

A PROJECT CULTURE AND COLLECTIVE AGREEMENT THAT DIFFERENTIATES THE PROJECT

- a. Given this is Newfoundland and Labrador's Project, and its immense importance, to the Provincial Energy Plan the Parties commit to a common vision which is as follows:
 "Our vision is to build a strong economic future for successive generations of Newfoundlanders and Labradorians".
- b. The Parties agree in principle that it is important to ensure the Project is on time and budget, thus enhancing provincial image and reputation to attract future projects and confirming the Resource Development Council (RDC) as the labour supplier of choice for project work in the Province. In short, the Project will lead the way in continuous improvement for positive change for all Parties.
- c. To support the objectives stated above, the Parties agree in principle to the following:
 - i. The Project, from a labour relations and productivity perspective, will set the standard in Newfoundland and Labrador for execution of major project work.
 - ii. The Project, from a safety perspective, will set the standard globally for execution of major project work.
 - iii. Having a collective agreement that differentiates the Project with all unions, contractors and the Owner working collaboratively, while supporting positive labour relations, a safety first culture and high levels of productivity is fundamental. Our mutual goal is success – if one Party wins, so does the other.
 - iv. A labour relations management system that engrains a safety first culture, fosters a positive work environment of trust, respect and accountability, provides for consistency, and supports high levels of productivity is imperative.
 - v. Parties commit to create an environment of excellence which will drive high levels of productivity which will ensure an on time and budget completion.
 - vi. High quality living and travel conditions which differentiates the Project which is important to attract and retain a highly skilled and productive workforce.

AGREED TO THIS 5 day of March, 2012 at Ottawa, Ontario.

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RDC

Teamsters

Gen D. of James E. Sney

Carpenters

Labourers

Tom Woodhouse
Paul Peterson

Ironworkers

Dawn Plériel

J. J. [Signature]

Catherine Rowell

Lower Churchill Falls Employer's Association

Stephanie Ann Murray

Operating Engineers

SPECIFIC PRINCIPLES FOR THE ESTABLISHMENT OF WORK TEAMS

The Parties agree to the following guiding principles for the formation of work teams:

- a. Prior to the creation of work teams for a specific scope of work or work activities the contractor(s) will engage in consultation with the affected unions to receive input as to the most efficient way to creating the work teams,
- b. Work teams will be established proportionately of the necessary skills to execute a specific scope of work so that each union participating in the work team will be fairly represented.
- c. In the event there is a disagreement as to the proportionate composition of a work team, such dispute will be resolved by a three person panel which shall include:
 - i. a nominee of the RDC who has been designated for the term of the project;
 - ii. a nominee of the Association who has been designated for the term of the project; and
 - iii. an independent impartial third party agreed to by the Parties who is not an arbitrator.
- d. All members of a work team will work together cooperatively and productively to ensure the scope of work is executed in a safe and efficient manner. When work is ready for execution and team members who are able to safely execute the work are available, it will be carried out by those members with efficiency and timeliness as the primary consideration.
- e. From time to time as work advances the composition of a work team may be revisited and adjusted as may be appropriate.
- f. There will be no claims permitted for lost wages, other benefits or premiums as a result of an adjustment to the work team and work teams will continue to work cooperatively, without disruption, while any claim to adjust a work team is being adjudicated.
- g. The Liaison Committee shall do an annual review or more often if necessary, to provide input as to the set up, realignment and utilization of work teams

AGREED TO THIS 5th day of March, 2012 at Ottawa, Ontario.

RDC

Teamsters

Carpenters

Labourers

Ironworkers

Lower Churchill Falls Employer's Association

Operating Engineers

[Handwritten signatures and initials for RDC, Teamsters, Carpenters, Labourers, Ironworkers, and Operating Engineers]

[Handwritten signature: David Stavel]

[Handwritten signature: Catherine Powell]

[Handwritten signature: Tom Woodford]

[Handwritten signature: Jim Murphy]

PRODUCTIVITY ENHANCEMENT THROUGH UTILIZATION OF WORK TEAMS WHERE APPROPRIATE

- a. The Association and RDC and its union members agree in principle that the utilization of traditional/non-traditional work teams is essential to Project success. The principle shall be for the Owners design to maximize the contractor's ability to plan work efficiently and for the contractors planning to maximize the utilization of the labour force, enable everyone to work as many productive hours per shift as possible.
- b. The Association, RDC and its union members agree to the following overarching principles for non-traditional work teams:
 - i. The creation of such teams is fair and transparent.
 - ii. The composition of work teams is revisited periodically as work changes or new contractors come on to site.
 - iii. Although principally the team concept will mean disputes over jurisdiction within a team will not exist in execution, there will be an expedited dispute resolution process on site so that any issues arising from the setting of crews are resolved quickly.
 - iv. The creation of traditional/non-traditional work teams shall be on a without prejudice basis.

AGREED TO THIS 5th day of March, 2012 at Ottawa, Ontario.

