

THE PARTICIPATION OF ABORIGINAL WOMEN AT VOISEY'S BAY MINE

ENVIRONMENTAL IMPACT ASSESSMENTS AND IMPACT  
BENEFITS AGREEMENTS: THE PARTICIPATION OF ABORIGINAL  
WOMEN AT VOISEY'S BAY MINE

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A Thesis Submitted to the School of Graduate Studies in Partial Fulfillment of the  
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## **Abstract**

Resource extraction projects in the North are governed by negotiated agreements developed between industry, the state and Aboriginal governments and institutions. This thesis examines the role played by women in the Environmental Impact Assessment (EIA) and Impact Benefit Agreement (IBA) processes leading up to Voisey's Bay mine in northern Labrador and whether women's involvement in resource governance improves the participation and retention of women in non-traditional jobs at the mine. Using a qualitative methodology of semi-structured interviews and thematic analysis, this thesis found that the participation of Aboriginal women was unable to significantly improve the work experiences of women at the mine. The concerns of Aboriginal women were identified by analyzing submissions made to the EIA panel by women's groups. These concerns were then compared with the perceptions of work by women who worked in either construction or the operations phase of the mine. The confidentiality of IBA negotiations and documents are offered as one reason that Aboriginal women did not have the concerns they raised during the EIA process mitigated. The unfinished IBA was referred to by VBNC, and accepted by the panel, as a way to mitigate women's concerns despite confidentiality preventing the contents of the IBA from ever being known. While women received prioritization in the IBA, Aboriginal women demanded quotas and targets for the training and hiring of women for the construction and operations phase. The thesis ends with a discussion of ways to alleviate the conflict between IBA and EIA processes.

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List of all Abbreviations and Symbols

IBA – Impact Benefit Agreement

EIA – Environmental Impact Assessment

LIA – Labrador Inuit Association

TIA – Torngait Inuit Annait (Inuit Women's Association)

PWG – Postville Women's Group

WRDC – Women in Resource Development Corporation

VBNC – Voisey's Bay Nickel Company

### **Declaration of Academic Achievement**

This research was conducted as a component of a larger project that examines the changing institutional framework governing work in Labrador to identify challenges and successes in the provision of high quality employment for Inuit (Mills & Sweeney, 2012). I joined the research team and assisted in adding questions pertaining to gender and women to worker and key informant question schedules. Interviews were conducted by a research team that I was a part of. I was involved in conducting 26 of the 35 worker interviews. Inuit advisors and an Inuit research assistant in Nain helped design the question schedules. Interviews in Nain were coordinated by an Inuit research assistant who also assisted in conducting the interviews. I conducted one of the key stakeholder interviews and the rest were done by other members of the research team. The analysis of the data and interpretation contained within this thesis is entirely my own.



## **1. Introduction**

Resource extraction in Canada's north has historically been governed by industry and the state. With the resolution of Comprehensive Land Claims, this governing relationship has changed to include Aboriginal people. While Environmental Impact Assessments (EIA) are needed for large scale resource extraction projects to receive government approval, some recent mines in Canada, including the Voisey's Bay mine in Northern Labrador, are governed by privately negotiated Impact Benefit Agreements (IBA). Gender is not a prominent component of these agreements and is often neglected, both in the literature and in practice, but several authors have noted that mining has gendered effects. This thesis will examine the role played by women in these agreements and whether women's involvement in resource governance improves the participation and retention of women in non-traditional mining jobs.

Women are underrepresented in the mining sector, especially in non-traditional jobs. Women comprise only 14.4 percent of all employees in mining and exploration, which is lower than other primary resource industries (Women in Mining Canada, 2010, pg.4). Aboriginal women are also underrepresented in paid employment across Canada with an unemployment rate of 13.5% and there is a more pronounced wage gap between Aboriginal men and women (Lambert, 2011). The wage gap between men and women remains larger in the mining industry than the national average. These numbers point to a need for programs and policies that seek to increase the number of Aboriginal women working in the mining industry.

Agreements that take place before a mine development provide a space for Aboriginal women to have their voices heard and can result in policies that meet the needs of Aboriginal women. IBAs are private agreements signed between industry and Aboriginal governments which contain provisions to mitigate negative impacts of the project as well as provide for employment and business opportunities. These employment provisions have the potential to prioritize the employment and training of Aboriginal women. The EIA process is a public process which allows for the participation of women and can result in government mandated requirements that are beneficial to women. These two processes are often not mutually exclusive and can overlap. This overlap takes place in a jurisdictional grey zone. Both processes seek to mitigate environmental and socio-economic impacts of the project.

The Voisey's Bay mine project in Northern Labrador is an example where IBA and EIA negotiations overlapped. The mine was proposed by Voisey's Bay Nickel Company Limited (VBNC), a company which has changed ownership and names since it received approval for the mine in 1999. VBNC, a subsidiary of Inco, went through a number of name changes when the Brazilian mining corporation Vale bought Inco in 2006 and is now named Vale Newfoundland and Labrador Limited. The EIA process started in 1997, and culminated in the approval of the project. The IBA was ratified by both parties in 2002. I use VBNC to refer to the company for events before the Vale takeover and Vale to refer to events after.

The Voisey's Bay EIA process is upheld in the literature as a progressive process which included sustainability as a core ideal and included women in both formal and

informal processes (O'Faircheallaigh, 2011; Clausen, 2007; Gibson, 2002; Gibson, 2006). While Gibson (2002; 2006) and Clausen (2007) uphold the core ideals of sustainability and the inclusion of socio-economic impacts during the Voisey's Bay EIA process, O'Faircheallaigh (2011) specifically looks at the participation of women at Voisey's Bay mine. He concludes that women are more involved in IBA and EIA processes than acknowledged in the literature and that women play an important role in informal negotiation processes. The involvement of women made gender an important part of the socio-economic impact section of the EIA and resulted in a women's employment plan from VBNC. Aboriginal women's groups were well funded and they had time to meet with Aboriginal women and prepare detailed submissions to the EIA panel. Organized groups of women who participated in the EIA process continued to influence the ongoing IBA negotiations.

This thesis will argue that while women were influential to the EIA and IBA negotiations, the conflict between the unfinished and confidential IBA and the public EIA process resulted in women facing the same problems that women's groups tried to mitigate during the EIA process. I will begin by reviewing the literature on women and EAs and IBAs and then proceed to outline the methodology used. This paper will subsequently analyze submissions made by Aboriginal women's groups to the Voisey's Bay Mine and Mill Environmental Assessment Panel and the involvement of women in IBA negotiations. This paper will then analyze the conflict between IBA and EIA processes and interviews performed with Aboriginal women working at Voisey's Bay mine.

## **2. Literature Review**

This thesis will review three bodies of separate but related literature, IBAs, EIAs and Women in Resource Development. The literature surrounding Women and Resource Development and EIAs is very large and much of it is not relevant to this study. This literature review will focus on studies done in the Canadian context that relate to Aboriginal participation. The literature on IBAs is smaller than the other two bodies of literature and no limitations are placed on that review. There have been a lot of studies written about EIAs and IBAs in both Canadian and Australian contexts. However, much of the literature of both EIA's and IBA's fail to analyze the participation of women, while the literature on Women and Resource Development often fails to mention Aboriginality.

### **2.1 Environmental Impact Assessments**

The literature on EIAs in Canada is rather extensive and focuses on public participation, sustainability and the participation of Aboriginal peoples. A noticeable gap in the literature is the participation of women and the impacts of neglecting women in the EIA process, with only a few authors even mentioning gender, or the importance of women (Fitzpatrick & Sinclair, 2003; George, 1999; Lawrence, 1997 and O'Faircheallaigh, 2011). The literature on the participation of Aboriginal peoples also neglects to analyze the involvement of women. Even the lengthy study by Sadler (1996), which was led by the Canadian Environmental Assessment Agency and the International Association for Impact Assessments, mentioned women only once in a reference to a

paper by Goodland (1995) that examined environmental sustainability and women in South Africa. One study by O'Faircheallaigh (2011) is an exception as it focused on the participation of Aboriginal women in IBA and EIA processes. The evolution of EIA's to also examine social impacts underscores the importance of analyzing the participation of women in the EIA process, as women in natural resource communities share a large burden of the social impacts resulting from resource development projects.

The issue of public participation in EIA processes is one that gets a lot of attention from scholars (Cooper & Elliot, 2000; Devlin & Yap, 2008; Diduck & Mitchell, 2003; Doelle & Sinclair, 2006; Fitzpatrick & Sinclair, 2003; Lockie, Franetovich, Sharma & Rolfe, 2008; Mayoux & Chambers, 2005; Morrison-Saunders & Early, 2008; and Stewart & Sinclair, 2007). These studies focus on the necessity of open hearings, clear communication and public participation for a successful EA.

There is debate as to what forms public participation should take and how best to encourage public participation. As Petts (2003) notes, "despite acceptance of the diverse benefits of participation, there has long been controversy over the desirable procedures as well as the role and authority of the public in the decision making process" (p. 271). This debate centers on the elements which should be included for successful and meaningful public participation. These include elements such as, adequate and accessible information, time for information to be understood, early consultation with multiple groups and the use of multiple approaches (Cooper & Elliott, 2000; Devlin & Yap, 2008; Diduck & Mitchell, 2003; Fitzpatrick & Sinclair, 2003; Gibson, 2002; Gibson & Walker,

2001; Hartley & Wood, 2005; O'Faircheallaigh, 2011; Petts, 2003; Sinclair & Diduck, 2001; Stewart & Sinclair, 2007).

Despite agreement amongst academics that public participation is important to meaningful EIAs, the reality of EIAs in Canada is that they do not meet the standards established in the literature (Stewart & Sinclair, 2007; Gibson, 2002). As Petts (2003) argues, there are a number of institutional, technical and cultural barriers to effective public participation which maintains the status quo. Overcoming barriers to effective public participation makes it easier for individual women and organized women's groups to participate in the process.

The EIA process in Voisey's Bay receives a lot of attention in the literature on EIAs. Gibson (2002) argues that the Canadian EIA process has evolved towards a sustainability-centered approach which is exemplified by the EIA process for the Voisey's Bay Project. Sustainability as a core ideal is beneficial for Aboriginal women living in communities whose land for hunting and foraging is affected by resource development projects. Gibson (2002) shows that despite the highly convoluted nature of the Voisey's Bay EIA process, involving a joint assessment run under four jurisdictions (the Newfoundland and Labrador provincial Environmental Assessment Act, the federal Canadian Environmental Assessment Act, and subject to a memorandum of understanding (MOU) with both the Labrador Inuit Association (LIA) and the Innu Nation), the Voisey's Bay EIA required the proponent to not only mitigate negative environmental consequences but also to contribute to sustainability, both locally and regionally (Gibson, 2002, p.151).

Both Gibson and O'Faircheallaigh have written extensively on the positive elements of the Voisey's Bay EIA and how effective it was for engagement with Labrador Inuit and Innu. Gibson (2006) argues that the Voisey's Bay EIA was a useful case to examine conflict resolution, as the resulting EIA was precedent setting and took place amongst differences in "background, culture, priorities and formal power involved, as well as the record of tensions in the history of this case and before" (p. 334). Gibson does not, however, examine the role of the IBA negotiations that were ongoing during the EIA negotiations.

O'Faircheallaigh (2011) examined both the EIA and IBA processes of Voisey's Bay and used them as an example in his argument that Aboriginal women play a greater role in pre-project agreements and assessments than acknowledged in the literature. He points out that many women have been involved in the formal negotiation process as chief negotiator and argues that the concept of negotiation has to be broadened to include more than what happens at the negotiation table. Aboriginal women are involved in informal mechanisms of negotiation and play a large role in agenda setting. He also argues that women are also involved in monitoring and applying the agreements, where informal negotiation mechanisms are used to resolve conflicts rather than reopen formal negotiations. He points to Voisey's Bay as an example where Inuit and Innu women were heavily involved in the EA process, both formally and informally.

