

November 24th, 2016

Honourable Mélanie Joly

Minister of Canadian Heritage

House of Commons

Ottawa, ON K1A 0A6

Dear Minister:

Re: Public Consultation on Canadian Content in a Digital World

I would like to thank the Minister for this opportunity to add my thoughts and experiences to this important conversation on the future of Canadian Content in a Digital World.

On September 19th, 1992 I began working at CKVU. I had worked at several TV stations across Western Canada since 1984 and for the previous three years had been working for *CTV National News* out of their Toronto bureau. The move back home to BC was exciting for me because I wanted to shoot local Vancouver news.

I have experienced a lot of change in my working life, however the public's appetite for local news has remained consistent, people care about the world around them. Well funded, high quality, daily local news, presented by a team of motivated professionals is what Canadians deserve from their Media.

There is no doubt Canada's media industry has gone through significant disruptive changes in recent times, mostly as a result of "digital disruption". I am hopeful that your Ministry's review of the system will result in changes that will help bring us out of the age of disruption and prepare Canadians for an exciting new digital media age.

**Canadian Radio-Television and Telecommunication Commission  
(CRTC)**

My experience with the CRTC dates back to 2006, when there was an unprecedented restructuring in local programming at CKVU during an ownership change. Local programming was reduced to only a few hours in the early morning hours.

There was a formal complaint to the CRTC (resulting in decision 2007-360). The questions raised during this process have never effectively been addressed by either the Commission or Rogers Communications. By taking advantage of a vertically integrated licensing structure, individual station plans have gone through very little scrutiny by the Commission, resulting in very weak and far too general conditions of license.

Well funded, high quality local news programming that is journalistically independent? Clearly no one is applying this measure in a consistent way to the Vancouver television market. CTV Vancouver employs over 80 people to produce their local news. Global BC employs over 200 people to produce local news and Rogers Toronto operations employs over 200 people to produce their local news.

I have recently made several interventions to the CRTC. First during their Let's Talk TV public consultation, 2015-421 and more recently during Rogers group licensing application, 2016-225. I am attaching my detailed interventions to this report for review of the evidence I presented.

Rogers produces no regional or national news programming and has never attempted to cover international news in any significant way, paying Reuters and other news services to provide them with video footage from around the world.

Has the CRTC been willfully blind when it comes to Rogers commitment to local news in it's western stations? Well funded? High quality? The evidence is to the contrary, budget news with a bare bones staff is what Rogers has been doing in Winnipeg, Calgary, Edmonton and Vancouver for over a decade.

## **OMNI Television**

Rogers failure to provide the high quality local ethnic programming promised during CRTC licensing has been a similar story to what has been experienced at CITY.

When the CRTC gave Rogers an exemption to the CRTC's broadcast policy requirement to produce local news programming in their decision 2014-399 (paragraph 148) the Commission paved the way for Rogers to shut down their local ethnic news programs, which they did in May 2015, just weeks before the last federal election. Rogers chose to replace news with the much cheaper to produce current affairs program that airs on OMNI today.

In Vancouver Rogers has gone from employing 61 people in local programming at OMNI in 2006 to less than a dozen today.

Unifor's 2015 complaint resulting in CRTC Decision 2016-8, details why it is so important to require large vertically integrated broadcasters like Rogers to commit to conditions of license that provide Canadians with the high quality, well funded, local news programming they deserve.

Unifor's October 2016 Submission: I have reviewed Unifor's submission to your consultation and agree with all of its salient points.

I think today's television industry is on an old bridge, supported by the Broadcast Act and various other support systems that are the \$50 billion dollar Canadian media industry. This old bridge is collapsing due to a failure to maintain its principals, well funded Canadian content that Canadians depend on in their daily lives to make informed decisions.

We can see the new bridge off in the distance, it's got so many of the elements Canadians want to see in their future, free or affordable multi-channel delivery systems; over-the-top services like Netflix and Amazon Prime; even interactive platforms like Facebook live, Twitter and Snapchat are on this new bridge and they are getting a toll-free ride. My question is how do we support the creative content professionals that are on the old bridge to get onto the new bridge before the old bridge collapses?

What is needed is a measured approach and new funding to get from the old bridge to the new bridge. Perhaps that funding only needs to be in place for a number of years as the old bridge is refitted to deliver the content of the future. There is money in the system that can be used to do this, the windfall sale of the 600 Mhz band could be very helpful. Pay for fee, carriage fees, mandatory carriage support for local television could also help support well funded and trusted creative content.

