab crackled with the sound of someone speaking French.

It was confirmation that they were in the right area.

Hearing French in this part of Maine's North Woods is by no means unusual — and that's precisely the problem, according to the half-dozen unemployed Maine loggers inside the trucks.

While the Canadian crews talking on the radio have been cutting wood in Maine for weeks, even months, most of the Allagash-area



loggers have been unable to find work since spring.

"You can see what's wrong with this picture when there are Cana-

dians working and Americans standing here," Steven Hafford, a logger from the Aroostook County town of St. Francis, said a short

time later as he and the others stood watching the logging operation.

"This is all Canadian," added Sen. Troy Jackson, a logger from Allagash. "The only thing here that's American is the wood that's leaving."

The group's unannounced visit to this particular logging operation was no mistake. The subcontractor, A.D. Logging Inc., is currently under investigation by the Maine Attorney General's Office for potential violations of foreign labor laws.

Jackson contends the company is just one of many that skirt those laws to award jobs in Maine to family members, buddies and other Canadians instead of Mainers.

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# Tensions

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Under the law, Canadian companies must have a permanent physical location in Maine in order to hire foreign workers. Also, those companies cannot allow foreign workers to use their own heavy equipment.

On this recent trip into the woods, a forester with the land management company Seven Islands Land Co. declined to speak with the loggers or reporters. But a machine operator identifying himself as Mathieu Cloutier, the son of A.D. Logging's owner, Daniel Cloutier, did pause briefly to answer a few questions with the help of a translator.

But his answers, largely dealing with who owns the heavy machinery, left Jackson more convinced of ongoing violations at the site. While A.D. Logging is the subject of an investigation, Jackson has compiled paperwork on more than a dozen other companies he believes are violating the same state and federal laws with no recourse from regulators.

"There is no one watching these programs," Jackson said. "They are just rubber-stamping these applications."

This was not the first "scouting" expedition Jackson and some of the other loggers had taken into the woods.

Several weeks ago, Jackson and a group of others had dropped by six logging-sites along a broad swath of northern Maine. Ostensibly the purpose of their visits was to ask foremen at each site for jobs — not an uncommon way of finding work among Maine loggers.

But the loggers also were probing for information to support their claims of anti-American bias among some contractors who they say routinely violate state and federal rules regarding use of foreign laborers. The group said they turned up no jobs but plenty of evidence of potential violations of foreign labor rules.

Not surprisingly, the group's unofficial inspections do not sit well with everyone.

Representatives of landowners said those scouting forays, combined with growing rumors of possible border blockades and reports of vandalism, have merely heightened tensions in an already uneasy situation.

"It's been very unsettling for the logging community to have that type of activity going on while they are struggling to run their businesses in a very tough economic climate," said



A Canadian logging truck with a load of wood from T16 R14 heads for Canada on Tuesday.

BANGOR DAILY NEWS PHOTO BY GABOR DEGRE

Joel Swanton, Northeast region manager for the Forest Resources Association, a trade group that represents landowners and loggers on both sides of the border.

Loggers in northern Maine have always had a tenuous relationship with their colleagues from Canada, who are often willing to work for less because of the exchange rate. About once a decade or so, those cross-border tensions boil over.

In 1998, Jackson was among a group of loggers who blockaded a forest road border crossing for about a week to protest the number of Canadians permitted to work in Maine. Maine loggers also blocked border crossings in 1974.

Swanton said woods workers on both sides of the border are hurting due to what he described as some of the worst economic conditions in 40 years. But he said there still are instances where temporary foreign workers are needed in Maine.

"The forest industry in Maine has relied for generations on both Maine and Canadian laborers to supply mills," he said. "We share markets, we share wood, we share labor and we have for many years."

Such statements ring hollow in the ears of many Maine loggers who claim they are being denied jobs in this state that are ultimately given to Canadian workers.

"If the market is as bad as it is, they should let Americans do the jobs that are here instead of letting Canadian workers come here," said Troy Taggett from Allagash. Taggett said it is nothing personal

against Canadians with whom he has worked for many years.

"I just want to go to work," he said.

Canadian loggers are permitted to enter Maine under a federal law allowing businesses to hire foreigners on a temporary basis when there is a shortage of American labor. The agriculture and hospitality industries account for the vast majority of such "bonded" laborers in Maine and nationally, although logging companies operating in this state typically seek about 600 waivers every year.

Before any foreign laborers can be brought in, those companies must offer the jobs to American workers. But Maine loggers claim they are routinely ignored, dismissed as unqualified or discouraged from applying by impediments they say are placed in their paths.

Maine Labor Commissioner Laura Fortman said many loggers — fearful of being blacklisted from future jobs — have been reluctant to file formal complaints. Without complaints, the Maine Department of Labor cannot investigate.

But the fact that so many longtime Maine loggers are currently unemployed while Canadian laborers continue to work in the state has provided enough evidence for the state Department of Labor to raise alarms with federal officials. Last week, the U.S. Department of Labor announced plans to audit more than two dozen contractors using bonded labor.

"I do believe that there are some systemic barriers that are put up that Maine workers need to jump through," Fortman said.

Swanton said companies are having more difficulty finding Maine loggers willing to work in remote locations where commuting every day is not an option. But if it weren't for the recession, these issues likely wouldn't be coming to a head because there would be ample work to go around, he said.

As for the potential violations of state and federal labor laws, Swanton said his organization is eager to hear the results of the federal audits and the state's investigation. He said the Maine Department of Labor has never raised concerns with the Forest Resources Association about widespread noncompliance with state rules, and he disagreed with charges that companies purposely make it difficult for Maine workers to apply.

"I've heard of all sorts of perceptions and allegations, but I am not aware of anything like that," Swanton said. "To go through all of the scrutiny of bringing bonded workers in, I think it would be hard to discriminate against an American worker."

Without naming Jackson, Swanton said some people in northern Maine appear to have an agenda of forcing all Canadian loggers out of the state and ending cross-border transport of Maine-wood to Canadian mills.

Jackson, who got into politics largely because of his involvement in labor issues among loggers, insists he is just trying to get the state and federal government to enforce rules that are on the books.

"We have the responsibility to enforce [state laws] and we are doing the best that we can"

with limited resources, replied Fortman.

She couldn't comment on whether additional complaints could be filed against other companies. But she said Gov. John Baldacci and federal officials have made it clear that they will investigate the allegations.

"The governor has made this a priority," Fortman said.

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