## 2.2 Impact Benefit Agreements

Research on IBAs is focused mainly on Canada and Australia. Many authors refer to the underdeveloped and limited nature of literature related to IBAs (Sosa & Keenan, 2001), however, Fidler (2008) notes that this literature has expanded in recent years. A small number of dedicated scholars have produced a wealth of knowledge about IBAs, most notably, Ciaran O'Faircheallaigh, who has written numerous articles and books about his experience in Australian IBA negotiations. Research has focused on the development and negotiation of IBAs (Prno, 2007), their effectiveness (Dreyer, 2004; Prno, 2007) and their legal standing (Diges, 2008; Keeping 1999-2000, Kennet, 1999). Much of the existing research can be categorized as "grey literature" as it is found in institutional and conference reports. The IBA literature does not analyze the involvement of Aboriginal women, with the exception of O'Faircheallaigh (2011). Another gap in the literature is the connection between IBAs and EIA processes, although this is focused on by some authors (Fidler & Hitch, 2007; Hitch, 2006; Dreyer, 2004).

Much of the existing literature on IBAs focuses on the factors that lead to a successful IBA, for both industry and Aboriginal people, as well as the effectiveness of the IBAs (Dryer, 2004; Prno, 2007; Gogal, Riegert & Jamieson, 2005; Sosa & Keenan, 2009). Although several of these studies seek to evaluate effectiveness, this is difficult for a number of reasons, including the limited time frame of many resource development operations, confidentiality clauses, and the relatively short amount of time since modern IBAs have been signed. Prno (2007) criticized studies evaluating IBAs effectiveness



because they fail “to assess IBA impact relative to a pre-IBA baseline condition, and similarly failed to assess IBA impact relative to predetermined” (Prno 2007, p. 47).

The literature on the effectiveness of IBAs is often focused on content rather than process. A common approach used by studies on the success of EAs has been to evaluate the content of IBAs by developing a set of common measurement criteria (Hitch, 2005; Gogal, Riegert & Jamieson, 2005). Sosa & Keenan (2001) also adopted a descriptive approach in their analysis of IBAs. These authors group key provisions into six categories: industry provisions, employment, economic development and business opportunities, financial/equity provisions, environmental protection, and social/cultural issues. They also provide a series of recommendations to Aboriginal peoples on how to best approach IBA negotiations.

Using a content approach, O'Reilly & Eacott (1998) outline concerns held by various Aboriginal people about key provisions in IBAs and argued that the lack of a standardized formula for IBAs were to the disadvantage of Aboriginal groups. Shanks (2006) came to a similar conclusion that a standardized formula would assist both Aboriginal and Industry groups during negotiations. Many of the studies focused on the final content of negotiations, but the process of the negotiation itself is a matter of importance.

Much of the above literature is focused on content rather than process. However, using a content only to evaluate the success of IBAs is problematic, due to the confidentiality of the agreements, which prevent researchers from accessing the wording of provisions. Although some authors mix process and content together (Sosa & Keenan,

2001; Kennet, 1999), O'Faircheallaigh (1995) stresses the importance of process.

“Process is extremely important in its own right, particularly for Indigenous people who have often been excluded from decisions which affect them or who have been subject to processes they find alienating and degrading” (O'Faircheallaigh, 1995, p. 1).

Dreyer (2004) argues that process and content influence each other and are, themselves, influenced by outside factors. Dreyer (2004) categorizes the factors into four components: project related, community related, government related and industry related. In a comparison of two IBAs negotiated in the 1990s by the Ross River Dena, Dreyer (2004) found that the two had a similar process (no land claim agreement, IBA needed for water license) and both had similar content (employment, training, business opportunities and compensation payments) yet one was seen as more successful than the other, by both the companies involved and the Ross River Dena. Dreyer (2004) concluded that outside factors, such as historical relationship, government support and mineral market prices are the determining factors in the success of the IBAs.

While the above studies have concluded that IBAs have failed to meet the needs of Aboriginal peoples, Prno (2007) argues that IBAs do meet their objectives. The author studied three sets of IBAs which were established to support three diamond mines in the Northwest Territories. Using a multi-method approach to assess the IBAs effectiveness, including semi-structured interviews and focus groups, Prno (2007) found that while certain deficiencies were identified, and perceptions of the effectiveness of the IBA varied, the IBAs were found to have met their objectives. The author came to this conclusion by using a set of IBA objectives as outlined by Galbraith & Bradshaw (2005).

Prno (2007) found that most of these objectives (ensure adequate follow-up, relieve capacity strains, build positive relationships and trust, and secure local benefits) were met, with only the *ensure adequate follow-up* objective having been seen as lacking, or non-existent.

Much of the existing literature ignores power dynamics and views power as neutral, “with the potential for a leveled playing field prior to negotiation” (Caine & Krogman, 2010, p. 79). Caine & Krogman argue that the power is distributed inequitably. They argue that under some conditions IBAs can be beneficial to Aboriginal groups but that, “depending on the before-, during- and after processes and outcomes, IBAs can also stifle Aboriginal people from sharing information about benefits negotiated by other groups, prevent deeper understanding of long-term social impacts of development, thwart subsequent objections to the development and its impacts, and reduce visioning about the type and pace of development that is desirable” (p. 76). However, some authors believe the power to be in the hands of Aboriginal people (Gogal, Riegert & Jamieson, 2005; Shanks, 2006; Trebeck, 2007)

Another area of disagreement in the literature is the usefulness of standardizing IBA processes. O'Faircheallaigh (1995) adamantly opposes a standardized framework for IBAs, and argues that each IBA needs to recognize unique aspects to the project. Dreyer (2004) agrees with this, as the process needs to match the unique atmosphere of the resource project. While both authors agree that process is an important aspect to completing successful IBAs, they argue that this process must meet the needs of the local

Aboriginal people and must accommodate local knowledge and circumstances. Not all authors agree with this subjective approach.

Fidler & Hitch (2007) argue that the lack of government involvement in IBAs is problematic. Their article about the interaction between IBAs and EIAs points out the contentious issues surrounding dual agreements, one negotiated with government involvement, and one negotiated without government involvement. Both EIAs and IBAs cover some similar areas, and add to confusion as to who has authority and who is responsible for monitoring and implementing them. Fidler & Hitch (2007) argue that the IBA process can be harmful to Aboriginal people as it does not provide a framework from which to work. Shanks (2006) also believes that a framework for IBAs would be helpful, not only in improving relations between industry and Aboriginal groups but also in getting the non-Aboriginal public involved in the process. These authors suggest a framework and some sort of standardization, but they recognize the unique aspects of each project and the need for a certain amount of subjectivity. The lack of government involvement reflects an industry concern that government is downloading its social responsibilities onto industry through IBA negotiations (Shanks, 2006).

One important aspect of the IBA process is public communication and public meetings. O'Faircheallaigh (1995) recommends that those who hold meetings should take into consideration caring for young children, so women are not excluded from the conversation, and to also hold several shorter meetings rather than one or two long sessions, to encourage more people to participate. A report by Weitzner (2006) about the experience of the Lutsel K'e Dene First Nation's experience with mining companies

outlines the importance of time and consultation before negotiations. During the negotiation of their first IBA, the Lutsel K'e Dene were given only 60 days to negotiate, and had little prior knowledge of the mining industry. This resulted in an inferior IBA. Subsequent IBAs were negotiated with more time and prior knowledge by the Lutsel K'e Dene which resulted in agreements that included traditional knowledge and stronger language.

### **2.3. Women and Resource Development**

The literature on women and resource development often focuses on hegemonic masculinity and the consequences it has on job access, training, job mobility, and sexual harassment (Wicks, 2002; Wynn, 2001; Tallichet, 1995). These studies often seek an answer to the underrepresentation of women in the resource development sector. Although women are employed in resource development operations, men are more likely to receive employment. In the Northwest Territories in 2006, women had a 46% employment rate whereas in the diamond industry they only accounted for 16% (Gibson, 2006). The sexual division of labour, and high paying jobs being associated with masculinity, are often provided as an answer to the underrepresentation of women (Andrew, 2009; Livanos, Yalkin and Nunez, 2009; O'Saughnessy & Krogman, 2011; Wicks 2002). Studies have found evidence of women being excluded from high paying "masculine" jobs while being overrepresented in traditional occupations. While much of the literature on women and resource development in Canada ignores issues faced by Aboriginal women, there are a number of studies that look at the participation of women

in resource development industries (Egan & Klaussen, 1998; Mills, 2006; Rude & Deiter, 2004) and the impacts of resource development on Aboriginal women (Gibson & Klinck, 2005; Scheafer, 1983; Sharma & Reese, 2007; Sharma, 2010)

Women have historically been excluded from resource development industries, and while they entered non-traditional jobs in larger numbers during the 1970's, many of those women remained in low level positions with little upward mobility (Davidson & Black, 2001; Tallichet, 1995). Davidson and Black (2001) show how women are excluded from higher status positions in resource management agencies and argue that the gendered nature of resource management is harmful not only socially and morally but is also a concern for productivity and developmental reasons. Using an interview methodology, Tallichet (1995) provides evidence of women being harassed at work and prevented from raising their skills. These women were assigned to certain less skilled jobs and not allowed to learn new and more challenging work processes. Despite being determined to participate, these women faced many challenges from both managers, who assigned them work more associate with femininity, and male coworkers, who challenged the women's right to work in the form of verbal and physical harassment.

The literature suggests women are underrepresented in masculine dominated occupations because of gender constructions and how the concept of 'employability' is not gender neutral. Andrew (2009) argues that approaches to employability that focus on individual attributes downplay the significance of gender inequalities. She argued that women saw the onus of adapting to male dominated industries on being on themselves rather than on the industry changing gendered expectation. Although women in non-

traditional occupations challenge dominant masculine stereotypes, they also create multiple, overlapping identities at work. Women have to negotiate their femininity in a masculine dominated atmosphere. Andrew (2009) shows how, through the recruitment phase, training and retention, gendered expectations and stereotypes were inflicted upon the women seeking and attaining employment. Women applying for employment as an engineering apprentice reported being guided toward traditional female occupations and away from “men’s work” (pg. 351), and women who attained employment had to negotiate ways of ‘fitting in’ in a masculine dominated atmosphere. Livanos, Yalkin and Nunez (2009) show how the concept of employability is gendered and has led to a widening of the wage gap between men and women, and the exclusion of women from higher paying occupations.

O’Saughnessy & Krogman (2011) utilize a literature review to examine natural resource industries and explain constructions of masculinity and femininity. They do so by emphasizing contradictions along three lines: material, material-discursive and discursive. Material contradictions are exemplified by studies such as Preston et al. (2000) and Bates (2006) whereby gender roles are reinterpreted as families seek to cope with job loss or economic restructuring. Material-discursive contradictions, which are easiest to identify when using an ethnographic methodology and social constructionist or critical theory (139), are those that look not only at material changes – i.e. changes in income, employment etc - but how those interact with beliefs, values and meaning associated with those material changes. This is exemplified by studies such as Reed (2003) and Wicks (2002) whereby the necessity of income-earning and material

wellbeing contradicts with and reinterprets (or reinforces) gendered identities. Discursive contradictions are those that deal solely with discursive representations of women. This is best exemplified by Reed (2000) whereby discourses on appropriate forms of female activism (that women are environmental protectors) come into conflict when women activists supported the logging industry. These categories are not mutually exclusive and there is overlap.