Moving too quickly, without supporting the current structure will have devastating effects on the business model that exists. Dropping Canadian preponderance, restructuring simultaneous substitution of American programming, pick n pay initiatives has already seen hundreds of creative content professionals put out of work. Far from building a strong middle class these CRTC decisions have acted as an attack on the middle class, eliminating hundreds of good paying, mortgage paying jobs.

I feel in reviewing the details of 2016-224 the Commission has not gone far enough to generate new money into the television system at this important time of digital disruption. "Robbing Peter to pay Paul" is not likely to generate the funding needed to build the new bridge of a multi-platform universe.

When reviewing the CRTC's recent Broadcast Policy, 2016-224 I am disappointed that many of the important elements describing local news presence are only "expectations" and have not been made conditions of licence.

I am concerned that the intention of this policy to support local news might fall short. As I witnessed following Broadcast Policy 2011-442's requirement to produce a minimum of 14 hours of local programming; this can be done at the same time the resources dedicated to those hours is slashed dramatically. My evidence shows a staff of 46 at CITY Vancouver in 2007 reduced to 18 in May 2015, providing the same amount of programming hours. Perhaps some sort of payroll tax credit might be more effective in keep journalists feet on the streets of their local community?

The Commission might require some direction from the Federal Government to get rid of their new media exemption order. Far from a "Netflix Tax" what is needed is a levelling of the playing field, where everyone is playing by the same rules. This might require an adjustment in the Broadcasting Act to clearly attain these goals and avoid a long court challenge.

The Commission should use the powers that it already has to accomplish the goals of the Broadcasting Act.

With clear conditions of license, broadcasters would be required to invest in local programming that is well funded, high quality, and journalistically independent.

Transparent reporting of funds spent, detailed accounting of local hours produced.

What should we expect from Canadian broadcasters?

Private broadcasters should play a prominent role in the system, in exchange for their privileged and regulated access to Canadian's through the CRTC; they should provide well funded local, regional and national news.

There should be clear standards and expectations from content creators.

News programming should never be influenced by broadcast owners or advertisers commercial interests. Independent journalism from trusted sources promotes our democracy.

Material should be available on multiple screens, on-demand to all Canadians.

How these goals are measured should be a combination of hours of programming; payroll expenditures in producing original material; adherence to transparent oversight of operations; and adherence to a code of journalism standards that is monitored by a third party including the public and working journalists.

Canadians still depend on local news from trusted sources to make informed decisions but who will provide it and how will Canadians consume it will be determined by the recommendations from your consultation.

Unifor represents the creative content professionals that will tell many of those stories and we will work with our employers to build the digital information bridge of the future.

Regards,

Stephen Hawkins

### **830M Intervention to 2016-0009-9, August 2016**

- 1.I would like to thank the Commission for this opportunity to comment on Rogers application to re license CKVU and CHNM. I am writing in opposition to their application.
- 2.I am requesting to appear in front of the Commission during the November 2016 hearings, to expand on information we are providing in this intervention.
- 3.Unifor Local 830M represents the unionized employees at CKVU-TV

(CITY) and CHNM-TV (OMNI BC).

4. Rogers has failed to provide specific details about their broadcasting plans for CITY or OMNI during this important relicensing process. They do very little to ensure important goals of the Broadcast Act and the Commission's new Broadcast Regulatory Policy, 2016-224 are achieved:

*locally relevant news and information is produced and exhibited within the Canadian broadcasting system;*

*Canadians have access to locally reflective programming in a multi-platform environment; and*

*both professional and non-professional independent producers and community members have access to the broadcasting system.*

5. How many hours of locally reflective news programming is Rogers prepared to provide the people of Vancouver?
6. How many journalists, videographers, writers and producers does Rogers plan on employing to provide local news programming?
7. Commitments made as part of Rogers application 2016-0377-0 should become conditions of license to renew their OMNI over the air broadcast licenses. It is within Rogers ability to fund this programming using Broadcasting Regulatory Policy 2016-224.
8. Failing the full application of BRP 2016-224 to the OMNI licenses, Rogers should only be given an administrative extension to its current license, as the CRTC conducts a public hearing to review its Ethnic Broadcasting Policy. This review should be an opened process that considers all potential applicants.

9. Rogers attempt to apply for a 9-1-H license has once again distracted the public from their poor stewardship of Rogers basic OMNI obligations.

10. How will the CRTC ensure the goals of Broadcasting Regulatory Policy 2016-224 are applied in a meaningful way to broadcast licenses like Rogers in Vancouver? Is Rogers going to be allowed to treat western Canadians like second-class citizens by providing far less local news programming with skeleton staffing?

