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Loggers' pickups (above) block the road in Maine at the St. Pamphile, Quebec, crossing. Hilton Hafford (left photo, at left) airs his grievances to Rep. Duane Belonger, who worked to negotiate an end to the blockade. (NEWS Photos by Mark Schwane)

State Labor Department probes complaints

By Paul Kane
States News Service

WASHINGTON — The Maine Department of Labor has begun investigating the complaints of the state's loggers that timber companies violate federal laws by hiring too many Canadian workers.

The state agency will have two inspectors in Presque Isle, Maine, where a group of Maine loggers will meet today with U.S. Sen. Susan Collins and U.S. Rep. John Baldacci about the swirling controversy.

"She wants to hear firsthand what their concerns are," said Felicia Knight, spokeswoman for Collins.

At the heart of matter is a complex mix of federal laws being administered at the state level revolving around international trade disputes. Also involved is a declining timber industry in the northernmost reaches of the state that has not been an attractive option for a population that increasingly follows jobs south.

"Typically, the [Maine] workers are not there," said Alan Hinsey of the Maine Labor Department.

In the past year, 40 timber companies in Aroostook County have had about 680 logging jobs, but only about 18 of them have gone to Mainers. The rest have gone to Canadian workers crossing the border, said Hinsey, director of the

state's Bureau of Labor Standards.

There are four critical areas for the federal and state agencies to explore: that the wages for loggers unfairly benefit Canadian workers because of the differences in exchange rates; that the timber companies do not make a "good faith effort" to hire local residents; the high costs of a safety certificate program for loggers; and the shipping of the raw lumber over the border to be finished and sold by Canadian companies.

"We want to do everything we can to ensure that it's a fair trade situation," said Dave Lackey, spokesman for Sen. Olympia Snowe.

See State, A2, Col. 1

State Labor Department investigates complaints

State, from A1

The first step in the process is the state Labor Department's investigation, which will examine whether qualified Mainers have been unfairly denied logging jobs.

If the state agency can prove violations exist, it will try to negotiate a settlement on behalf of the Maine workers. If there is no settlement, Hinsey said, then the federal courts and agencies such as the U.S. Customs Service and the Immigration and Naturalization Service could get involved.

But it will be difficult to prove those charges. "That's a long way down the road," Hinsey said.

Federal law dictates that U.S.-based companies must first try to hire American workers. If they can certify that there is a shortage of U.S. workers, employers in Maine must get approval from the Certified Alien Labor program, which allows them to hire foreigners.

"Hiring the Canadian is sup-

posed to be a measure of last resort," said John Ripley, Baldacci's spokesman.

Timber companies also must hire the Canadians at the local prevailing wage, which is calculated by Hinsey's office each year and is now \$10 an hour.

If a timber company denies the job and hires a Canadian because the local worker does not have a safety certificate — which can cost up to \$500 to get — that would be

fine under federal law, Hinsey said.

Another gripe from loggers — that Canadians get an unfair advantage from the \$10 an hour wage — would probably not be enough to trigger a federal law violation.

With unequal exchange rates, a Canadian worker can buy about 35 percent more than a Maine worker on \$10 an hour, meaning the Canadians have a greater incentive to perform a sometimes

groeling, labor-intensive job, some say.

And what may be the largest concern — the shipping of raw lumber from Maine into Canada, draining one of the state's poorest regions of badly needed value-added products — is a trade dispute that cannot be addressed by a state agency, Hinsey said.

"That's an accepted practice. It doesn't violate anything," he added.

AT PEOP