Wilkinson (1985) argues that the inclusion of women is a health and safety issue, and that men are less likely to report unsafe work, and to then perform the work anyways, due to 'macho' masculinity. This argument is supported by Wicks (2002) who argued that internalized masculine identities resulted in the acceptance of poor working conditions and a neglect for health and safety, which resulted in a large explosion in 1992, taking 26 male workers' lives.

While much of the literature focuses on women as a homogenous group, some studies focus on the barriers to employment that Aboriginal women face in resource industries. There are high percentages of unemployment in northern Aboriginal communities, and Aboriginal people (especially women) have historically been excluded from the benefits resulting from resource development. In the forestry sector on Vancouver Island in early 2000, only ten person-years of seasonal forestry employment flowed to band members in 14 Nuu-cha-nulth communities (Rude & Deiter, 2004). The employment of women is even less. Fewer than six percent of the 69,000 people working in forestry and logging are women (Rude & Deiter, 2004, p. 16).



Aboriginal women are not only underrepresented but they also receive fewer economic benefits from employment than men. Women in the Northwest Territories have stated that the Diavik Mine gears their hiring practices toward men, and only hire women in low-paying traditional occupations such as housekeeping, cleaning and cooking (National Aboriginal Health Organization, 2008). Mills (2006) provides evidence of gender segregation in the forestry industry by occupation, and evidence that Aboriginal women are not only excluded from male-dominated occupations, but also female dominated clerical and secretarial occupations. Aboriginal women in British Columbia are not prioritized under the Forest Renewal BC crown corporation even though it is dedicated to enhancing the economic welfare of displaced forestry workers and Aboriginal people (Egan & Klaussen, 1998, p.34).

The literature suggests that women do not receive the same benefits from wages as men do. Gibson (2008) notes that there is higher access to employment for Aboriginal people due to IBAs in the communities affected by mining, where unemployment went from above 50% before operations to below 30% after. While women's income rose higher than men's in the Northwest Territories as a whole, in the affected communities, men's incomes rose more than women's, as men are more likely to receive employment from the mining project. A study by Southcott (2003) of employment of women in Northern Ontario shows that women have lower participation rates than women in Ontario as a whole, but that the difference is decreasing. However, the study shows that women in remote areas have low levels of training and experience in non-traditional job occupations, which makes it difficult to benefit from resource development projects.

It has been well documented that women shoulder a social burden resulting from resource development projects. Often cited are increased sexual exploitation, migration and displacement, addictions, and family violence (Kuyek, 2003; Gibson & Klinck, 2005). An area of concern for Aboriginal women in relation to resource development projects is the ramifications of increased reliance on wage labour, and shifting dynamics in the household as a result. Through a qualitative study in the community of Holmen, located in the Inuvialuit Settlement Region of the Northwest Territories, Stern (2005) shows the importance of sharing and reciprocity, and the consequences of wage labour and western housing policies which serve to weaken Inuit social values, and create tensions within the community.

Sharma (2010) notes that in mining communities there is a substantial gender divide in sex ratio, income, household division of labour and participation in the workforce. The author argues that there are patriarchal barriers to the employment of women, and with few women working at the mine, and a preponderance of employed men, women are confined to the home, which promotes a patriarchal culture in the community and family life. Sharma & Rees (2007) argue that there are health consequences to this patriarchal culture, including increased psychological stress. De Leeuw, Greenwood & Cameron (2010) provide further evidence that there are negative health consequences linked to colonial and patriarchal discourses for Aboriginal people. They argue that addictions and mental health issues among Aboriginal peoples can be attributed to colonial “ideas, policies, and practices that identify and aim to address these issues” (de Leeuw, Greenwood & Cameron, 2010, p. 282).

While Sharma (2010) focuses on psychological stress due to increased pressures on women to perform unpaid domestic labour, Schaefer (1983) argues that there are physical health consequences related to the increased psychological stress that results from resource extraction projects. Through a comparison of two Inuit communities, one in the Western Arctic greatly affected by pipeline construction and oil exploration, and the other in the Eastern Arctic which was unaffected by resource development projects at the time of the study, the author shows significant differences in nutritional and general health parameters. The Inuit community affected by Western development proved to have poorer health, and an increase in nutritional anemia, obesity, arteriosclerosis and metabolic problems, as well as family break downs, alcohol abuse, venereal disease and deaths due to violence (Schaefer, 1983, p. 53).

### **3. Methodology**

This research was conducted as a component of a larger project that examines the changing institutional framework governing work in Labrador to identify challenges and successes in the provision of high quality employment for Inuit (Mills & Sweeney, 2012). This author joined the research team and assisted in adding questions pertaining to gender and women to worker and key informant question schedules. Workers employed by VBNC at the Voisey's Bay mine and key stakeholders involved with the project were interviewed, in person and over the phone, during the summers of 2009, 2010 and 2011, by the research team.

A total of 40 key informants and 35 workers were interviewed using a combination of phone and in person interviews in the communities of Nain, Goose Bay and St. John's. Inuit advisors and an Inuit research assistant in Nain helped design the question schedules. Interviews in Nain were coordinated by an Inuit research assistant who also assisted in conducting the interviews. Interviews in Goose Bay and St. John's were recruited through a combination of word of mouth from Nunatsiavut Government representatives and snowball sampling.

Worker interviews were semi-structured and represented a cross section of past and present unionized Vale employees. Interviewees included members from each USW bargaining units including; eleven women and twenty three men; seven Innu, twenty-one Inuit and seven non-Aboriginal people. Since the mine used long distance commuting, workers resided in different communities in Newfoundland and Labrador. Interviews included six workers from Sheshashiu/Natwashish, six from Newfoundland; twelve from

Happy Valley/Goose Bay and ten from Nain. Workers were asked about their perceptions and experiences of work and their perceptions of the IBA, the parent company Vale and their collective agreements and unions. Interviews were recorded and transcribed verbatim. All worker interviews were utilized in the analysis of this thesis.

Key informants reflected the diversity of people and institutions involved with labour regulation at Voisey's Bay mine, and therefore included representatives of the USW, business managers, presidents and agents from the Building and Construction Trades Unions, provincial government representatives, Labrador Inuit Association (LIA) and Nunatsiavut government representatives, contractors, training program coordinators and Vale Inco managers. Key informant interviews were tailored to the unique aspects of individuals' positions, and asked about how employment provisions were developed, whether employment procedures resulted in the successful hiring and training of Inuit and Innu workers, barriers to Aboriginal employment and challenges to representation of workers at the site. Interviews were recorded and transcribed verbatim. 15 of the key informant interviews were used for the analysis in this thesis. These 15 participants were involved in the IBA negotiation, EIA process or hiring process and were able to discuss issues pertaining to gender and the involvement of women.

The interview data was supplemented with relevant collective agreements, EIA submissions, press releases and news articles, the Labrador Inuit Land Claim, and employment and other relevant documents. To obtain relevant EIA submissions, a master list of submissions made to the panel was retrieved through the Canadian Environmental Assessment Agency, and digital copies of relevant submissions were requested and

received. All submissions made by women's groups and those by both VBNC and LIA that pertained to women were retrieved. These documents were imported into Atlas.ti for coding.

The interviews for key stakeholder and workers were coded to identify themes. Codes such as employment, responsibility, gender, IBA, union, harassment etc. were given to responses. The codes were chosen by identifying repeating ideas that emerged from the relevant text (Auerbach & Silverstein, 2003). An analysis was done which gathered responses, sorted by code, to identify themes for further analysis. The themes were cross-analyzed by group to expose similarities and differences in perception. Groups included identity (Inuit, Innu, Metis, Labradorian, Newfoundlander etc), location (Goose Bay, Nain, Sheshashiu, Newfoundland etc), and sex (male and female). These groups were chosen to investigate how perceptions related to the intersectionality of race, gender and location (which can be associated with class). During the coding process, analytic memos were written when a pattern or theme emerged and attached to relevant text. These memos were used to develop additional themes and ideas which assisted in guiding the continued coding process (Saldana, 2012).

#### **4. Women and the Voisey's Bay EIA Process**

Women were active participants throughout the EIA process of the Voisey's Bay mine. They were organized and were present at panel hearing throughout the different phases of the process. On January 31<sup>st</sup> 1997, a memorandum of understanding (MOU) was signed between the Governments of Canada and Newfoundland and Labrador, the LIA and Innu Nation, establishing the guidelines for the review process. Women were included in formal leadership capacities, forming two of the five people on the joint EIA panel, including the chair of the panel, Ms. Lesley Griffiths. The other woman on the panel, Lorraine Michael, expressed the belief that gender was a "front and center" issue of the EIA process:

“Right through the very beginning of the EIA process back in '97, the gender issue was front and center. Personally, it was there for me because as a member of the panel I was concerned obviously about Aboriginal issues and I was the nominee of the Innu Nation...but as a strong feminist and somebody whose work at the time was doing research into the impact of women's work with Globalization of the economy. I brought that to the panel” (Lorraine Michael, personal interview, May 9, 2009)

Following the appointment of the panel, the panel released the EIS draft guidelines for public review and comment. This was followed by the first aspect of community consultation, the scoping sessions, held in April and May of 1997. The purpose of these sessions was “to allow interested organizations, groups and individuals to inform the Panel of the range of issues they thought the Panel should address during the review” (Canadian Environmental Assessment Agency, 1997, p. 2). The scoping sessions included community consultations and meetings held in both Innu and Inuit communities.

The scoping sessions provided the first opportunity for Inuit and Innu women's voices to be heard, and women took advantage of the opportunity. Three women's groups gave submissions during the scoping sessions, the Postville Women's Group (PWG), Tongamiut Inuit Annait (TIA) and the Ad Hoc Committee on Aboriginal Women and Mining in Labrador. The TIA, which in English stands for the Labrador Inuit Women's Association, and the PWG, which represented women from the community of Postville, were women's groups that organized Inuit women's voice. The Ad Hoc Committee was established by a group of five Inuit women from five coastal communities to respond to the proposed Voisey's Bay development. The TIA and the Ad Hoc Committee submitted a joint submission very early into the scoping sessions which Lorraine Michael credits with bringing gender into the EIA process.

P: Some of the women who formed Women in Resource Development connected with women in Labrador and, I remember they had actually given themselves an ad hoc name, [and] when we did the initial inquiry stage of the Panel work in '97, when we had the scoping sessions. This group of women made a very, very good representation to the Panel and I was delighted...that in the scoping we had this fantastic presentation because that meant we could just really go with the whole issue of employment of women, employment and training of women, the impact of women in the communities, you know, every aspect because they presented every aspect which was great. (Lorraine Michael, personal interview, May 9, 2009)

Not only were these groups able to participate in the public discussion but they were given funds to both research and advocate for women's rights. The Canadian Environmental Assessment Agency established a funding committee to provide \$150,000 for community groups wanting to participate in the process. Along with a large number of Aboriginal groups, \$14,000 was provided to TIA. Not only groups, but also individual



Inuit women responded to the Panel during this stage of the process. An Inuit woman from Rigolet presented her concerns to the Panel and submitted a magazine article entitled “*Hard Rock Women*”, which examines issues faced by women at Inco’s Sudbury operations

Aboriginal Women’s groups gave two submissions during the scoping sessions, one authored by the PWG and the other by both TIA and the Ad Hoc Committee. The joint submission from TIA and the Ad Hoc Committee contained 91 suggestions across thirteen categories:

1. methodology
2. Aboriginal cultures, land use and rights
3. community life
4. housing
5. family life
6. violence against women
7. increased alcohol and drug abuse
8. environmental concerns
9. employment and training
10. women’s health
11. social services and agencies
12. consultation and information needs
13. mitigation and monitoring

The submission from the PWG contained fewer suggestions but contained the same thirteen categories in the same order. The wording of some of the suggestions in both submissions was exactly the same, which implies co-ordination amongst the different groups.