### **Historic Context:**

11. Ten years ago there was a dramatic restructuring of the playing field in Western Canada when CHUM Television decided to shut down its traditional 6 o'clock news programs in Winnipeg, Calgary, Edmonton and Vancouver; over 400 journalists, writers, editors and other creative television professionals lost their jobs. Rogers purchased this "discount" television structure, leaving these major Canadian markets with only Breakfast Television; a bare-bones morning news, weather, traffic, sports and entertainment show.

12. Canadian ethnic programming on OMNI Television suffered a similar series of program cuts that has seen daily ethnic news reduced to a series of current affairs programs that fall far short of the objects set out by the Commission's Ethnic Broadcast Policy.

13. Since these changes there have been several license renewals and complaint processes (see attached documents). Canadians have spoken out and both Rogers and the CRTC seem to have hidden behind weak expectations and conditions of license that were essentially unenforceable.

14. Rogers failure to invest in itself would be entirely its own business, except that broadcasting is regulated and for important reasons. This is why Parliament set out specific goals in the Broadcasting Act. Parliament expected broadcasters to strengthen the system, not perpetually weaken it.

15. Some have asked if local programming on OMNI and City in western Canada is the "canary in the coal mine" for local news. If it is, the canary is lying on the bottom of the cage and its future prospects do not look very good. It is being starved of the resources it needs to survive.
16. If the CRTC is serious about supporting local news, it must impose conditions that mandate specific levels of original, local news for each station, originating and produced by employees of that station.
17. In 2014 I feel Rogers distracted the CRTC Licensing process (2014-26) with a plan to reduce the conditions of license of OMNI; that plan was eventually turned down.
18. During the public hearings portion of this relicensing process (2014-26) Rogers extolled their commitment to OMNI news and warned if they were not given what they wanted "something" would have to be done. Rogers then got an exemption for OMNI from broadcast policy 2009-406, based on the financial hardship this would cause Rogers. (Decision 2014-399, paragraph 148)
19. This exemption allowed Rogers to reduce their OMNI news operations in 2015 to basic current affairs shows, leaving Canada's ethnic communities without daily ethnic news just months before the last federal election. Local programming on CITY wasn't even on the radar at those hearings.
20. After years of programming cuts and staffing reductions Rogers falls far short of any reasonable persons interpretation of local programming that meets a high standard, particularly at the local news level.
21. In 2004 at CKVU the Company had already centralized master control to Victoria, then soon after to Calgary. There was local evening news, late night news, and weekend newscasts being produced. At this time there were 30 members working in field news operations, 15 members working in inside news operations, 20 members worked in station



operations and another 25 members worked in either promotions, traffic or sales. (see attached membership list "830M Seniority List 2005\_1-3)

22. In 2006 at CKVU the evening and weekend newscasts were eliminated by CHUM (in Toronto) , leaving Breakfast Television as the main local programming. At this time there were 18 members working in field news operations, 10 members working in inside news operations, 18 members working in station operations and another 25 members worked in promotions, traffic & sales.

23. In 2007 Rogers also owned CHNM and rebranded it from Channel M to OMNI BC. It operated out of a Chinatown studio location. At that time there were 19 employees working in field news operations, 24 employees working in inside news operations, 18 employees working in station operations and another 25 employees worked in either promotions, traffic or sales. (see attached Channel M Employee List 2008).

24. In May of 2015, following a major staff restructuring, Rogers has only 6 full time news camera operators/editors, and 1 full time news editor. There are 6 members working in editorial news operations at CITY and 9 employees working on OMNI's three current affairs programs. There are 5 members working in station operations and another 11 members working in either promotions, traffic or sales for CITY and OMNI. (Membership List Mar2015)

25. Where does this leave CITY programming in 2016? How does the local Canadian programming that airs on CITY Vancouver differ from other Vancouver broadcasters? How does it differ from what Rogers offers its Ontario viewers?

### **How does this compare to other Vancouver Broadcasters?**

26. Shaw's local news programming employs 13 full time anchors; 13 full time and 12 part-time/temporary reporters; 2 full time videographers; 2 full time assignment editors, 1 full camera assignment/ digital media producer; 24 full time & 2 part-time producers; 2 full time & 1 part-time associate producers; 4 full time 4 part-time/temporary writers; 6 full time online journalists; 1 online video producer; 17 full time & 8

part-time/temporary news camera operators; 14 full time & 12 part-time/temporary news editors; 6 full time LiveEye operators; 7 full time & 5 part-time/temporary feed co-ordinators. That's a total of 112 full time, 44 part-time/temporary local news employees.

27. CTV's local programming in Vancouver employs 12 full time & 7 part-time/freelance reporters; 19 full time & 5 part-time news camera operators; 2 Live Truck operators, 10 full time & 6 part-time news editors; 15 full time & 4 part-time writers and producers; and 4 full time employees involved in assignment. That's a total of 62 full time, 22 part-time local news employees.