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RDC

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Teamsters

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Carpenters

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Labourers

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Ironworkers

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Lower Churchill Falls Employer's Association

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Operating Engineers

NEGOTIATIONS, TRADE APPENDIX, ENGAGEMENT OF OTHER RDC MEMBERS AND RATIFICATION

- a. The Association, RDC including the five unions listed below agree to meet for five (5) consecutive days on dates to be agreed upon with the objective of achieving a main body agreement subject to ratification and completion of Trade Appendices for the Muskrat Falls Dam/Generating Facility Collective Agreement.
- b. The Association, RDC and its union members agree to the following guiding principles:
 - i. The five trades listed below will negotiate their current Trade Appendices at the main table.
 - ii. The other RDC members will negotiate their Trade Appendix directly after main table negotiations have been completed which Trade Appendix negotiations which will be dealt with prior to ratification.
- c. The Association, RDC including the five unions listed below agree to take all necessary steps to ensure the Muskrat Falls Dam/Generating Facility Collective Agreement is ratified and/or approved.

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RDC

Teamsters

Carpenters

Labourers

Ironworkers

Operating Engineers

Lower Churchill Falls Employer's Association

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HIRING PROVISIONS TO SUPPORT A SUSTAINABLE LABRADORIAN WORKFORCE

- a. The Parties agree in principle that creating a sustainable Labradorian workforce will benefit the RDC and ensure that there is a significant workforce in Labrador to support the construction and operations of the Muskrat Falls Dam and future projects.
- b. The Parties agree to the following principles:
 - i. All Project partners, including contractors, the RDC and its union members, and Lower Churchill Falls Employer's Association (Association) will work proactively and progressively to advance the participation and integration of the Innu in the areas of employment, training, apprenticeship and other development opportunities in accordance with the New Dawn Agreement (IBA).
 - ii. All Project partners, including contractors, the RDC and its union members, and Lower Churchill Falls Employer's Association (Association) will work proactively and progressively to advance the participation and integration of qualified Labradorians in the Lower Churchill Project in accordance with the Lower Churchill Construction Project's Benefits Strategy (Benefits Strategy).
 - iii. All Project partners, including contractors, the RDC and its union members, and Lower Churchill Falls Employer's Association (Association) will work proactively and progressively to advance the participation and integration of females in the areas of employment, training, education and apprenticeship in accordance with the Benefits Strategy.
 - iv. The hiring of employees in the bargaining unit will be in alignment with IBA and Benefit Strategy obligations while ensuring a reasonable portion of hourly employees will be selected by the contractor(s) and a reasonable portion will be union referrals.
 - v. Achieve and maintain high productivity levels while meeting the obligations and principles outlined above.

AGREED TO THIS 5 day of March, 2012 at Ottawa, Ontario.

RDC

Teamsters

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Ironworkers

Operating Engineers

Lower Churchill Falls Employer's Association

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POTENTIAL UTILIZATION OF NON-NEWFOUNDLAND AND LABRADOR WORKERS

The Parties agree that the utilization of non-Newfoundland and Labrador workers shall be subject to the following guiding principles:

- a. RDC member union is unable to supply workers from within the Province then such RDC member will attempt to supply from affiliate union throughout Canada.
- b. Temporary Foreign Workers (TFWs) if required will be initially accessed from affiliate American unions, and if such unions cannot supply TFWs in a reasonable timeframe and such TFWs may be accessed off-shore.
- c. TFWs will be subject to the same terms and conditions of the collective agreement as Canadian workers with the exception, if necessary, adjustments to address benefit issues.

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Teamsters

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Carpenters

Labourers

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Ironworkers

Lower Churchill Falls Employer's Association

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Operating Engineers

SUPERVISION THAT DISTINGUISHES PROJECT

- a. The Parties agree in principle that supervisors provide the most meaningful interface between Project management, contractors and the workforce, and accordingly, it is fundamental that the Project have high quality supervision.
- b. The Parties agree to the following guiding principles:
 - i. Supervision will be selected from a group that have received multifaceted training, including but not limited to safety, cultural sensitivity, respectful work place, labour relations dispute resolution specific to the collective agreement, and productivity, in advance of commencing work so that they have the skills and tools to succeed.
 - ii. This selection of Supervisors must take into account Project demographics and be in alignment with IBA obligations and the Benefits Strategy.
 - iii. That highly qualified Supervisors are necessary to achieve high levels of productivity and a safety first culture.

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Ironworkers

Operating Engineers

Lower Churchill Falls Employer's Association

LABOUR RELATIONS MANAGEMENT PROGRAM AND DISPUTE RESOLUTION PROCESS THAT DISTINGUISHES LCP

The Association, RDC and its union members agree to the following guiding principles:

- a. Provide strong leadership from the Parties in dealing with all work place issues and disputes.
- b. Commit to dealing with work related issues or disputes on the site in a timely and collaborative manner with minimal impact to the working environment.
- c. A grievance and arbitration process that adheres to the above principles and ensures that grievances and arbitrations are dealt with in a timely and collaborative manner with the minimal impact. The grievance process at step 2 will have a joint fact finding obligation which all Parties must be in compliance with.