The first section of both submissions concerned the methodology used by VBNC for research during the EIA process. The Ad Hoc Committee/TIA submission stated that the proposed guidelines failed to meet the concerns Aboriginal women had about the

methodology used by VBNC in researching the potential impacts on Aboriginal women resulting from the project:

The company's consultants have been preparing the Environmental Impact Statement for the last two years. To date, we know they have not done any original research on women and the potential impacts of this mining development. Revised guidelines must ensure that this situation is remedied. (Tongamiut Inuit Annait, 1997, p. 1)

While in most sections the submissions contained suggestions of what VBNC *should* do, their sections on methodology contained demands that VBNC *must* “consult the growing literature on feminist research theory and methodologies in order to include Women's perspectives and needs in the Environmental Impact Statement” (Postville Women's Group, 1997, p. 1).

The importance of the methodology used for the EIS is seen in the content of the many suggestions throughout the submissions. While the suggestions are too specific to list here, most pertain to the concept that detailed gender analysis must be used in all aspects of the EA process. This idea is expressed at the beginning of the TIA/Ad Hoc Committee submissions:

Women should be mentioned in all discussions on all facets of community, bush and industry life, in services and facilities, in politics and community development, in harvesting and land use, in hospital and medical facilities, on individual, collective and aboriginal rights, and on social problems such as violent crime and family break-down. The EIS must go beyond the stereotyped view of women as homemakers, excess labour or consumers. Where relevant, specific information should also be provided about Aboriginal women. (Tongamiut Inuit Annait, 1997, p.3)

Most of the suggestions are to study, examine, research or outline various effects the project will have on women and the community.

Pertaining to employment, the submissions asked that the Proponent provide detailed information on the projected number of female employees, the training of women, including the qualifications of the local labour pool, the necessary training programs with respect to women's specific training needs, and policies and programs for affirmative action in non-traditional work sectors. In addition to affirmative action employment practices, the TIA/Ad Hoc Committee submission asked that VBNC "outline in detail how these affirmative action programs will encourage women to train for jobs, as well as seek and retrain them, and demonstrate how women are being consulted in the development and implementation of these programs" (Tongamiut Inuit Annait, 1997, p. 9). Aboriginal women's group clearly wanted VBNC to actively seek out potential Aboriginal women to train, and to provide training that worked for them. The PWG submission stated that VBNC should "provide the training needs in local communities instead of always having to leave the community" (Postville Women's Group, 1997, p.5). They also note that there are skilled people in those communities to provide the training.

The two submissions referred to above were responses to the draft guidelines for the process, and were indicative of what Aboriginal women wanted to see in the EIS. The EIS released by VBNC in response to these concerns contained information on women and employment, but the information was vague and non-detailed. The EIS estimated that there would be 38-115 person-years in the open pit phase and 47-110 during underground operations, "if it is assumed that female employment levels will be at least similar to Canadian operations averages" (Voisey's Bay Nickel Company, 1997, 21.2.3.6). The EIS

did not provide detailed information on training for women, or on targeting the employment of women in coastal communities. Although the PWG requested that the EIS “outline policies and programs for affirmative action in hiring and training programs to fully ensure that women (and specifically aboriginal women) obtain training and work in the better paying non-traditional work sectors” (Postville Women’s Group, p. 4), the EIS contained no such information. Instead, the EIS stated that “these projected numbers are too small to allocate meaningfully by specific community...the decision to be involved in this type of operation is very much an individual one and numbers are highly unpredictable at the community level” (Voisey’s Bay Nickel Company, 1997, 21.2.3.6).

Throughout the EIA process, VBNC continued to insist that social processes (education, housing, child care, social services etc) are beyond the scope of industry and that benefits will occur *indirectly* from economic growth and a broadened tax base. In the EIS response to problems associated with child care VBNC claimed that “extended families and higher incomes should enable most mine workers to cope with this” (Voisey’s Bay Nickel Company, 1997, 24.2.5).

The scope of the VBNC’s responsibilities was a clear area of disagreement between VBNC and women in Labrador. Both the TIA and PWG submissions stated that they held both government and industry responsible for mitigating negative impacts. One of the submissions states in bold letters “As a collective of Labrador women, we say to governments and companies, we expect you to be responsible corporate citizens while inhabiting our region. We will hold you accountable” (Labrador Legal Services, 1997, p. 5). Their submission also contains a well worded question to VBNC:

The Company must put its money where its mouth is. The jobs, to date, held by women in the exploration phase have not encouraged the belief that women will be accessing non-traditional jobs or managerial level jobs to any great degree. How does the Company correct this impression, if indeed it wishes to? (Labrador Legal Services, 1997, p. 17)

VBNC did not want to correct that impression, since it did not provide specific guidelines or proposals in the EIS. Instead, the EIS contained a vague commitment to “encourage the participation of women in the Project workforce” (Voisey’s Bay Nickel Company, 1997, 21.2.1.4) and stated that equal opportunity would be given to those seeking employment.

Despite these initial conflicts and the lack of detailed employment information in the EIS, Aboriginal women continued to participate in the EIA process. Labrador Inuit women saw the EIS as insufficient, because it did not respond to the concerns raised during the general guidelines public process. The second submission from TIA outlined women’s concerns in a wide range of subjects. Many of the issues raised by women in response to the EIS were not only about women, but also about the mine’s potential impacts on families, community and Inuit society.

Although *women’s issues* were included in the guidelines for the EIA process, they were relegated to the socio-economic impacts component of the process. Women from TIA felt this was restrictive and that the entire EIA process should contain the concerns of women as all environmental impacts affect both men and women. Women were concerned that the EIS was peppered with claims that negative impacts will be addressed by IBA’s. One of the concerns raised in the second TIA submission – the short

75 day time period for review of the EIS – was assuaged when the Panel extended the review process by another 30 days.

The largest concern presented by women during this phase of the process reflected that of the LIA – the lack of a final land claim agreement. Despite the land claim not being finished, VBNC had already started IBA negotiations. The second TIA submission however, claimed that the decision to start IBA negotiations without a land claim in place was a “clear advantage to the company with little gains for Inuit” (Tongamiut Inuit Annait, 1998, p.3). The submission stated that an IBA negotiated after a land claims agreement would have more direction from the government, and would take some control out of the hands of VBNC. It was also very critical of the confidentiality rules which they saw as protecting the company and disadvantaging Inuit. Inuit women were concerned that VBNC was using the confidentiality clause in the IBA to avoid detailing the mitigation of negative impacts on communities. Inuit women also expressed concern that there were no women at the negotiation table for the IBA and that women's concerns were not being heard.

Despite the concerns of some Inuit women about the EIA process, the process did result in a women's employment plan. The draft of that plan was submitted during the 75 day public consultation period. In the draft women's employment plan, VBNC committed to six objectives:

- Implement gender based analysis,
- work with government agencies, aboriginal and women's groups, community and educational institutions,
- design hiring practices,
- create safe workplace,
- assist employees in career planning,

- work with Labrador community health and educational services (Voisey's Bay Nickel Company, 1998)

While the draft employment plan contained some of the information women requested throughout the EIA process, such as a commitment to a gender based analysis and the training and promotion of women, it was very vague and did not contain the detail women requested.

The draft women's employment plan contained little information about how the VBNC would implement its objectives, other than committing to work with other agencies and groups, consult with local women, design fair hiring practices, and to train and hire women,. The six objectives were different ways of saying the same thing: VBNC will consult and work with the public. It did not offer any concrete solutions or ways of moving forward.

The first sentence of the draft plan makes VBNC's view of responsibility clear: "this plan seeks to achieve gender diversity in the VBNC workplace in all occupations and at all levels of the organization based upon interest and capacity" (Voisey's Bay Nickel Company, 1998, p.1). A letter sent to the Panel in response to the draft plan by Women in Resource Development Corporation (WRDC) took exception with the wording "based on interest and capacity" which implies that in some occupations there would be no capacity for women and no interest from them. The letter stated that "the company should set targets for the hiring of women and strive to do everything in its power to ensure women are included in all occupations throughout its workforce" (Women in Resource Development Corporation, 1998, p.2) While VBNC correctly states that "the view of many in society which emanates from social construction points to a

need for a transition which is well beyond the scope and responsibility of industry” (Voisey’s Bay Nickel Company, 1998, p.1), they fail to recognize the important role they can play in facilitating the transition. The WRDC letter states: “clearly VBNC and Inco are having problems with the concept of Employment Equity. They simply do not feel they have a responsibility in this regard” (Women in Resource Development Corporation, 1998, p.2).

The draft women’s employment plan was one of the last submissions to the panel made during the community consultation phase. Although the WRDC was able to respond to the draft plan, the contents of the finalized women’s employment plan is unknown, is not a public document, and is tied-in with confidentiality clauses surrounding the IBA. WRDC did not find the draft women’s employment plan acceptable and specifically commented on a number of statements made in the plan, as well as raising a number of questions that were not answered in the plan. The WRDC response specifically wanted more “how-to’s” rather than broad commitments.

Though not all of the concerns of Inuit women were addressed throughout the EIA process, women’s voices were heard and women were more involved in the Voisey’s Bay EIA than in other EIA processes around the country. The final EIA report summarized the concerns brought up by women throughout the process, but seemed to accept the assumption that it is beyond the scope of private industry to assist in social services such as housing and child care. It was satisfied with statements made by VBNC that a combination of the fly-in fly-out operation, and the settlement of IBAs and land claims will mitigate negative impacts on communities and families. Despite the many



concerns women had about the impact of increased employment on drug and alcohol consumption and violence against women, the panel agreed with the core VBNC assumption that more employment will only serve to better communities. While the report mentioned that child care was a concern of women, the IBA was seen as a satisfactory mechanism to deal with those concerns, despite the fact that the IBA negotiations are confidential, and that the panel had no way of knowing if the IBA would contain provisions to provide child care.

Of the 107 recommendations made by the panel only three of them mentioned women, and all three of those recommendations were in the employment section of the report. These include providing training for women in Northern communities “where possible”, revising the women’s employment plan and harassment policy (to include gender harassment as well as sexual harassment), and providing family leave and extra support for women during training (Environmental Assessment Agency, 1997).

The EIA process resulted in the provincial government of Newfoundland and Labrador passing the Voisey’s Bay Nickel Company Limited Mine and Mill Undertaking Order. The undertaking order gives permission to proceed with the project, but includes a number of conditions which must be met. One of the conditions of the undertaking order is that the proponent shall “prepare, in consultation with the government of the province, submit to the appropriate government department for approval, and abide by, a women's employment plan containing measurable goals” (Voisey’s Bay Nickel Company Limited Mine and Mill Undertaking Order, CLNR 74/99, s.3(j)).

The finalized women's employment plan was developed by VBNC and reviewed by The Voisey's Bay Environmental Management Board, an advisory board established from the Voisey's Bay Environmental Management Agreement with two representatives each from the Inuit, Innu, Provincial and Federal Governments. The Board reviewed and provided advice on the permits and documents required from the Undertaking Order. They reviewed the women's employment plan, and the company instituted the plan in 2004 (Voisey's Bay Nickel Company, 2004, p.8). While the women's employment plan was vetted by representatives from the provincial and federal government, the plan itself is not available to the public due to information connected to the IBA.