### **How does this compare to CITY in Toronto?**

28. Rogers CITY TV operations in Toronto have far more employees involved in local news programming. There are over 124 full time and 41 part-time/casual operations employees; 37 full time and 6 casual in-house editorial employees; 24 full time and 14 part-time/casual news field operations; and 32 casual field news editorial employees.

### **Budget vs Quality**

29. I can tell the Commission there is a substantive difference between the programming provided by Rogers in Vancouver than in Toronto. How could there not be when you objectively look at the number of hours of programming and the number of people involved in that programming, especially the lack of field journalists in Vancouver?

30. Rogers operations in Vancouver does not have a single person that works exclusively as a news reporter. The morning news reporter spends the first few hours of their shift writing sports for Breakfast Television, then if the work flow allows it, they will go on location to report live segments into the news show, often only appearing live for a few hours of the show. Once the show is off the air, that reporter day answers phones for Sportsnet, OMNI or CITY; or some other newsroom duty.

31. OMNI has very little original field reporting capacity, often the only language content that is gathered on location is when a camera operator asks a question in English and gets a response in Cantonese, Mandarin or Punjabi.

32. CITY does not have any original local programming on the weekends or on statutory holidays.
33. Between Friday at 9am and Monday at 5:30am there is no local news programming on CITY.
34. There is no staff to cover news events from Friday early afternoon until Sunday morning, when a camera operator is on shift, to catch up on news from Friday evening and Saturday and whatever events might happen on the Sunday.
35. Even on weekdays after 6pm there is no news gathering capability until the overnight camera operator/editor comes on shift at 1am.
36. During a regular news day the difference between CITY Vancouver and their competitors is stunning. CITY has no reporters on during the day and only one or two cameras able to chase down the news of the day.
37. It is not an uncommon assignment to be sent to outside a courthouse and told to follow whatever story other broadcasters are chasing. Hardly a meaningful independent voice.
38. This lack of staffing is most apparent when covering news from the Provincial capital, Victoria. Coverage usually involves recording a video feed of the Legislative Assembly or calling on CTV, who regularly exchanges footage of events CITY has missed for access to CITY's archival library (CTV does not have much content from before it went on the air).
39. This lack of staffing in Vancouver also has led to some desperate measures to cover news of the day. The use of un-audited YouTube video to cover events that happen at a time of day Rogers doesn't have news staff available is commonplace. This is not just for spot news events, but has happened when covering events involving thousands of people at a Saturday protest or Friday night memorial.

40. Rogers has decided that in Vancouver local news is no longer a valued community service but a cost to be controlled. When considering historic news coverage budgets, the Commission should consider how little Rogers has been investing in local news coverage over the past two years. When cuts were made to OMNI in May 2015, CITY staffing was reduced by almost half.
41. Changing style to save money, OMNI's current affairs is cheaper than daily news. Reducing ethnic field reporters & camera operators. Pre-taping programming hours before it airs to save money on production costs.
42. Reducing LiveEye coverage, taking feet off the street. Once a cornerstone of CITY News Everywhere, the only LiveEye's that are produced today are segments that have been paid for by the businesses they are covering.
43. CITY decided to further reduce their operating expenses in Vancouver by a few hundred dollars a month by discontinuing the use of a cellular based, Dejero LiveEye unit in January 2016 in favour of the far less expensive COFDM technology. This means if an important news event happens somewhere that the crew is not able to get a microwave signal, it will not be covered live.
44. Creating a budget news product, then blaming that reduced capability product on its lack of audience. This has been happening in Vancouver for over a decade.
45. OMNI's Advisory Boards seem to be more concerned with marketing efforts than improving programming to reflect their distinct multicultural communities. Unifor has attempted to participate on one of these Advisory Boards but has been turned down at every turn.
46. The costs of operating OMNI's Advisory Boards has been redacted in Rogers documents. What possible competitive reasons could Rogers have for redacting this information? Perhaps they are embarrassed that they spend more money traveling Rogers executives across the

country than they spend to listen to the Ethnic Communities they are responsible to provide local programming services for?

47. Following this extensive review of Television Policy the Commission has set out the new policy (BRP 2016-224) for the next round of Vertically Integrated Licenses. These determinations will guide the industry from the old collapsing bridge we are currently on, over to a new bridge to the digital age.

48. Canadians still depend on local news from trusted sources to make informed decisions but who will provide it and how will Canadians consume it will be determined by the way these new rules are applied.

49. Unifor represents the creative content professionals that will tell those stories and will work with our employers to build the digital information bridge of the future.

