



# Maine Forest Products Council

*The voice of Maine's forest economy*

## Testimony in Opposition to LD 1874

### **“An Act to Support Maine Loggers’ and Truckers’ Right to Work in Maine by Improving Labor Standards”**

May 15, 2023

Patrick Strauch, Executive Director

#### Companies represented on the MFPC Board

A & A Brochu Logging  
American Forest Mgmt.  
Baskahegan Co.  
BBC Land, LLC  
Columbia Forest Prod.  
Cross Insurance  
Family Forestry  
Farm Credit East  
Fontaine Inc.  
H.C. Haynes  
Huber Resources  
INRS  
J.D. Irving  
Katahdin Forest Mgmt.  
Key Bank  
Kennebec Lumber  
LandVest Inc.  
Louisiana Pacific  
Maibec Logging  
ND Paper  
Nicols Brothers  
Pingree Associates  
Prentiss & Carlisle  
ReEnergy  
Richard Wing & Son  
Robbins Lumber  
Sappi North America  
Southern Maine Forestry  
Stead Timberlands  
St. Croix Tissue  
St. Croix Chipping  
TD Bank  
Timber Resource Group  
Timberstate G.  
Wadsworth Woodlands  
Wagner Forest Mgt.  
Weyerhaeuser  
Woodland Pulp

Good morning, Senator Ingwersen, Representative Pluecker and members of the Committee on Agriculture, Conservation and Forestry. I’m Patrick Strauch, the Executive Director of the Maine Forest Products Council. The Maine Forest Products Council is an organization representing more than 300 members from all facets of the forest products industry. We also have more than 8 million acres of dues paying members.

I am here today to testify in opposition to LD 1874, “An Act to Support Maine Loggers’ and Truckers’ Right to Work in Maine by Improving Labor Standards.” We are testifying in opposition to this bill today because we feel that the major forest certification standards have strong worker provisions, and it is critical for independent certification programs to maintain autonomy from governments to maintain their integrity.

Over the last three decades, independent conservation organizations have developed and implemented voluntary third-party certification programs as a tool to promote and enhance sustainable forest practices. Maine has led the way in this endeavor with 8.3 million acres of forestland certified under one of the three nationally recognized programs, Sustainable Forestry Initiative, Forest Stewardship Council and American Tree Farm. Maine ranks 2<sup>nd</sup> in the nation for most certified acres. The vast majority of these certified acres are owned by private landowners who, along with other landowners, have made a commitment to stewarding Maine’s natural resources for future generations. The attached map demonstrates the extent of certified forestland in Maine. Participation in these certification programs is voluntary, but the positive impacts on Maine’s forests, wildlife and ecosystems have been significant.

Examples of the language for the SFI and FSC standards regarding labor can be found below.

While both certification programs are utilized on the global scale and landowners are audited to the standards of the program by third party accredited auditors, the SFI program has a unique education and outreach function supported by the SIC (State Implementation Committee). SIC is governed by its own board of directors and it

operates independently of any other organization. Both SFI and FSC provide opportunities for regular public input in the development of regional program standards, and it is during this time when it would be appropriate

for program participants, such as the State of Maine, to suggest new or updated standards for consideration. This process gives all participants, and the general public, the opportunity to have a voice without exerting undue influence over program standards and criteria.

As drafted, LD 1874 seeks to use the force of the government to place the voice of one stakeholder above others to influence an independent program in a manner that is not appropriate. The State is just one of many landowners who utilize independent third-party certification programs to communicate to consumers that forest practices are sustainable. To condition the State's participation in these voluntary programs on certification standards will likely result in the State being disqualified from participating, resulting in a less marketable wood supply.

For these reasons, please vote **'Ought not to pass'** on LD 1874. I would be happy to answer any questions that you may have.

## Sustainable Forestry Initiative (SFI) 2022 Forest Management Standards

### **Objective 11. Legal and Regulatory Compliance.**

To comply with all applicable laws and regulations including international, federal, provincial, state, and *local*.

**Performance Measure 11.1.** *Certified Organizations* shall comply with applicable federal, provincial, state, and local *forestry* and environmental laws and regulations.

Indicators:

1. Access to relevant laws and regulations.
2. System to achieve compliance with applicable federal, provincial, state, or local laws, and regulations.
3. Demonstration of commitment to legal compliance through *available regulatory action information*.

**Performance Measure 11.2.** *Certified Organizations* shall comply with all applicable social laws at the federal, provincial, state, and local levels in the country in which the *Certified Organization* operates.