Despite both IBA and Land Claim negotiations not being complete, the Panel approved the development of the project, with the understanding that VBNC finalize their IBAs and that the Government of Canada finalizes the land claims. Women reported to the panel that they were unsatisfied with how the IBA negotiations had been progressing. The final report contained a recommendation to LIA to include the views of women during IBA negotiations:

The Panel notes that it heard from a significant number of Inuit women who were not convinced that the IBA negotiations were addressing women's concerns and issues, of which child care is one. The Panel is not privy to these negotiations and therefore cannot comment on the accuracy of these observations. However, LIA did indicate its intention to ensure that women are consulted and involved and that women's interests are fully addressed. The Panel would encourage LIA to review the comments and concerns of women who spoke at the hearings and to work with TIA and other Inuit organizations to address outstanding issues. (Canadian Environmental Agency, 1997, s.15)

This recommendation by the Panel was followed by LIA, assisted by the large amounts of information presented to the Panel during the EIA process. While IBA negotiations were put on hold during the EIA process, they continued after the Panel report. IBA negotiations after the EIA process included the views of women. Isabella Pain, the chief negotiator of LIA for the IBA, felt the information gained throughout the EIA process helped the negotiation team take into consideration the views of women:

Some of the issues that were raised at [EIA public hearings] would later be incorporated into IBA negotiations. For example, it was through the environmental panel's meetings that were able to gather a significant amount of input from women's groups. And in response to their feedback, the negotiating team made a concerted effort to take into account women's voices and women's opinions. As part of this effort, we had representatives of a women's group review the IBA to make certain that it was structured in such a way as to be inclusive of women's interests and, moreover, that under the IBA provisions women could avail themselves of the opportunities it offered as equally as men. (quoted in Baseswiki Interview Isabella Pain & Theresa Hollett, 2011)

This quote shows the importance of the informal power which O'Faircheallaigh (2009) argues more academics need to pay attention to when analyzing the participation of women during negotiated agreements. The existence of the TIA, PWG and the Ad Hoc Committee, and their ability to collect information from Inuit women and present that information to the EIA panel, allowed for Inuit women to influence the negotiation process of the IBA.

Two of the noted concerns Inuit women held about the IBA negotiations that resulted from the EIA process, was the poor communication with women about the IBA negotiations and the lack of the involvement of women in formal roles. While the communication issues were assuaged by the involvement of women during the EIA

process, and the information that resulted from that process, there were still no women in a formal capacity for a few years after the EIA process ended. However, Isabella Pain, who was appointed as co-chief negotiator of the land claims negotiations in 2000, was appointed chief negotiator for the IBA negotiations in 2001.

The IBA also established a joint oversight committee which includes two representatives from Vale and two representatives from the Nunatsiavut Government. According to Isabella Pain, “the IBA Coordinator and a Deputy Minister, represent the Nunatsiavut Government. And since gender equality and equal access to opportunity are stated goals of the Nunatsiavut Government, we have committed to always having at least one female member present on the committee” (quoted in Baseswiki Interview Isabella Pain & Theresa Hollett, 2011). This shows that women were not only involved in an informal way but also formally involved in key positions.

While it is difficult to determine what is contained in the IBA due to confidentiality, some information was provided during the EIA process. Submissions made by both VBNC and LIA continuously referenced the unfinished nature of the IBA, with VBNC using it as a response to mitigate negative impacts and LIA requesting that the EIA panel require a finalized IBA before the project starts. It was also revealed that negotiations around gender equity issues were not yet complete:

LIA and VBNC/INCO have yet to agree on gender equity issues in relation to topics such as the training of Inuit women, the participation of Inuit women in the Project workforce, the workplace conditions, including gender sensitive workplace and working conditions and the representation of women on the Implementation Committee. The discussions on gender equity matters are not completed. (Labrador Inuit Association, 1998, p. 6)

While this does show that gender equity was a goal of the negotiating team for the LIA even before the EIA process started, it was not considered a “major outstanding issue” in the LIA submission.

IBA negotiations culminated with the acceptance of a finalized IBA by a vote from LIA members in 2002. While the finalized IBA is confidential and exact wording of clauses is unknown, the IBA contains a detailed preferential hiring process referred to as the adjacency principle. The adjacency principle, while not directly related to gender, affects gender equity in the workplace due to the preferential nature of the hiring practices.

The adjacency principle came from EIA negotiations, after strong support for such an idea was shown by participating Inuit. The adjacency principle considers not only LIA membership but also location. Those from the coast, especially Nain which is closest to the mine site, get highest prioritization. Inuit women, however, are prioritized above all. A Nunatsiavut Government representative explained the adjacency principle:

Within our IBA we have an adjacency clause which is people from Nain first, like if you have an equally qualified candidate from Nain and the north coast, the qualified candidate from Nain should get it first. But if you don't have somebody from Nain but you have a qualified candidate from the rest of Nunatsiavut or the rest of Labrador, the one on the coast would get it over the one from the rest of Labrador. However, if you're an Inuit female regardless of residence, you have first opportunity. And that is written as well (Personal communication, 2009).

The prioritization of Inuit women, even over a Nunatsiavut Government beneficiary from Nain, was also confirmed in an interview with an employee of VBNC involved in the hiring process.

Women were not only involved in both the EIA and IBA process, but they had their voices heard. The EIA process resulted in a mandatory women's employment plan, something which likely would not have happened if women were not as vocal during the process as they were. While the draft women's employment plan was seen as insufficient and contained little information that Inuit women requested throughout the EIA process, it is unknown what the finalized women's employment plan contains due to the confidential nature of employment practices in the IBA. If the final women's employment plan was similar to the draft employment plan, it did not meet the standards set by Aboriginal women in the EIA process. However, the involvement of Inuit women continued during the IBA process and Aboriginal women were able to secure wording that prioritized them in the IBA hiring practices.

## **5. Women at Voisey's Bay Mine**

The goal of prioritizing women in the IBA was to increase the number of women working at Voisey's Bay mine, preferably in non-traditional occupations. During the summer of 2009, when the interviews were performed, women comprised 17.5% of the workforce at the mine site (personal communication, 2009). This number is higher than the national average which is at 14.4% (Women in Mining Canada, 2011, p.4). However, both the 14.4% nationally and the 17.5% at Voisey's Bay mine is largely made up of women working in culinary, administration and corporate services. While the average number of women working at Voisey's Bay Mine is higher than the national average, women interviewed expressed concerns that there were not enough women working at the mine site, especially those in non-traditional occupations. Women in non-traditional occupations expressed similar concerns about barriers to advancement, acceptance in the workforce, and sexism that has been identified in the literature.

As a result of the input from Aboriginal women during the EIA process and the negotiation team for the LIA, Inuit women were prioritized even over the adjacency principle. However, while Aboriginal participants were aware of their prioritization due to the adjacency principle, none of the respondents mentioned the prioritization of women in the IBA. When asked if women should be prioritized for employment, eight of the nine Aboriginal women interviewed responded in the positive, while all nine felt that Aboriginal people should be given priority. While most Aboriginal women agreed with the prioritization of women, none of the non-Aboriginal participants, and a majority of the Aboriginal men believed there should be no prioritization for women. The most

common answer to the question was that hiring should be based on qualifications alone, with a reference to either 'equality' or 'equal opportunity' which meant different things to different participants. None of the respondents seemed aware that Inuit women receive priority in the IBA.

While the percentage of women employed at Voisey's Bay mine is higher than the national average, many women felt that women were underrepresented at the mine site, especially in the skilled trades. One Inuit women who was unaware of the prioritization of Inuit women in the IBA felt that VBNC could have done more to increase the number of women:

I: So do you think women should be given priority for work at the mine within each of those groups?

P: Uh, it would be nice. It would be, it would be great if it would work out that way but um, this, I think at the old camp we were outnumbered like one to twenty type thing.

I: Wow. And were those women, do you think they were employed in more traditional female employment?

P: Cleaners...Cleaners and me

Her response reflects the isolation that many women feel working in non-traditional jobs. This feeling of isolation is increased when there is a hiring practice which prioritizes certain groups. Six of the eleven participating women in this study worked in non-traditional occupations and many of them reflected these concerns.

While no respondents talked about the prioritization of women over the adjacency principle, all respondents were aware of the adjacency principle itself. Many Aboriginal respondents, both male and female, felt they were hired because of the IBA. While many of these were people who worked in less skilled occupations, one Inuit woman working



in a non-traditional occupation spoke of an Inuit female friend who was told that she was only there to fill a quota:

I: Do you think the company is meeting the numbers and what's in the Impact Benefit Agreement, that they need to hire a certain percentage of Aboriginal workers.

P22: They do yup.

I: And they're meeting those?

P22: I don't know cause I don't know what the percentages are. I have a friend who is a mechanic in there and she was told that the only reason she was there, this was from a human resources manager, that the only reason why she was there was to fill a special quota. Not for her skills... She's a light duty mechanic [who] now works on the pickup truck. She was first hired as a heavy equipment mechanic apprentice but she switched her trade because they wouldn't let her work on heavy equipment, she was only allowed to work on pickup trucks so she said 'I might as well just switch my heavy equipment to light duty'.

This story reflects a negative side effect of known priority hiring programs. Some Aboriginal workers perceived co-workers and managers attitudes reflective of the human resource manager in the story. One Inuit man responded, "One of the things that between the lines was spelled out to me from the supervisors, it was made clear that I was hired because I had to be hired". This attitude was reflected in some of the interviews with non-Aboriginal participants. One non-Aboriginal male from St. John's responded that the IBA resulted in unqualified people being hired:

I: So how do you think the Impact Benefit Agreement affects your work experience?

P: I don't think they are picking up the qualified people that's out there. For example, we get security guards that are up there, that are hired... they are hired because of the Impact Benefit Agreement and they don't last very long for one thing and they hire them just because of that benefit.

While this response was not reflective of the attitude of all non-Aboriginal participants, it shows a perception that is held by some at the mine site. The

perception that people are only there because of the IBA is a barrier for Aboriginal workers at the mine. Despite women being prioritized in the hiring practices, it was Aboriginal people, both male and female, that the negative attitude was portrayed upon.

Some of the women recognized that even with priority, it would not increase the number of women in skilled positions at the mine because there aren't that many Aboriginal women who are qualified.

I: Do you think that women should be given priority for work at the mine?

P: Sure

I: And why do you think that?

P: Because you're not going to find a whole lot of women out there that have qualifications anyways. And if they got the qualifications, well they should be there.

This comment reflects the attitude of VBNC during the EIA process. The lack of qualified Aboriginal women was cited by VBNC as a limitation to their ability to provide targets for the employment of women at the mine site, saying it would be based on individual interest. However, this was not seen as good enough by women's groups who responded that comments about relying on individual interest shows the company's bias against their responsibility to target, encourage, and train Aboriginal women to work at the mine.

Throughout the EIA process, Aboriginal women demanded that VBNC provide training for Inuit women and take steps towards provide a workplace that would accommodate their needs. Despite repeated claims from VBNC throughout that process that women would be targeted for training opportunities, women from the mine felt that it was easier for men to receive promotions and training than women. One Inuit woman

who worked in a non-traditional occupation during the operations phase had to fight in order to receive a promotion:

I: What type of barriers do you see that you face on the worksite as a woman?

P: It's hard for us to get promoted. We have to fight really hard. And it's very frustrating because like guys are just given opportunities no sweat. It took me three years to get, no, since I started I never had a promotion until last year.

While she did receive her training and promotion that went along with it, she had to fight in order to receive it. After being put on duties that she felt her skills were too high for she was eventually transferred to duties requiring a higher degree of skill. However, the company would not give her a promotion until she filed a grievance.

These concerns about Aboriginal women not receiving training while men do was not shared by Aboriginal women alone. An Inuit man who worked in the Mill during the construction phase saw a friend get constantly looked over for training opportunities and attempted to get her to speak up about it:

P3: She is an electrical apprentice and she is working through her apprenticeship. Her marks after she has gone to school a few times, are excellent, she is top of the class. I've watched her been assigned repeatedly to mopping the floor and working the tool crib repeatedly. And she seems to accept that, she's willing to accept that and I've told her numerous times, you're not only doing yourself a disservice, you are doing a disservice to the next Aboriginal woman coming behind you. But she just shrugs and smiles.