## **CRTC Decision 2007-360**

### **Paragraph 23:**

*In light of Rogers Media's statement that it will make "localness" a defining element of the programming offered by the Citytv stations, the Commission directs the applicant, at licence renewal, to review its strategy for local news on the Citytv stations in western Canada.*

### **Conditions of approval, expectations:**

*To demonstrate in concrete fashion how the Citytv stations will meet the "localness" objective, and particularly to review its strategy for local news on the Citytv stations in western Canada.*

## **CRTC Decision 2013-657**

### **Paragraph 31:**

*Nevertheless, the Commission remains concerned by the extent of the programming changes and the impact of the changes on the communities served by the stations. In particular, the Commission is concerned by the apparent lack of local programming on some of the OMNI television stations and by the lack of information received regarding Rogers' consultations with the advisory councils.*

**Paragraph 33:**

*In light of this, although the licences for the OMNI stations expire 31 August 2015, the Commission has requested that Rogers submit licence renewal applications for the OMNI television stations early. By doing so, the Commission will be able to consider all of Rogers' television services at the same time. It will also allow the Commission to review OMNI's programming issues at an earlier date; consider appropriate measures related to local programming; and synchronize the expiry dates for all of Rogers television services.*

**CRTC Decision 2016-8**

**Paragraph 32:**

*Given that policies established by the Commission are non-binding, further regulatory action by the Commission is needed to impose their requirements on a licensee (for example, the imposition of a condition of licence). As such, a review of the Ethnic Broadcasting Policy to clarify the role of local third-language newscasts in reflecting local issues would neither result in binding changes to the OMNI stations' conditions of licence, nor provide interveners with an opportunity to advocate for binding changes to the requirements for the OMNI stations. Instead, such a general policy review would delay the ability of the interveners to address their immediate concerns regarding the programming of the OMNI stations by introducing an additional, time-consuming process without remedying these concerns.*

**Paragraph 33:**

*The Commission also notes that it is currently unable to impose new conditions of licence on the OMNI stations or amend its existing conditions of licence as section 9(1)(c) of the Act only permits the*

*Commission, on its own motion, to amend a licensee's conditions of licence where five years have expired since the issuance or renewal of the licence. In the case of the OMNI stations, their licences were renewed in 2014. As such, the Commission will only be able to consider amending the OMNI stations' conditions of licence at their upcoming renewal in the group-based licence renewal process.*

**Paragraph 34:**

*Accordingly, the licence renewal hearing for the OMNI stations will provide interveners with the earliest opportunity to request and advocate for conditions of licence to address their specific concerns.*

**Paragraph 36:**

*Finally, at the time of the next group-based licence renewal process, the Commission will have completed its policy review on local and community television programming (see Broadcasting Notice of Consultation 2015-421). This new policy may have an impact on the obligations and requirements for conventional television stations regarding the broadcast of local news programming.*

**Comments on Broadcast Notice of Consultation 2015-421**

1. On September 19th, 1992 I began working for CKVU. At the time I had worked at various TV stations across Western Canada and for the previous three years had been working for CTV National News out of their Toronto bureau. The move back to BC was exciting for me because I wanted to shoot local news in my home province of BC. Much has changed in the television industry over the past 23 years and I hope my comments will assist the Commission in developing a vision for the future of television that still supports the creation of local programming for Vancouverites and British Columbians.
2. I am requesting to appear in front of the Commission during your January hearings.

3. Over the years CKVU has produced some of Canada's most interesting local and innovative programming. In its early years VU-13 aired a full range of local programming, which included the two hour Vancouver Show, several hours of local news programming throughout the day, and a local sports show called Sports Page, which highlight both professional and amateur local sporting events. At the time this single TV station employed almost 200 people.
4. Fast forward to September of 2015, having been owned by Canwest, CHUM and now Rogers; CKVU, CITY Vancouver and the multicultural station CHNM, OMNI BC employ less than 50 people and air only one daily local program on CITY, Breakfast TV, and three studio based community affairs programs, in language, on OMNI BC.
5. These employment numbers are best explained by an analysis of the union's membership lists over the years (attached). You can see who did what, then and now. Some changes have been due to technological change and centralized master control operations. However many of the staff reductions have been made possible by simply producing fewer hours of local programming requiring fewer employees.
6. In 2004 at CKVU the Company had already centralized master control to Victoria, then soon after to Calgary. There was local evening news, late night news, and weekend newscasts being produced. At this time there were 30 members working in field news operations, 15 members working in inside news operations, 20 members worked in station operations and another 25 members worked in either promotions, traffic or sales.
7. In 2006 at CKVU the evening and weekend newscasts were eliminated by CHUM (in Toronto) , leaving Breakfast Television as the main local programming. At this time there were 18 members working in field news operations, 10 members working in inside news operations, 18 members working in station operations and another 25 members worked in either promotions, traffic or sales.
8. In 2007 Roger's also owned CHNM and rebranded it from Channel M to OMNI BC. It operated out of a Chinatown studio location. At that time, according to the attached employee list, there were 19 employees working in field news operations, 24 employees working in inside news operations, 18 employees working in station operations and another 25 employees worked in either promotions, traffic or sales.



