



FERTILIZER CANADA
FERTILISANTS CANADA

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March 20, 2020

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Office of the Prime Minister and Privy Council
Ottawa, Ontario
K1A 0A2

Dear Prime Minister,

The next two months are critical, both for the Canadian response to the COVID-19 pandemic but also to our farmer customers who are already beginning preparations for the spring planting season. In addition, our industry has faced rising costs and reduced competitiveness, which independent of the current health crisis has reduced our ability to withstand further economic shock. The agriculture sector is paramount to Canada's long-term goal of recovery, and the fertilizer industry is essential to the spring planting season's success, which is directly related to global food security.

The government must now institute policies that protect our workers, give them the ability to continue to work, and ensure our supply chains. This means the designation of the entire fertilizer supply chain as essential, and providing relief to workers who face expiring training certificates.

On March 19, 2020, the United States' Department of Homeland Security, in collaboration with the Secretary of Agriculture, designated significant portions of US fertilizer supply chain as "Essential Critical Infrastructure Workers". This guidance is intended to be used by US federal, state, and local governments to make decisions about what classes of workers may be excluded from shelter in place requirements. It is an acknowledgement that the workers in this supply chain are necessary to the country's recovery from COVID-19.

A list of critical infrastructure workers is needed in Canada, which has decentralized labour laws with overlapping jurisdictions; if the supply chain is compromised by policy in one jurisdiction it will impact the integrity of the whole supply chain. At a time when the situation is rapidly changing, and new policies are being brought in on a continual basis, it is important that governments do not create unintended consequences for the agriculture industry.

In addition, if a declaration of a public welfare emergency is made under the *Emergency Measures Act*, Section 8 (1) (d) states that the Governor in Council can make an order or regulation providing "the authorization of or direction to any person, or any person of a class of persons, to render essential services of a type that that person, or a person of that class, is competent to provide and the provision of reasonable compensation in respect of services so rendered;" Providing a list of workers that the Governor in Council can deem essential, before the public welfare emergency is declared, would be prudent and provide the clarity that industry needs to manage its labour force and provide a continued supply of goods.

Finally, workers in our industry face a new challenge as many must re-apply for certifications and trainings, under the *Transportation of Dangerous Goods Regulations* that allow them to legally complete their job. These programs are not currently available due to social distancing requirements, and as such many workers face the immediate possibility of being unable to work. As more key workers are unable to take part in the manufacturing and transport portions of our supply chain, we will be unable to continue production.



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As such, the government must:

- 1. Provide the necessary federal leadership to maintain our national supply chains and, mirroring the actions in the United States of America, draft a list of essential critical infrastructure workers that could be used by federal departments and provincial and territorial governments to make decisions. This list should include the entire Canadian fertilizer supply chain, from manufacturing in plants, to transportation, to ag-retail locations that allow farmers to receive their goods.**
- 2. Extend the expiry dates of certifications that workers in our industry possess, where it is safe to do so, for individuals who are critical to product manufacturing lines and transportation of our products until a set time after the end of the COVID-19 pandemic.**

Sincerely,

Garth Whyte
President & CEO, Fertilizer Canada

CC The Honourable Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Intergovernmental Affairs

The Honourable Marc Garneau, P.C., M.P., Minister of Transport

The Honourable Marie-Claude Bibeau, P.C., M.P., Minister of Agriculture and Agri-Food

The Honourable Filomena Tassi, P.C., M.P., Minister of Labour

The Honourable Carla Qualtrough, P.C., M.P., Minister of Employment, Workforce Development and Disability Inclusion

The Honourable Seamus O'Regan, P.C., M.P., Minister of Natural Resources

The Honourable Bill Blair, P.C., M.P., Minister of Public Safety and Emergency Preparedness

The Honourable Bill Morneau, P.C., M.P., Minister of Finance

The Honourable Mary Ng, P.C., M.P., Minister of Small Business, Export Promotion and International Trade

The Honourable Navdeep Bains, P.C., M.P., Minister of Innovation, Science and Industry