This story is reflective of an attitude of the acceptance of male domination at the work site that was widespread in the interviews with both Aboriginal and non-Aboriginal women at the mine site. Many women responded that the best way to deal with harassing

behavior was to respond aggressively with one Inuit woman saying “if they'd say something to me, I'd just give it back just as good as I get it”.

Evidence of VBNC not living up to the expectations of women expressed during the EIA process in regards to training was not only in the operations phase of the mine but also in the lead up to the mine. Aboriginal women clearly expressed their view that VBNC is responsible, in part, for the targeting and training of women but the training programs leading up to the project and during the construction phase were funded through governments. Of the participants in this study, some Aboriginal women went to a community college or training program specifically to receive training to work in a non-traditional job at Voisey's Bay. They did not receive assistance from VBNC. The Joint Voisey's Bay Employment and Training Authority (JETA) whose board was made up of representatives from the Inuit, Innu, Metis and VBNC provided training for some respondents. While VBNC is involved in the program, it is funded through the federal government's Innu, Inuit and Métis Human Resources Development Strategy. Some received their training from the College of the North Atlantic and was subsidized by the Nunatsiavut Government's Inuit Pathways program. All other women received training from VBNC once accepted for the position, which were mostly classified as unskilled. Some respondents already had extensive training and experience in their respective trades.

This is not to suggest that VBNC did not attempt to recruit women or provide resources for programs and institutions but that they did not match the level of what women requested during the EIA process. There were also some areas where VBNC

seemed to live up to the concerns presented by women. There were many complaints about the construction phase camp and VBNC built a women's only wing after receiving pressure from a committee of women working during the construction phase, and the facilities during the operations phase were said to be private and safe. As well, gender sensitivity training, a suggestion that arose during the EIA process, is administered to all workers at the mine site.

While the stories of the women interviewed for this study are not the stories of all women working at the mine, they expose the attitudes and concerns held by some of the women working at the mine. Stories of women being held back for training and promotion opportunities were told by both men and women, albeit a minority. These interviews show that in some areas, especially training and promotion, VBNC did not provide what women requested during the EIA process. The interviews also show that despite the prioritization of women in the IBA, women expressed concerns of isolation and felt that there were not enough women at the mine site. Without goals and established numbers, the company is able to claim there are not higher numbers of women because they are not applying or not qualified. These interviews also show that few people are even aware of the prioritization of women in the IBA.

## 6. Discussion

While women were able to participate and influence both the EIA and IBA processes, their efforts did not result in a workplace they had envisioned as women at the mine reported many of the same problems identified in the literature. Participants in this study also reported problems with training and hiring which Aboriginal women's groups warned VBNC of and tried to mitigate during the EIA process. Two of the main reasons Aboriginal women's groups were not able to get the information out of VBNC during the EIA process included the confidential nature of the IBA and the conflict between the EIA and IBA processes. And while Inuit women were prioritized in the IBA, women throughout the EIA process requested targets for the employment of women. Prioritization policies fit the story that VBNC was telling throughout the EIA process, that quotas cannot be given and it would be based on individual initiative.

Although Inuit women were able to use the EIA process to increase their voice and be heard by the IBA negotiation team, the process was disjointed and not all parties were at the table with access to the same information. Throughout the EIA process, VBNC continuously referred to the IBA as a response to women's concerns about commitments to social concerns such as housing. By referring to the IBA during these negotiations, they referred to an incomplete, confidential document which only two parties at the table had access to. And while the EIA process allowed women to influence the final IBA negotiations, this was achieved indirectly. There was no time that women's group,

VBNC, LIA, government and unions were at the table at the same time with the same information.

It is suggested by O' Reilly & Eacott (1998) that it would be beneficial for Aboriginal groups for the government to “clarify the parameters for negotiating IBAs” and define EIA assessment responsibilities (p. 25-27). Having a disjointed system is not an advantage for Aboriginal groups. Although the EIA negotiations and the IBA negotiations took place separately with different parties, they are intertwined and were not mutually exclusive. A representative of the Nunatsiavut government felt that both processes influenced each other:

I: And how do you see the EIA process as contributing to the IBA, or is the IBA contributing to the EIA process?

P: I think it was a combination of both

While it is a positive result that women were able to influence the IBA through EIA negotiations, the influence of the IBA during the EIA negotiations was a negative one for women.

The incomplete nature of the IBA turned the EIA process into another part of the negotiation strategy of the IBA. Both parties had to carefully select how much information to provide on the progress of the IBA negotiations and what the IBA was going to contain. During the EIA process, LIA mentioned their dissatisfaction with how VBNC had been using the IBA:

LIA is concerned about the mixed approach to mitigation of impacts on Inuit that has been put forward by the Company. On the one hand, the Proponent has relied on the Inuit IBA. On the other hand, and because the Inuit IBA does not exist, the Proponent has advanced unilateral commitments that reflect its approach during the Inuit IBA negotiations.

These commitments overlap with matters discussed at the Inuit IBA table. LIA has not outlined its approach and arguments on all these topics because it doesn't want to negotiate in public. There is therefore a danger that findings on the Proponent's unilateral commitments may prejudice our Inuit IBA negotiations. (Labrador Inuit Association, 1998, p. 11)

This comment clearly shows the negative influence of the IBA on the EIA process.

Because much of the content of both the EIA and IBA overlap, making unilateral commitments on issues that are outstanding in the IBA negotiations can be seen as a way of forcing the others hand in the IBA negotiation process. What a party included in their submissions and how they referenced either the IBA or aspects involved in the IBA were closely scrutinized by both sides. In the same submission the LIA continued to accuse VBNC of using the IBA to further their goals:

VBNC/INCO disclosed information on the key elements of the proposed Inuit IBA throughout its EIS, including its Aboriginal Policy, and the Additional Information it filed. At times, VBNC made a direct reference to the IBAs and provided details about certain subject matters and issues discussed during the Inuit IBA negotiations. At other times, VBNC/INCO disclosed information on key elements of the proposed Inuit IBA, without necessarily linking them to the IBAs (Labrador Inuit Association, 1998, p. 2).

The ability to sometimes link things to an IBA and other times not provides an advantage for VBNC. They have the ability to choose whether to link commitments or proposals to the IBA if it is to their advantage and they are also able to make promises or unilateral commitments about subjects not yet concluded in the IBA negotiations if it is to their advantage.

VBNC and the LIA were not two parties presenting their positions on a development project, they were two parties involved in a separate agreement which



limited their ability to provide full information. The LIA noted the difficulties the incomplete IBA brings to the EIA process in one of their submissions:

The absence of a negotiated Inuit IBA also poses difficulties for the Panel in assessing the potential impacts of the Project. First, despite an extensive description of the subject matters and issues discussed during the Inuit IBA negotiations, the absence of an Inuit IBA makes it impossible for the Panel to understand how issues affecting Inuit will be addressed and resolved in the proposed Inuit IBA. Second, and equally important, the absence of an Inuit IBA creates uncertainty about whether assurances given by VBNC in the EIS will be fulfilled (Labrador Inuit Association, 1998, p. 9).

Throughout the submission made by LIA, they made it clear that it was the IBA that was going to be the most effective in mitigating negative impacts and that the project should not be allowed to continue until an IBA has been signed.

Even if the IBA negotiations had been completed before the EIA process started the confidential nature of IBA's prevents crucial information from being heard by the Panel and the public. While there is an argument to be made that with the conclusion of an IBA, both parties would be more willing to share information, confidentiality clauses prevent parties from sharing information if the other objects.

The confidentiality clauses in IBA's have been criticized by academics for disadvantaging Aboriginal people (Shanks, 2006; Fidler & Hitch, 2007). Financial information is most often used as a reason for the need for confidentiality, and Shanks (2006) points out that it is the First Nations that want the confidentiality of financial information because they don't want the government to use it as an excuse to claw back already short government funds. However, Fidler & Hitch (2007) argue that the confidential nature of the IBAs undermine broader public interest and if not properly

negotiated and monitored, can be detrimental to both environment and Aboriginal groups. Throughout the negotiation process, parties can only respond to the information that had been presented. The ability of both LIA and VBNC to withhold information from the panel due to confidentiality makes it hard for the panel to come to an informed conclusion.

The confidentiality in the IBA negotiated between VBNC and LIA disadvantaged Inuit women during the EIA process. Although the results of the EIA process were positive in terms of aggregating the concerns of women and having them included in the negotiation process, the ability of VBNC to reflect concerns onto the unfinished IBA negotiations left the Panel with incomplete information.

The women's employment plan that is referred to in the undertaking order is also complicated by employment and hiring provisions in the IBA. While there are many references to the women's employment plan, it is not available for public scrutiny. It must have been approved by the Environmental Management Board as the company instituted the plan in 2004 but the contents are not known by this author. Although people interviewed in this study referred to the women's employment plan, neither the Inuit Employment Coordinator, nor the IBA coordinator for the Nunatsiavut government, referred to set quotas or goals for the employment of women other than their priority in the IBA.

In contrast, the women's employment plan initiated by Vale for the Long Harbour Processing Plant in Newfoundland is both public and contains detailed goals for the employment of women. The Long Harbour Processing Plant will begin processing ore

from Voisey's Bay after completion of the construction phase. The women's employment plan for that project established goals of 3% employment of women in building trades occupations during construction and 25% employment of women in the long term operations of the plant. The plan also states that these numbers are not ceilings. The plan provides details on recruitment, training and retention of women.

The women's employment plan for Long Harbour, which was praised by the Office to Advance Women Apprentices, may be an indication of the commitment the Brazilian corporation Vale, which purchased VBNC in 2006, is willing to make that VBNC was not. However, the women's employment plan for the Long Harbour Project was a result of the EIA process for that project. While the Voisey's Bay undertaking order mentioned that VBNC had to come up with a women's employment plan, the women's employment plan for Long Harbour was part of the revised environmental impact statement and was accepted before the undertaking order was even signed. The absence of a confidential IBA may have helped in that regard. It is the connection of employment at Voisey's Bay mine to the unique clauses contained within the confidential IBA that prevented the finalized Women's Employment Plan from being publicly accessed and gender equity in employment practices were not discussed in detail during the EIA process due to the confidential IBA

Although the prioritization of women in the IBA can be seen as a good thing, it is short of what Aboriginal women requested throughout the EIA process. While there are goals for percentage of Aboriginal workers in the IBA, there are no quotas or expected goals related to women, only a prioritization. Women's groups throughout the EIA

process had to continuously request more detailed information about the hiring of women, which VBNC never provided and it is reasonable to assume that they provided no such information during IBA negotiations as there are no expected goals to maintain in regards to Aboriginal women. The prioritization of women does not go against VBNC stance that few Aboriginal women will be qualified and those who take individual initiative to gain the skills will be hired.

While Inuit women are prioritized in the IBA, this prioritization did not make it into the collective agreement between USW and VBNC nor the Special Project Agreement (SPA) for the construction phase. The adjacency principle is written into both the collective agreement and the SPA. The problem with not codifying the prioritization in the collective agreement was illustrated by a representative from a building trades union:

R: Hiring women, outside of the IBA's, I would say there was nothing in place, nothing by the government, nothing in the collective agreements, so whatever happened, happened. It was sort of left open right...and they could have the best intentions but if you don't put it into the collective agreement it's not going nowhere. If they don't say to RDC we want ten percent of the workforce to be females of each trade, we are all bound by our collective agreements and hiring procedures.

Even though women are prioritized in the IBA, without it being included in the collective agreement, unions and contractors were unaware of this prioritization. When a member of the bargaining team for the USW during the operations phase was asked about the prioritization of women in the IBA he responded, “well nobody ever told me that was there”. This sentiment was reflected by business managers and presidents of different building trades.