9. Rogers no longer has dozens of creative content professionals telling hundreds of stories a week within our communities. Instead they have a handful of people maintaining a bare bones operation. One field reporter at CITY in Vancouver who spends most of his day reporting live segments from a location outside the scene of the latest news event. All language news on OMNI BC has been eliminated, replaced by a half hour studio based talk shows.
10. In fact, following this latest restructuring by Rogers, many members of the community have commented that both CITY and OMNI are on life support, waiting for the outcome of these hearings to shut down local operations or reduce them to simple news bureaus, feeding into Toronto based national operations.
11. In May of 2015, following a major staff restructuring, Rogers has only 13 members working in field news operations, 4 members working in inside news operations, 9 members working in station operations and another 11 members worked in either promotions, traffic or sales. This is a combined number for both of their local television operations, CKVU and CHNM.
12. As the Local Union President representing members at both CITY and OMNI operations, I have made several interventions to the Commission advocating for more local programming at both stations over the past decade.
13. I'm including two interventions that capture some of my frustration in the CRTC's apparent unwillingness to hold Rogers to a higher standard for local programming requirements by conditions of licence. Why is the CRTC allowing broadcasters to game the system, by making commitments to local programming on the public record during the application process only to turn their backs on those commitments once granted their broadcast licence? How does this serve the public interest? How does this serve the interest of a million people in Vancouver?
14. CRTC 2010-952, during this application, Rogers created several local programs including a noon news show and a daily afternoon news entertainment show. Both were shut down within months of getting their licence renewal.
15. CRTC 2014-26, during this application much was discussed of the importance of local multi cultural programming on Rogers' OMNI

operations. All local news operations were shut down within months of the licence renewal.

16. It is with these previous comments in mind that I will attempt to comment on the Commissions questions as they relate to the future of local programming.

**Q1. How should local programming be defined? How should local news be defined?**

17. Local programming should be defined as being reflective of the local community it serves and should be created by people who live in the community and are employed by the broadcast licence holder. Local news should be defined in a similar way and should also require daily 24/7 coverage, be original and produced in-house by the broadcast licence holder.

**Q2. Should the regulatory approach focus on local news programming, or should it include other types of local programming?**

18. Local news programming should be at the core of any regulatory approach and should include a wide perspective of the local community. Additional locally originated programming that provides a full view of local cultural, sporting and entertainment events should also be expected outside of daily, original, in-house, local news programming.

**Q3. What role should the community element play in providing local programming?**

19. To be clear, many television stations in Canada are already controlled at central hubs – not from local communities. What this really means is that local stations really have no easy way of broadcasting over their own transmitters.

20. The community should be at the core of all local programming for it to be relevant and reflective. Members of the community should be the camera operators, editors, reporters, writers, assignment editors and hosts who are involved in the production of local programming.

21. This is why members of the community must be the camera operators, editors, reporters, writers, assignment editors and hosts who are involved in the production of local programming.

22. Hollowing out stations because technology enables this to happen puts technology, not Parliament and not the CRTC, in charge.

**Q4. Should the Commission place a greater emphasis on expenditure requirements (the amount of money spent on the programming) or on exhibition requirements (the number of hours of programming broadcast) when it comes to ensuring the presence of local programming in the broadcasting system? What other measures, if any, should be taken to ensure that appropriate amounts of locally relevant and reflective news content is made available to Canadians across the country whether through local television stations or community services?**

23. Hours of original, daily, in-house local programming can be measured in many different ways. Original stories in a news program vs repeating the same stories on a "news wheel". How many reporters, camera operators, and videographers are involved in producing original material out of locally based operations would be another measure important in determining the balance between expenditure and exhibition requirements.

**Q5. Is a physical local presence still needed in the digital age? In considering this question, are studio facilities and local staff required to provide meaningful locally reflective and locally relevant programming? If so, what financial resources, infrastructure and staff are necessary?**

24. A physical, local presence is essential to providing credible local programming. Employing feet on the street and bums in the seats are the only way to ensure the local community is reflected accurately in the creation of local programming. Reporters, camera operators, editors, writers, assignment editors, and hosts are all important elements in the creation of relevant local programming. Decisions made at a centralized hub are often out of touch with the realities of the local community.

