

## ***Update on Guidance for Yellowknife Topic-Specific General Hearing – Topic 9, Education, Training, Employment and Procurement – February 6, 7 and 8, 2007***

[Yellow highlighting indicates new text effective January 19, 2007]

The purpose of this document is to provide further information about the subject matter and approach concerning the conduct of the Joint Review Panel's Topic-Specific General Hearing on *Education, Training, Employment and Procurement* scheduled for February 6, 7 and 8, 2007 in Yellowknife. It is intended to assist participants in preparing for the hearing. It is supplementary to the *Guidance Document for Hearings: Topics and Locations of Community, General and Technical Hearings* (revised December 11, 2006).

These hearing sessions will focus on specific Mackenzie Gas Project-related education, training, employment and procurement opportunities and constraints, and comparative adverse and beneficial effects associated with conditions of eligibility, access, participation and preference, and human and business capacity.

Topic 9 focuses on how individuals and businesses may or may not benefit directly from the proposed Mackenzie Gas Project (MGP). Potential macro level economic impacts associated with Project activities and expenditures on labour force, employment and income, government revenues, and economic diversification are addressed in Topic 10 – Project Related Expenditures and Economic Benefits.

Matters for general discussion should include:

- Education and training opportunities and constraints
- Conditions of work and employment
- Business opportunities, procurement, and constraints

The Panel needs to assess the combined contributions of various means of Project-related mitigation and enhancements, whether they are contained in the EIS, Commitments Tables, access and benefits agreements, socioeconomic agreements, and cooperation plans and agreements (i.e. whether these are publicly stated or privately negotiated).

With regard to the matters listed above, hearing presentations and discussion by the Proponent and Interveners should include consideration of the following questions:

- What are the conditions and opportunities for regional participation in wage and salary employment, considering such factors as:

- disincentives and constraints for local participation in employment (e.g., child and elder care, housing assistance and related policies)
- the extent to which the skills of the available workers match the job requirements
- the level of interest in Project-related work
- commuting arrangements to allow these workers to reach the work site
- What are the Proponent's policies, plans and commitments with particular regard to:
  - points of hire, hiring preferences, adjacency issues
  - conditions of employment and work (example: rotation schedules, cross-cultural awareness, discrimination, gender equity and equality)
  - camp policies (example: closed camps, drugs and alcohol, health and safety)
  - business opportunities and procurement plans in the NWT and the Yukon
  - training and education of northerners, aboriginal people, women and youth
  - their status and effect on the policies, plans and commitments of prime contractors and subcontractors
- With respect to the implementation of the Proponent's company policies, plans and commitments, how would compliance be enforced?
- What are the implications of the pace and scale of Project development during construction, operation and abandonment?
- What is the subject matter and status of access and benefits agreements, and in what ways and to what extent do they contribute on a regional basis to enhancements of education, training, employment, conditions of work, and business opportunities and procurement?
- With regard to education and training, employment, and business opportunities and procurement, what undertakings has the Proponent implemented and what has been achieved with regard to these matters in the last five years?
- What is the proven effectiveness of the Proponent's proposed enhancement and mitigation measures?
- With respect to union labour participation:
  - where will there be Project-labour agreements and where will there not be?
  - what will be the relationship between union and non-union contractors? (eg. gravel, water, and timber haulage)
  - what are the qualifications required of experienced Northerners for union employment?
  - what is the unions' capacity for training of unskilled northern labour?
- In the Northwest Territories, who will bear the cost of training northerners in Project-related programs?
- What are the subject matter and status of socioeconomic agreements, cooperation plans and service agreements as they pertain to the Proponent, Government of the Northwest Territories and aboriginal organizations?
- what are the interests and issues (as they pertain to the aforementioned matters) the Government of the Northwest Territories (GNWT) is seeking to address

through the following measures:

- a socioeconomic agreement with the Proponent?
- cooperative arrangements, plans and programs with the Proponent, the federal government, and aboriginal organizations?
- Based on the experience of the GNWT with socio-economic agreements negotiated and implemented with the NWT diamond mining industry, what lessons have been learned and what are their implications for a socio-economic agreement with the MGP?
- What success have Canada Benefits Plans prepared pursuant to the *Canadian Petroleum Resources Act* had in addressing the aforementioned matters (in the context of the anchor fields and gathering system)?