However, many expressed the opinion that it was a non-issue due to the low number of qualified Inuit women. The following comment by another representative from a building trades union exemplified this opinion:

I: When you were told to prioritize certain groups, were you also able to prioritize women?

P: Not that I remember, no never. I know the Innu and Inuit have preference but I was never ever told that...

I: Women had preference?

P: No I wasn't.

I: Ok because that was part of the IBA as well apparently.

P: But is there many women up there? I don't even know if there is anybody...

This sentiment was not unique to building trades unions as an employee from Vale involved in the hiring process also reflected this opinion:

I: Were there any differences in getting women hired with the contractors and things like that? Any particular challenges?

P: No, I don't think so because we never had that many. Like you know say if there is a heavy equipment operator position came up, there would be numerous come up at a time... like we are looking for seven truck drivers and we probably only had three and if one of them was a woman then all three of them got hired anyway, you know what I mean?

The lack of qualified Inuit women was used by VBNC throughout the EIA process as an excuse to not provide a detailed plan on hiring women, saying it would be based on interest alone. While the reality may be that there are not many qualified Inuit women, women's groups during the EIA process wanted VBNC to actively target and train women. This conflict between IBA negotiations and EIA negotiations adversely affected the ability of women to have their voices heard in a meaningful way that resulted in programs and policies that work for Inuit women.

## 7. Conclusion

The literature on EIA's paint Voisey's Bay as a trendsetting process which included sustainability at its core, provided time and resources for Aboriginal input and included provisions regarding socio-economic impacts. Indeed, the next EIA process in Newfoundland Labrador, the Long Harbour Plant, contained similarities in the progressive nature of the process. While there is evidence that the Voisey's Bay EIA process was more progressive in sustainability and participation than previous EIA processes in Canada, few of these studies mention the importance that the IBA played in the EIA negotiations. The few studies on the Voisey's Bay IBA also fail to mention the importance the EIA process had on the outcome of the IBA. O'Fairchellaigh (2011) argues that IBA process was inclusive of women and contained women in both formal roles (chief negotiator) and informal roles as community representatives able to influence the negotiations of the IBA. While the author mentions the importance of the EIA in aggregating the voices of women, he does not mention the negative influence of the confidential IBA negotiations on the EIA process.

The EIA process saw the voices of women being expressed. Multiple women's groups formed after the discovery of the nickel deposit near Nain in order to have their voices heard. The government provided funding to enable these women's groups to hold meeting around the coast and interior of Labrador in order to find out what the women in Labrador were concerned about. The submissions made by these women's groups not only influenced the outcome of the EIA, with the requirement of a women's employment

plan, but also influenced the outcome of the IBA, with the inclusion of a priority clause for women. However, some workers interviewed at the mine expressed concern over training and promotion and many felt the number of women working at the mine were not high enough.

While women were able to get their voices heard, the conflict between the EIA and IBA negatively influenced the ability of the EIA process to establish concrete goals and numbers on the employment of women. VBNC continuously referred to the IBA as the solution to concerns raised by women regarding socio-economic impacts. The unfinished nature of the IBA negotiations also left both LIA and VBNC tight lipped on what was contained in the IBA other than providing broad categories of negotiation such as employment and gender equity.

Even if the IBA had been concluded, the confidential nature of the IBA negotiations presents a complication for EIAs. Without the parties at the table knowing the information, it is difficult to provide informed conclusions. The undertaking order of the Voisey's Bay project contained a requirement of a women's employment plan but that plan is also affected by confidentiality. Although the government was able to review the women's employment plan through the Environmental Management Board, the document is not available to the public. However, the information contained in the women's employment plan may be known by women's groups in Labrador as many of their members are beneficiaries and thus able to obtain the confidential information.

The Long Harbour EIA process included a detailed women's employment plan after the public responses to the initial environmental impact statement. It was included in the

revised statement. The issue of women's employment, while raised by women's groups and responded to in a broad manner, was mired in secrecy during the Voisey's Bay EIA process because of the unfinished IBA. VBNC was unwilling to provide detailed numbers and goals due to unfinished negotiations that related to hiring preferences. The adjacency principle, which also came out of the EIA process, was an integral part of the IBA in regards to employment. Because the IBA was unfinished, employment information was broad and undetailed.

Although the IBA contains the prioritization of women, this information was unknown to almost all of the respondents in this study. The prioritization was seen by many women themselves as ineffective due to the small numbers of qualified Aboriginal women in Labrador. As well, the prioritization clause for women does not conflict with the position of VBNC throughout the EIA process that they will hire women based on individual initiative and those who apply.

The participation of women in the negotiated agreements leading up to the development of the mine was significant. They had their voices heard but were negatively influenced by disjointed negotiation processes and the conflict between the IBA and the EIA. While a women's employment plan and the prioritization of women resulted from the participation of women, no strong wording regarding women's employment was contained in the special project agreement or the collective agreement with the USW. The conflict between the unfinished IBA and the EIA combined with the confidential nature of IBAs resulted in the women at Voisey's Bay mine facing the same problems which the women's groups that participated in the EIA process tried to avoid.



There is still a lot of research to be done in the areas of IBA and EIA conflict as well as the participation of women throughout these processes. Finding ways to encourage and promote the participation of Aboriginal women in resource projects, both leading up to the projects and once they have started, requires researchers to look at institutional and occupational barriers that prevent such participation. While there are numerous studies on the barriers to women gaining access to employment in resource development, few look at the participation of women in the negotiated agreements leading up to such development projects. These negotiated agreements provide the ability to negotiate policies that attract Aboriginal women and reduce barriers to employment and promotion. Known barriers to employment can be overcome by instituting policies that seek to reduce such barriers. Reducing barriers to the participation of Aboriginal women in negotiated agreements can go a long way in reducing barriers to employment for Aboriginal women at the work site.

The conflicting IBA and EIA processes, both of which can influence one another, are a potential barrier to the successful participation of Aboriginal women during negotiated agreements. While the conflicting processes do not prevent women from participating in the process, they can prevent Aboriginal women's voices from being heard and considered. The ability for the Proponent of a project to refer to a confidential negotiation process in response to concerns women bring up is problematic. While women are also involved in confidential IBA negotiations, their involvement with one process is not necessarily coordinated with their involvement in another. The groups of women that

form to respond to environmental assessment panels are not necessarily the same women that represent the local community in IBA negotiations.

There are many conflicting processes that occur in the lead up to a resource development project. Providing more clarity to the process by strictly defining the roles of the EIA processes and the IBAs would greatly assist women trying to influence development for the betterment of women.

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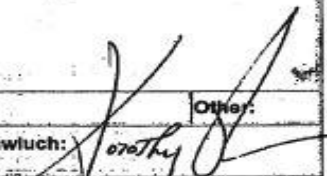
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## Appendix 1 Ethics Approval

McMaster Research Ethics Board

<b>McMaster University Research Ethics Board (MREB)</b> <small>o/o Office of Research Services, MREB Secretariat, GH-305/H, e-mail: ethicsoffice@mcmaster.ca</small> <b>CERTIFICATE OF ETHICS CLEARANCE TO INVOLVE HUMAN PARTICIPANTS IN RESEARCH</b>			
Application Status: New <input checked="" type="checkbox"/> Addendum <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Project Number: 2009 100			
<b>TITLE OF RESEARCH PROJECT:</b> Effecting change in long-standing institutions: Aboriginal employment and labour unions in northern resource development projects			
<b>Faculty Investigator(s)/ Supervisor(s)</b>	<b>Dept./Address</b>	<b>Phone</b>	<b>E-Mail</b>
S. Mills	Labour Studies		suzmills@gmail.com
Co-Investigator(s): A. Robinson			
<b>Student Investigator(s)</b>	<b>Dept./Address</b>	<b>Phone</b>	<b>E-Mail</b>
Co-Investigator(s):			
The application in support of the above research project has been reviewed by the MREB to ensure compliance with the Tri-Council Policy Statement and the McMaster University Policies and Guidelines for Research Involving Human Participants. The following ethics certification is provided by the MREB:			
<input checked="" type="checkbox"/> The application protocol is approved as presented without questions or requests for modification. <input checked="" type="checkbox"/> The application protocol is approved as revised without questions or requests for modification. <input type="checkbox"/> The application protocol is approved subject to clarification and/or modification as appended or identified below:			
<b>COMMENTS AND CONDITIONS:</b> Ongoing approval is contingent on completing the annual completed/status report. A "Change Request" or amendment must be made and approved before any alterations are made to the research.			
<b>Reporting Frequency:</b>	<b>Annual:</b>	<b>Other:</b>	
Date: June 22, 2009	Co-Chairs, Dr. D. Maurer, Dr. D. Pawluch:		

## Appendix 2 Letter of Information and Consent Form for Workers



**Memorial**  
University of Newfoundland



April 29<sup>th</sup>, 2009

### Letter of Information and Consent Form for Workers

**Project title: “Effecting change in long-standing institutions: Aboriginal employment and labour unions in northern resource development projects”**

#### Investigators:

**Principal Investigator:** Dr. Suzanne E. Mills  
Labour Studies Programme and School of Geography and Earth Sciences  
McMaster University  
1280 Main Street West  
Hamilton, ON L8S4L8  
(905) 525-9140 X 24819  
(289) 808-1370 (cell)

**Co-Investigator:** Dr. Angela Robinson  
Sir Wilfred Grenfell College, Memorial University  
1 University Drive  
Corner Brook, NL A2H 6P9  
(709) 637-6291

**Research Sponsor:** Social Sciences and Humanities Research Council of Canada

You are invited to participate in a study examining how labour unions are interacting with policies and measures to increase Aboriginal employment at Vale Inco Voisey's Bay. In this study, we are hoping to identify aspects of union practices that create barriers or help to encourage Aboriginal employment that is representative of all job categories. We also hope to find out how Aboriginal and newcomer workers view their unions and understand and experience programmes to increase Aboriginal employment.

You are asked to participate in an interview of 1-1.5 hours in length at a location of your choice. Questions will ask about your experiences of work at Vale Inco, your involvement with and perceptions of your union, how you found your job, how work conditions are changing at the mill and how you think Impact Benefit Agreements influence work conditions, hiring and retention in Vale Inco's operations. We will also ask you some demographic questions such as age, gender, ancestry and your place of residence. It is possible that questions about the workplace environment might be stressful for some workers and you do not need to answer any question. Interviews will be tape recorded with your permission and will

take place in person or by phone if it is not possible to meet in person. To compensate for lost wages or inconvenience, we will provide 30\$ for your participation.

There will be minimal risks associated with your participation. Should you choose to participate, your interview transcript will remain confidential, only being seen by members of the research team. Interviews will be analyzed as a group and if a direct quotation is used, identifying information will be removed. Finally, the data collected will be used in the publication of academic articles, in presentations at academic conferences and possibly in union settings.

You do not need to answer any questions that make you uncomfortable or that you do not want to answer and you can withdraw from the study at any time with no consequences. Your participation in this study is voluntary and you can withdraw from the study at any time without consequences of any kind. Should you decide to participate, you can decide to stop at any time, even after signing the consent form or part-way through the study. If you withdraw part way through the interview you will still receive compensation of 30\$. In cases of withdrawal, any data you have provided to that point will be destroyed unless you indicate otherwise. If you do not want to answer some of the questions you do not have to, but you can still be in the study.

We hope to be able to increase understanding about how Aboriginal organizations and unions can better work in collaboration with one another around issues of employment. The research will have little benefit to you directly, however in participating in this study you will be exposed to the research process, as well as to possibilities for workplace change (through the interview questions that are asked and through the communication of results).