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Teamsters

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Carpenters

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Lower Churchill Falls Employer's Association

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Ironworkers

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Lower Churchill Falls Employer's Association

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Operating Engineers

SCHEDULE ROTATIONS AND BUILT-IN PREMIUMS

The Association, RDC and its union members recognize that developing shift rotations with fair built-in premiums will be important to Project success, and accordingly, agree in principle to the following:

- a. Built-in premiums that are fair and included in the hourly rate.
- b. Take into account geographical source of workforce.
- c. Structured to attract and retain a highly skilled and productive workforce.
- d. Rotations that utilize averaging, where appropriate.

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RDC

Carpenters

Ironworkers

Operating Engineers

Teamsters

Labourers

Lower Churchill Falls Employer's Association

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(Signature: Tom Wallis + Daniel Bauman)

(Signature: Tom ...)

(Signature: Alby ...)

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(Signature: Catherine Powell)

PRODUCTIVITY OBJECTIVES AND OVERVIEW

The Parties agree in principle that obtaining high standards of labour productivity will be a key factor for Project success. Accordingly, given the importance of the Project to the people of Newfoundland and Labrador, the Association, its contractor members, the RDC and its union members agree to take affirmative steps to ensure productivity opportunities are maximized by all stakeholders including NALCOR, contractors, the Association, the RDC and union members.

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RDC

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Labourers

Ironworkers

Lower Churchill Falls Employer's Association

Operating Engineers

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Cowan Plante*

James E. Doyle

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Daniel Bacon Tom Wood

Catherine Russell

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OPEN UNION MEMBERSHIP ACCESS TO QUALIFIED WORKERS AND FAIR AND REASONABLE UNION FEES

The Association, RDC and its union members agree to the following guiding principles:

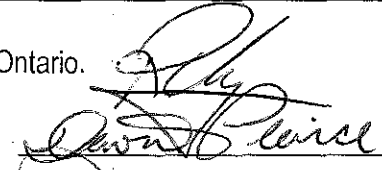
- a. Workers from Newfoundland and Labrador will have the option to make application for membership in the appropriate union that such worker has the necessary qualifications to join.
- b. Access to union membership for non-union members will be enabled through the ongoing and expeditious review of membership.
- c. Initiation fees, union dues, assessments and other fees or costs related to union membership must be reasonable and consistent with those charged by affiliate unions in other areas of Canada.

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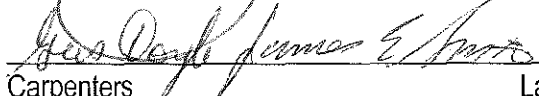


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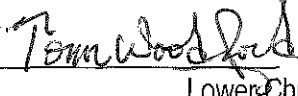







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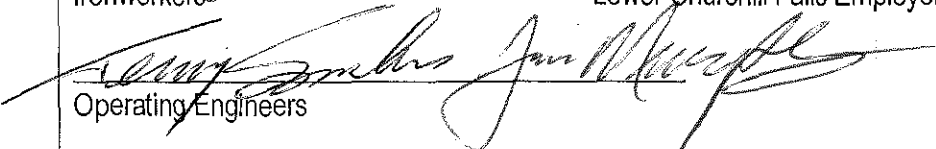
Labourers

Ironworkers

Lower Churchill Falls Employer's Association





Operating Engineers

HOURS OF WORK AND OVERTIME PROVISIONS TO ADDRESS UNIQUE LCP NEEDS

The Association, RDC and its union members agree to the following guiding principles for creating language for hours of work and overtime provisions:


- a. The nature of the work.
- b. Cultural issues.
- c. The seasonality of work.
- d. Weather conditions such as wind, rain, snow and cold.
- e. Be flexible to meet project needs.
- f. These provisions are not intended to reduce or replace overtime provisions that workers would otherwise be entitled to.

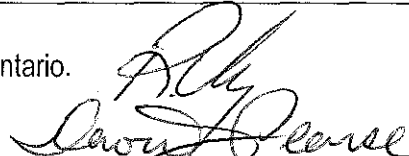
AGREED TO THIS 5 day of March, 2012 at Ottawa, Ontario.


RDC Teamsters


Carpenters / Labourers


Ironworkers


Operating Engineers


Cathy Cleese


Pam Beck


Catherine Rowell
Lower Churchill Falls Employer's Association

STRIKES, LOCKOUTS AND SLOWDOWNS CANNOT HAPPEN ON THE LOWER CHURCHILL PROJECT

The Association, RDC and its union members agree that maintaining a positive work environment based on trust, respect and accountability is essential to Project success and that there should be no labour disruptions, and accordingly, the Parties agree to the following guiding principles:

- a. No strikes or lockouts.
- b. No slowdowns or similar activity which would create labour disruption and negatively impact productivity.
- c. Appropriate accountability and/or discipline provisions.

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d. ~~Lockout~~ or similar activity, which would create labour disruption & negatively impact productivity

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 RDC Teamsters

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 Carpenters Labourers

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 Ironworkers

Catherine Russell
 Lower Churchill Falls Employer's Association

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 Operating Engineers