Indicators:

1. Written *policy* demonstrating commitment to comply with social laws, such as those covering civil rights, equal employment opportunities, gender equality, diversity inclusion, anti-discrimination and anti-harassment measures, workers' compensation, *Indigenous Peoples'* rights, workers', and communities' right to know, prevailing wages, workers' right to organize, and occupational health and safety.
2. *Forestry enterprises* will respect the rights of workers and labor representatives in a manner that encompasses the intent of the International Labor Organization (ILO) core conventions.

### **Objective 14. Community Involvement and Landowner Outreach.**

To broaden the practice of *sustainable forestry* through public outreach, education, and involvement, and to support the efforts of *SFI Implementation Committees*.

**Performance Measure 14.3.** *Certified Organizations* shall, individually and/or through cooperative efforts including *SFI Implementation Committees*, establish, at the state, provincial, or other appropriate levels, procedures to address concerns raised by loggers, consulting foresters, employees, unions, *stakeholders*, the public or other *Certified Organizations* regarding management that appears inconsistent with the SFI standards principles and objectives.

Indicators:

1. Support for *SFI Implementation Committees* (e.g., toll-free numbers and other efforts) to address concerns about apparent nonconformance.
2. Process to receive and respond to public inquiries. *SFI Implementation Committees* shall submit data annually to *SFI Inc.* regarding concerns received and responses.

### FSC-US Forest Management Standard (v1.0)

Approved by FSC-IC, July 8, 2010

**PRINCIPLE 4: COMMUNITY RELATIONS AND WORKER'S RIGHTS** Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.

**C4.1** The communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.

Indicator 4.1.a Employee compensation and hiring practices meet or exceed the prevailing local norms within the forestry industry. Intent: “Compensation” includes salary or wages, and benefits.

Indicator 4.1.b Forest work is offered in ways that create high quality job opportunities for employees.

Indicator 4.1.d Hiring practices and conditions of employment are non-discriminatory and follow applicable federal, state and local regulations.

Indicator 4.1.e The forest owner or manager provides work opportunities to qualified local applicants and seeks opportunities for purchasing local goods and services of equal price and quality.

Indicator 4.1.f Commensurate with the size and scale of operation, the forest owner or manager provides and/or supports learning opportunities to improve public understanding of forests and forest management.

Indicator 4.1.g The forest owner or manager participates in local economic development and/or civic activities, based on scale of operation and where such opportunities are available.

**C4.2 Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of employees and their families.**

Indicator 4.2.a The forest owner or manager meets or exceeds all applicable laws and/or regulations covering health and safety of employees and their families.

Indicator 4.2.b The forest owner or manager and their employees and contractors demonstrate a safe work environment. Contracts or other written agreements include safety requirements.

Indicator 4.2.c The forest owner or manager hires well-qualified service providers to safely implement the management plan.

C4.3 The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labor Organization (ILO).

Indicator 4.3.a Forest workers are free to associate with other workers for the purpose of advocating for their own employment interests.

Indicator 4.3.b The forest owner or manager has effective and culturally sensitive mechanisms to resolve disputes between workers and management.

C4.4 Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups (both men and women) directly affected by management operations.

Indicator 4.4.a The forest owner or manager understands the likely social impacts of management activities, and incorporates this understanding into management planning and operations. Social impacts include effects on: • Archeological sites and sites of cultural, historical and community significance (on and off the FMU); • Public resources, including air, water and food (hunting, fishing, collecting); • Aesthetics; • Community goals for forest and natural resource use and protection such as employment, subsistence, recreation and health; • Community economic opportunities; FSC-US Forest Management Standard Page 17 of 109 • Other people who may be affected by management operations.

Indicator 4.4.b The forest owner or manager seeks and considers input in management planning from people who would likely be affected by management activities.

Indicator 4.4.c People who are subject to direct adverse effects of management operations are apprised of relevant activities in advance of the action so that they may express concern.

Indicator 4.4.d For public forests, consultation includes the following components: 1. Clearly defined and accessible methods for public participation are provided in both long and short-term planning processes, including harvest plans and operational plans; 2. Public notification is sufficient to allow interested stakeholders the chance to learn of upcoming opportunities for public review and/or comment on the proposed management; 3. An accessible and affordable appeals process to planning decisions is available. Planning decisions incorporate the results of public consultation. All draft and final planning documents, and their supporting data, are made readily available to the public. FSC-US Forest Management Standard Page 18 of 109 Applicability: This Indicator only applies to public lands.