The information obtained by me will be kept in a locked cabinet and will only be available to myself and my research team. The information will be destroyed after 10 years. A report of the findings of this study will be prepared for the Nunatsiavut government in the fall of 2010. You may obtain information about the results of the study by contacting the Nunatsiavut government in the fall of 2010 or by contacting Suzanne Mills at the information above.

If you have questions or require more information about the study itself, please contact Suzanne Mills at [smills@mcmaster.ca](mailto:smills@mcmaster.ca) or at either of the phone numbers listed above.

This study has been reviewed and approved by the ethics board at Sir Wilfred Grenfell College of Memorial University McMaster Research Ethics Board. If you have concerns or questions about your rights as a participant or about the way the study is conducted, you may contact:

Peter Stewart,  
Chair, SWGC research ethics board  
Sir Wilfred Grenfell College  
Corner Brook, NL, A2H 6P9  
(709) 637-6200 x 6341  
E-mail: [pstewart@swgc.mun.ca](mailto:pstewart@swgc.mun.ca)

or

The McMaster Research Ethics Board Secretariat  
c/o the Office of Research Ethics  
Telephone: 905-525-9140 x 23142  
E-mail: [ethicsoffice@mcmaster.ca](mailto:ethicsoffice@mcmaster.ca)

**CONSENT**

I have read the information presented in the information letter about a study being conducted by Dr. Suzanne Mills and Dr. Angela Robinson, of McMaster University and Memorial University of Newfoundland. I have had the opportunity to ask questions about my involvement in this study, and to receive any additional details I wanted to know about the study. I understand that I may withdraw from the study at any time, if I choose to do so, and I agree to participate in this study. I have been given a copy of this form.

I agree to participate in the interview

\_\_\_\_\_ Yes

\_\_\_\_\_ No

I agree that the interview can be taped

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Signature \_\_\_\_\_

## Appendix 3 Letter of Information and Consent Form for Stakeholders



**Memorial**  
University of Newfoundland



May 1<sup>st</sup>, 2009

### Letter of Information and Consent Form for Stakeholders

**Project title: “Effecting change in long-standing institutions: Aboriginal employment and labour unions in northern resource development projects”**

#### Investigators:

**Principal Investigator:** Dr. Suzanne E. Mills  
Labour Studies Programme and School of Geography and Earth Sciences  
McMaster University  
1280 Main Street West  
Hamilton, ON L8S4L8  
(905) 525-9140  
(289) 808-1370 (cell)

**Co-Investigator:** Dr. Angela Robinson  
Sir Wilfred Grenfell College, Memorial University  
1 University Drive  
Corner Brook, NL A2H 6P9  
(709) 637-6291

**Research Sponsor:** Social Sciences and Humanities Research Council of Canada

You are invited to participate in a study examining how labour unions are interacting with policies and measures to increase Aboriginal employment at Vale Inco Voisey's Bay. With this research we are hoping to identify aspects of union practices that create barriers or help to encourage Aboriginal employment that is representative of all job categories. We also hope to find out how Aboriginal and newcomer workers view their unions and understand and experience programmes to increase Aboriginal employment.

You are asked to participate in an interview of 1-1.5 hours in length at a location of your choice. Questions will ask about your organization's role in employment, what you consider to be your organization's most pressing factors influencing employment, what you see to be the main barriers to Aboriginal inclusion in the workplace and how your organization supports Aboriginal employment. We will also ask you for some background information about your organization such as when it came into

existence, and how its purpose has evolved over time. Interviews will be tape recorded with your permission and will take place in person or by phone if it is not possible to meet in person.

It is not likely that there will be any risks or discomforts associated with this project. You do not need to answer any questions that make you uncomfortable or that you do not want to answer and you can withdraw from the study at any time with no consequences.

We hope to be able to increase understanding about how Aboriginal governments and unions can better work in collaboration with one another around issues of employment. The research will not benefit you directly, however in participating in this study you will be exposed to the research process, as well as to possibilities for workplace change (through the interview questions that are asked and through the communication of results).

We will treat the information that you give us in a confidential manner and only use the information that answers the stated questions in the study. We will make every effort to keep your participation confidential if requested however we cannot guarantee confidentiality due to the unique nature of the case study and the small size of the organization. For example if we indicate that we interviewed a representative from your organization, someone may deduce that you were the participant. Individuals who read a paper or report resulting from the study in this case might be able to guess that you were a participant.

The information obtained by me will be kept in a locked cabinet and will only be available to myself and my research team. The information will be destroyed after 10 years.

Your participation in this study is voluntary and you can withdraw from the study at any time without consequences of any kind. If you decide to participate, you can decide to stop at any time, even after signing the consent form or part-way through the study. In cases of withdrawal, any data you have provided to that point will be destroyed unless you indicate otherwise. If you do not want to answer some of the questions you do not have to, but you can still be in the study.

A report of the findings of this study will be prepared for the Nunatsiavut government in the fall of 2011. You may obtain information about the results of the study by contacting the Nunatsiavut government in the fall of 2011 or by contacting Suzanne Mills at the information above.

If you have questions or require more information about the study itself, please contact Dr. Suzanne Mills at [smills@mcmaster.ca](mailto:smills@mcmaster.ca) or at either of the numbers above.

This study has been reviewed and approved by the Sir Wilfred Grenfell College of Memorial University Ethics Board, by the McMaster Research Ethics Board and by the Nunatsiavut government. If you have concerns or questions about your rights as a participant or about the way the study is conducted, you may contact:

Peter Stewart,  
Chair, SWGC research ethics board  
Sir Wilfred Grenfell College  
Corner Brook, NL, A2H 6P9  
(709) 637-6200 x 6341  
[pstewart@swgc.mun.ca](mailto:pstewart@swgc.mun.ca)



or

The McMaster Research Ethics Board Secretariat  
c/o the Office of Research Ethics  
Telephone: 905-525-9140 ext. 23142  
E-mail: [ethicsoffice@mcmaster.ca](mailto:ethicsoffice@mcmaster.ca)

### CONSENT

I have read the information presented in the information letter about a study being conducted by Dr. Suzanne Mills and Dr. Angela Robinson, of McMaster University and Memorial University of Newfoundland. I have had the opportunity to ask questions about my involvement in this study, and to receive any additional details I wanted to know about the study. I understand that I may withdraw from the study at any time, if I choose to do so, and I agree to participate in this study. I have been given a copy of this form.

I agree to participate in the interview

\_\_\_\_\_ Yes

\_\_\_\_\_ No

I agree that the interview can be taped

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Signature \_\_\_\_\_

## Appendix 4 Worker Interview Schedule

### I: PARTICIPANT INFORMATION

1. Name: \_\_\_\_\_
2. Gender: Male \_\_\_\_\_ Female \_\_\_\_\_
3. Work at Voisey's Bay (check all that apply):
  - a. Construction phase \_\_\_\_\_
  - b. Operations phase \_\_\_\_\_
4. Company or contractors worked for : \_\_\_\_\_
5. Union membership: \_\_\_\_\_
6. List any union positions: \_\_\_\_\_
7. Do you identify with any of the following groups (check all that apply):
  - a. Canadian
  - b. Labradorian
  - c. Newfoundlander
  - d. Labrador Inuit
  - e. Labrador Innu
  - f. Labrador Métis
  - g. Other describe: \_\_\_\_\_
8. Are you a beneficiary of LILCA? Y / N

---

-----To be filled out by researcher -----

Interviewer: \_\_\_\_\_  
Date of interview: \_\_\_\_\_  
Location: \_\_\_\_\_

9. What community do you live in?

### II Employment history

10. Where did you work before Voisey's Bay?
11. How long have you worked at the mine?
12. What type of work did you do at the mine?  
(What did you do?)
13. What are your reasons for taking a job with Vale Inco?
14. How did you find your job at Voisey's bay?  
(posting, word of mouth, personal contact at company)  
(through Nunatsiavut Government/ Vale Inco/ Building Trades and Construction Unions)
15. Did you face any challenges when you took the job?

- Care for children or adults? (describe what arrangements they made)
  - Health
  - Maintaining links to community
  - Time on the land
  - Acceptance in the workplace
16. What qualifications or training did you need to get the job?  
(who provided it? Was it equally accessible to women, Inuit and non-Aboriginal)
17. Did you have access to on the job training that allowed you to move up the job ladder?  
(who provided it?, was equally accessible to women, Inuit and non-Aboriginal people)
18. How important is wage work in your life?
19. How does your pay, benefits and work conditions compare with other jobs that you have had?
20. Do you spend time on the land?

If Yes:

21. Since working at Voisey's do you spend more or less time on the land?
22. Did you or anyone you know taken cultural leave?  
(is it accessible?)

### **III Lead up To Voisey's Bay and IBA**

23. How did you feel about the Innu and Inuit protests during the early stages of mine development?
24. What did you think of the Environmental Assessment process?
25. Did you think the mine would benefit
- a. you?
  - b. your community?
26. Since the development, have you seen any benefits?
27. I'm going to list different groups of people and ask you to tell me the order that you think people should be hired in.
- LILCA beneficiaries
  - Innu
  - Labrador Metis
  - Labradorians
  - Newfoundlanders
  - The most qualified person
28. Do you think women should be given priority for work at the mine within each of these groups? Why or why not?
29. Do you understand the Impact Benefits Agreements?
- a. If yes, where did the information?
  - b. If no, why?
30. Describe how the Impact Benefit Agreement affected your work experience?  
(did it provide worker protection)

These questions apply to your work experience before the strike

31. How did the union affect your work experience?

32. What was your involvement with the union?

**If involved in construction phase continue – if not skip to Q 35.**

33. Was the job unionized at the time of employment?

34. Did working during construction assist you in gaining employment for operations?

35. Have you had any problems at work? For example –

a. have you filed any grievances against the employer with the union

b. have you approached the Nunatsiavut Government for help

c. have you approached the Inuit Advisory Committee (IAC) for help?

36. Describe how you felt about the union before the strike?

37. Can you describe an experience you have had with the union?

38. Can you describe an experience you have had with the Nunatsiavut Government in regards to your work?

39. Whose interests does the union best serve:

a. Labradorians

b. Newfoundlanders

c. Inuit

d. Innu

e. Metis

40. Within each of these categories, are the interests of women served? men workers?

41. Has your opinion about unions changed since working at the mine? (why)

**IV Strike (only for USW workers)**

42. What do think of the strike situation?

43. How do you understand the relationship between the strike at Sudbury and at Voisey's Bay?

44. Have you been attending picket lines?

45. How would you describe the turnout at the picket lines?

46. How would you describe community support for the strike? Probe – what community

**V Employment**

Now we are going to shift gears and talk about what it is like at your job.

A couple of these questions are sensitive – and remember you don't need to answer any questions that make you uncomfortable?

47. How would you describe the relations between Inuit/Aboriginal and non-Aboriginal workers at Voisey's?

48. Have you ever have been made uncomfortable by a co-worker?

Please discuss. What did you do?

49. Have you ever been made uncomfortable by a manager or an employer?

Please discuss. What did you do?

50. Is the company policy on maintaining a workplace free from discrimination or harassment effective?

51. Do you feel comfortable during off hours and at camp? (prompt sexual language, ability to hike and or hunt in the woods)

52. How does the fly in fly out nature of work affect your life?

53. Do you feel that the Inuit/Aboriginal cultural Awareness programs at Voisey's Bay were effective?

Next two questions only Inuit

54. What might support Inuit/ cultural values at work? (expand)
55. Do you feel that Vale Inco takes the interests of Inuit into account when making decisions?
56. As a/an (Inuit/Innu/Metis/Newfoundlander/Labradorian – man/woman) how do you feel about working at Voisey's Bay?
57. Is there anything else you think we should know?
58. Do you have any questions for us?

THANK-YOU FOR PARTICIPATING IN THE PROJECT