The Access Agreements and Benefits Agreements negotiated between aboriginal organizations and the Proponent of the proposed Mackenzie Gas Project represent potentially important economic measures and enhancements. The Panel understands that these agreements are confidential agreements between two parties. However, in order to assess the significance of the Project's contributions and impacts, especially as they apply to the regions and communities of the Northwest Territories, the Panel seeks answers to the following questions with respect to the general provisions of the Access Agreements and Benefits Agreements:

- What are the subject matters addressed?
- What are the types of measures (mitigation and enhancement) and benefits contained?
- With regard to the magnitude of the measures and benefits:
  - what are the ways and the extent to which the agreements potentially contribute on a regional basis to enhancements of education, training, employment, conditions of work, and business opportunities and procurement?
  - what is the estimated upper and lower range of the potential economic value of the agreements over the life of the MGP, and for each of the pre-construction, construction, operations and abandonment phases of the Project? what percentage of the estimated economic value of the agreements could potentially accrue to the region?
  - what is the estimated upper and lower range of the number of people and businesses that are directly affected by each type of measure and benefit for each of the construction, operations and abandonment phases of the Project?
  - what percentage of the potential employment opportunities generated by the agreements could accrue to the region?
  - what percentage of the potential employment opportunities generated by the agreements could accrue to aboriginal people?
  - of the aboriginal-owned businesses expected to benefit from the Project, what percentage of their employees are aboriginal people?
- With regard to the duration of the measures and benefits:
  - are the measures and benefits one-time, periodic or ongoing occurrences?

- what is the period of time for which each type of measure and benefit is in effect?
- With regard to the distribution of measures and benefits at a regional or local level:
  - what are the mechanisms for the distribution of measures and benefits to people, organizations and businesses (e.g. dividends, one-time payments, financial transfers, etc.)?
  - who will potentially benefit from the measures and opportunities?
- With regard to the general implementation provisions of the agreements:
  - when do they come into effect?
  - what monitoring, oversight and review provisions do they contain?
  - how are the agreements enforced and by whom?
  - what dispute resolution mechanisms do they contain?

The Panel recognizes that the Access Agreements and Benefits Agreements may also contain measures and benefits pertaining to socio-cultural matters. The questions listed above as they apply to socio-cultural matters may also be addressed in this Topic 9 hearing as well.

The appearance of aboriginal organizations to provide information and address questions regarding these matters would assist the Panel in its assessment of Project impacts and the significance of these impacts. Given the confidential nature of the Access Agreements and Benefits Agreements as bilateral agreements between the Proponent and individual aboriginal organizations, the Panel would expect that Interveners would not have questions on the matters listed above.

**The Panel will not consider evidence on matters related to the Connecting Facilities or the territory in which the Dene Tha' First Nation have or have asserted aboriginal or treaty rights.**

*Locations*      Yellowknife Topic-Specific General Hearing – February 6, 7, and 8, 2007  
(9:00 am – 12:00 pm and 1:30 pm – 4:30 pm)

Open General Hearings as listed in the Schedule

### ***Further Information***

For further information about the Joint Review Panel's hearing topics, hearing locations and to register to present at the public hearings, please contact:

Paula Pacholek  
Joint Review Panel Manager  
Suite 302, 125 Mackenzie Road  
P.O. Box 2412, Inuvik NT X0E 0T0

Phone: (867) 678-8604  
Fax: (867) 777-3105  
Email: [pacholekp@jointreviewpanel.ca](mailto:pacholekp@jointreviewpanel.ca)