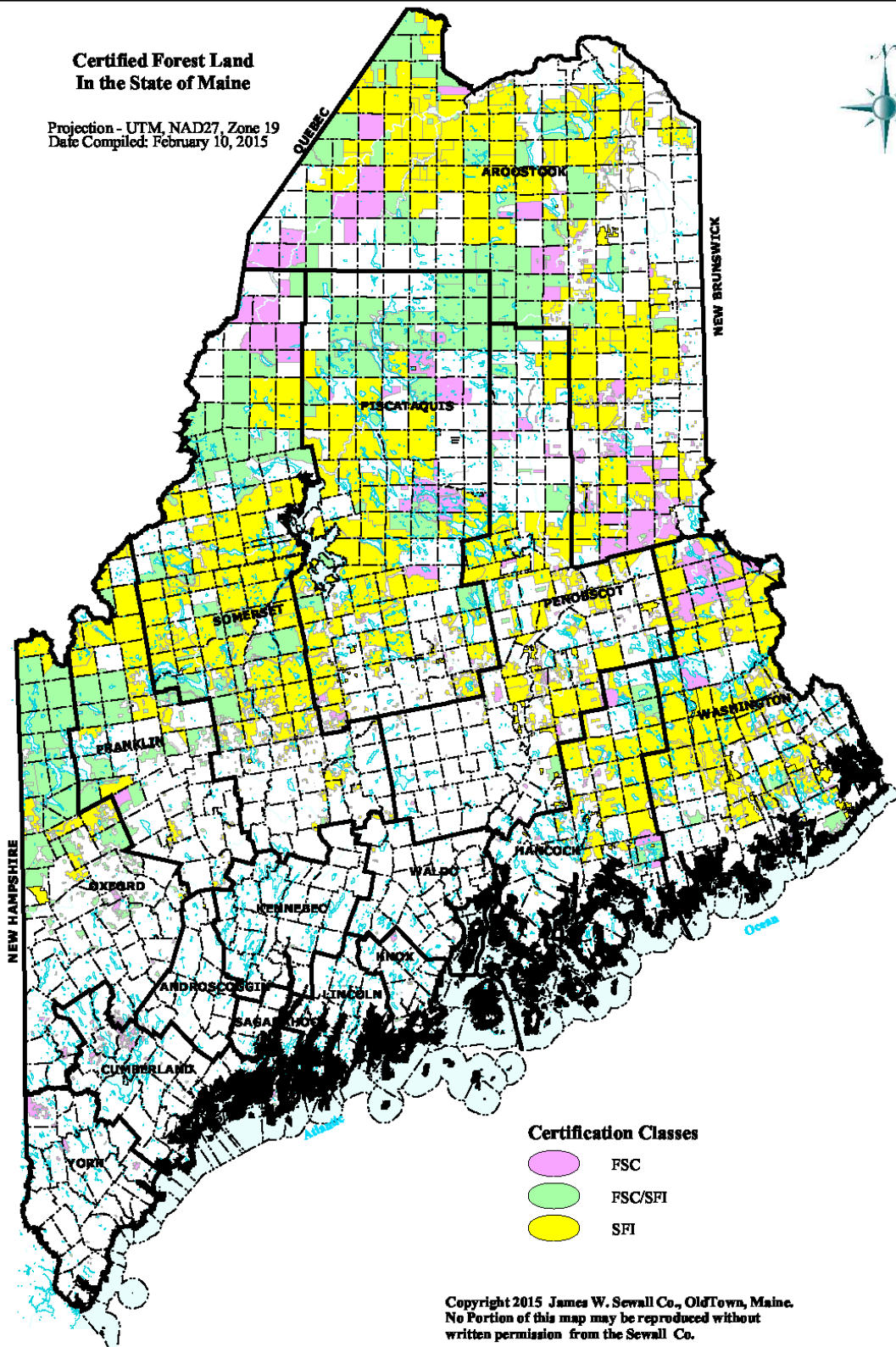
Indicator 4.5.a The forest owner or manager does not engage in negligent activities that cause damage to other people.

Indicator 4.5.b The forest owner or manager provides a known and accessible means for interested stakeholders to voice grievances and have them resolved. If significant disputes arise related to resolving grievances and/or providing fair compensation, the forest owner or manager follows appropriate dispute resolution procedures. At a minimum, the forest owner or manager maintains open communications, responds to grievances in a timely manner, demonstrates ongoing good faith efforts to resolve the grievances, and maintains records of legal suites and claims.




Indicator 4.5.c Fair compensation or reasonable mitigation is provided to local people, communities or adjacent landowners for substantiated damage or loss of income caused by the landowner or manager.

**Certified Forest Land  
In the State of Maine**

Projection - UTM, NAD27, Zone 19  
Date Compiled: February 10, 2015



**Certification Classes**

-  FSC
-  FSC/SFI
-  SFI

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