

Logging regulations targeted at forum

BY JULIA BAYLY
SPECIAL TO THE NEWS

FORT KENT — State Sen. Troy Jackson has a message for those charged with enforcing laws regulating the use of foreign labor in the Maine woods: He's not going anywhere until the issue is resolved to the benefit of Maine workers.

On Friday, Jackson, along with about 150 loggers, truck drivers, contractors, landowners and state officials, took part in a logging forum hosted by the University of Maine at Fort Kent to hear about changes to state and federal laws.

A longtime Maine woodsman himself, Jackson, D-Allagash,

"This is an issue that has been brewing for a long, long time."

SEN. TROY JACKSON,
D-ALLAGASH

sponsored legislation this past session that tightened up some of the rules governing foreign labor and equipment, in part by closing loopholes used by some landowners to employ Canadian workers instead of those from Maine.

The new provisions of the law take effect on July 12.

"This is an issue that has
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for information between the A lot of them could tell he himself she helped them resolve they might not have been able to

Logging

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been brewing for a long, long time," Jackson said Friday. "We tried last [legislative] session to make it a little better."

An Act to Protect Maine Workers includes hefty penalties for contractors and landowners who knowingly violate federal bonded labor laws in hiring foreign workers through the H2A Foreign Labor Certification program.

"Some people using bonded workers in the state have a real need," Jackson said. "But there are an awful lot of those contracts that are not needed, and in a lot of parts of Maine it's Americans need not apply' ... We need to protect our people."

Under the H2A program, contractors may hire foreign workers when there are no qualified Maine residents to fill open positions.

In woods operations in Maine, those foreign workers are usually Canadians. According to Jackson, last year 180 bonded Canadians were employed in the Maine woods under the program, while the state's Department of Labor listed 900 unemployed Maine woods workers.

"More often than not it's foreign companies hiring sons, brothers and nephews," Jackson said. "Some might need to do that, but a majority do not and I'll stick to that as long as I'm breathing air."

Jackson vowed, moreover, to keep introducing and pushing legislation to protect Maine workers and block any end-runs landowners may try to make around existing laws.

"If that's the case I will have a bill in the next session," Jackson vowed.

Under the new provisions that become law in July landowners will be required to use only logging contractors who are on a list of approved contractors maintained by the state Department of Labor. Violations of that provision could result in a fine of up to \$50,000 to the landowner.

Logging equipment ownership will have to be filed with the Labor Department at the time contractors apply for bonded laborers. That requirement will apply to trucking and road building equipment.

In the past, landowners and contractors based in Canada have used legal loopholes to bypass the U.S.-owned-only requirement for equipment used in Maine logging operations.

The new law also will make

bonded Canadian workers ineligible for Maine unemployment benefits.

"H2A Canadian workers were taking \$500,000 a year out of Maine's unemployment," Jackson said. "Only \$200,000 a year was coming in from the people they were working for."

Under the new law, the forest products industry will create a centralized job recruitment clearinghouse to process applications for logging jobs.

"The Department of Labor continues to work on the difficulties facing Maine loggers," said Ned McCann, deputy commissioner with the Maine Department of Labor. "Today is another attempt at outreach and to bring you up to speed."

Officials also briefly touched on anticipated changes to federal law that may take effect in the near future.

Jackson and Rep. John Martin, D-Eagle Lake, encouraged those working in the woods to monitor practices and report any violations.

"Workers seeing violations can now go to the state and demand arbitration," Jackson said. "You

don't have to wait to see if the state is going to take care of it."

Logger Mark Hafford was pleased to see state representatives travel to Fort Kent to explain the laws.

"It's good they want to come educate us," Hafford said. "We can learn about the new laws, and now we know we can report it if we see something and know something will get done about it."

Fellow logger Carny McBreaity also was glad to see something done to control the bonded labor program in Maine, but he worries about the new law's effectiveness.

"It's good if they are going to enforce the laws," McBreaity said. "But if we see all these new laws and they are not enforced, nothing's going to change."

McBreaity, who has logged for 40 years, has seen his equipment parked for the past year, due in large part, he said, to contractors hiring foreign workers in his place.

"I can't get a job yet there are bonds working with their equipment in the woods," he said.

jbayly@bangordailynews.com
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