**Q6. Is regulatory intervention needed to foster local programming by both the private and community elements of the broadcasting system and to ensure the presence of local programming?**

25. My experience is that without meaningful and specific conditions of licence, broadcasters will find a way to produce the least amount of programming required at the lowest possible cost;

26. Today's broadcasters seem to view their work as pure business, and not as a matter involving the public interest. They seem to see local programming as just one more cost that must be cut as much as possible. This is exactly what shareholders want – but is not what Parliament intended. If Parliament shared this view it would not have established the CRTC to implement a different broadcasting policy for Canada.

**Q7. Should the Commission differentiate between small and large markets? Should there be a different approach for small market independent stations?**

27. The Commission should consider that in order to have a range of perspectives in a large market, some subsidy may be required to ensure smaller communities in large metropolitan areas are reflected by a range of local programming. This is especially true in the creation of local multicultural programming, where some of the ethnic communities are much smaller than traditional English or French communities.

**Q8. BDUs currently allocate approximately 40% of local reflection contributions to indirect costs (facilities, equipment, etc.) and 60% to programming. Is this still an appropriate allocation of costs? If not, propose an alternative allocation.**

28. Most TV operations have already made the technical investment in HD, so it would seem appropriate to allow a larger % of local reflection contributions to be spent on the creative content side of local programming.

**Q9. How should funding for locally relevant and locally reflective programming be allocated from the various existing funding sources**

**to ensure the continued presence of this programming in the Canadian broadcasting system as a whole?**

29. The Commission has allowed the creation of very large vertically integrated Companies, who not only own most television operations in Canada but also control their distribution. It seems these Companies should be required to contribute in a significant way to the creation of locally reflective Canadian programming in exchange for their exclusive and protected access to Canadian consumers.

**Q10. How should the Commission and Canadians measure the success of proposed approaches?**

30. Television is constantly changing and the Commission's ability to ensure local programming and local news are produced for consummation over multiple delivery systems, OTA or digital would be a measure of success.

31. Over the air (OTA) broadcasters have always had exclusive access to the airwaves, and this structure is still in place today (the old bridge). In exchange for this exclusive privilege broadcasters agreed to invest in a limited amount of local programming. They make money, mostly from US programs that they have the Canadian broadcast rights to.

32. In the case of Multicultural local programming, how did this important part of Canada's broadcasting future get left out of this review? Rogers Broadcasting owns five local multicultural broadcasting licences across the country and produces virtually no daily original local multicultural news programming.

33. OTA's have an advantage in the future because they are the trusted brands; this is what Rogers was purchasing when the Company bought CITY, as recently as 2007, and said although TV is old technology, broadcasting is the best way to access a mass market.

34. This is important to consider as the "new bridge" is built. OTA's still have regulated airwaves and still have an advantage to accessing the mass market because they are "discoverable" through their traditional relationships (trusted brands). Unfortunately OTA's are doing very little to build this "trust" with innovative new programming. They are NOT building the new bridge.

35. Broadcasters are laying people off and producing poor quality programming that is basically "dumped" onto the new delivery system

like web sites or on demand cable systems. Very little investment is being made into creating unique material for this new digital world.

36. Broadcasters' failure to invest in themselves would be entirely their business – except that Parliament has set different goals in the *Broadcasting Act*. In particular, broadcasters are supposed to STRENGTHEN the system – not perpetually weaken it.
37. The technical cost of producing material is relatively low, equipment is more accessible than ever, however the labour costs are basically the same. Content does not produce itself, creative content professionals are needed to be in place to produce the high quality programming Canadians deserve and expect.
38. Print journalism has been reduced in a largely un-regulated environment and has suffered as a result. Fewer local papers employing fewer journalists in the community, resulting in less content, with less analysis of events, and inevitably poorer journalism. This does not have to be the future for Broadcast television and with the Commissions well considered decision into the industry's structure and governance at this important time the future can be a real win for Canadian Citizens and the Canadian Broadcast Industry.

February 15th, 2016

Danielle May-Cuconato  
Secretary General  
CRTC  
Ottawa, ON K1A 0N2

Dear Ms May-Cuconato

**Re: Local 830M Final Submission to BNOC 2015-421 - A review of the policy framework for local and community television programming**

I would like to thank the Commission for the opportunity to make an oral presentation to BNOC 2015-421 on January 28, 2016.

After reviewing many of the presentations during the hearing stage I would like to make this final submission.

*January 28th Intervenor #1288*

1. While agreeing with the salient points of the National Unifor intervention and presentation I would like to address some of the points it raised.
2. I agree the Commission should look to new sources of funding by removing the digital exemption for OTT providers like Google and Netflix and re visit the idea of carriage fees.
3. I do not agree, as the exchange between Randy Kitt and Commissioner MacDonald (6008, Jan 28th, transcript), may have suggested, that 'any job is a good job'. This would imply that Canada's media workers should be happy to move from professional and professionally compensated program production and broadcast jobs that serve Canadians and the public interest by creating high-quality programming, to any other job in broadcasting or community cable. That is not why I have pursued a career in broadcasting, and I do not believe that is why my colleagues in Unifor have done so.

4. In fact, I have some personal experience with the idea that 'any job is a good job', because I was directly involved with bringing Roger's OMNI operations employees, and several years later Rogers OMNI editorial employees, into our bargaining unit. It became clear during this process that Rogers under-paid its multicultural employees, undervaluing their services compared to equivalent services and positions with CITY. In both cases the Union reluctantly agreed to pay scales that were years below these employees' levels of experience – just to come to an agreement with Rogers, and to give our colleagues certainty. Yet - even with this major concession on our part – many of these new Union members were paid dramatically more under the terms of our collective agreement than in Rogers non-union relationship: in some cases 30 to 40% more.
5. Rogers has fired many of these new union members by reducing and then shutting down the important ethnic news programs they contributed to. The CRTC has effectively stood by and watched this happen, by not imposing the conditions of licence we asked for, and then saying it could do not do a thing about the cancellation of news on OMNI because those conditions of licence were missing. In May 2013 I saw so many of my colleagues who worked in OMNI's Cantonese and Mandarin programming receive their first Union-negotiated pay check along with their severance pay.
6. In thinking about the idea that 'any job is a good job', and that people who work at TV stations today can just move to cable community channel jobs, I think the question to ask is this: knowing that an experienced camera operator for a Vancouver Television station makes \$60,000 to \$80,000 per year, will broadcasters commit to pay a news



camera operator in one of their community channel news operations this or close to this level? If not – how will shifting local television programming from TV stations to community cable operations strengthen Canada’s broadcasting system?

7. Such a move will strengthen broadcasters’ bottom line – but it will do nothing for employment opportunities.
8. I would also like to address some of the points raised during Commissioner Molnar’s questioning of my evidence.

### **Local Presence**

9. When you review the positions contained in my evidence of union membership you can see that there has been a dramatic reduction of feet on the street journalist, videographers, camera operators, writers, editors and production crew.
10. Rogers has not had 24/7 news coverage since July 2006. In fact there is no one covering news between 5:30pm and 2am every weekday, and between 4:30pm Friday and 9am Sunday every week.
11. Rogers operated a news bureau in Victoria for a couple of years, but closed it in September 2015, presumably with the CRTC’s consent because otherwise it would be in violation of condition of licence 2014-399.
12. The number of “human resources” used to create 17.5 hours of local programming in Breakfast Television has dramatically changed at

CITY in Vancouver. Where forty six (46) members produced the same hours of programming for one TV licence in 2006, twenty six (26) members are now producing more hours of programming in 2016 for two TV licences, CKVU & CHNM.

13. On the subject of feet on the street vs control from Toronto I understand that Canada's broadcasting legislation supports employment throughout the broadcasting system across Canada and not just in centralized production centres.
14. This is why local stations hold individual licences to serve their local communities. They should be able to provide local news services independent of a central production facility. Local news production is very different than the more technical function of master control and should originate live from the communities they are licensed to serve.
15. Important editorial decisions should be made in the Communities where the broadcast licence is held and not from another province. In Vancouver, Calgary, Edmonton and Winnipeg the role of News Director has been replaced by a Program Manager who is not directly involved in important programming decisions.
16. Under the proposed definition of local presence in CRTC Exhibit 1, a Company like Rogers could produce a show at a central location, like Toronto, and have 5 minute local news cut ins from Vancouver, Edmonton, Calgary and Winnipeg. How would this serve Canadians need for locally relevant news programming, reducing these individual broadcast licences to bare-bones news bureaus.

17. Local presence must consider how many people are involved in producing material for the size of the community; how many original local stories are produced every day; is the programming prepared and presented locally? Without these definitions as a condition of licence Vancouver could be covered by a single videographer reporting into a Toronto show.
18. Allowing the local news definition to include category 2a)(Analysis and Interpretation) would allow local TV operations to reduce their news programming to current affairs, talk shows that are studio based which would lead to the lay off of hundreds of on-the-street news gatherers and present a far narrower view of events for Canadians.
19. Rogers' position that Category 2a programming allows them to focus on local news is misleading (5603-5605, Jan 28th transcript). How do you improve your local news coverage by reducing the reporters and camera operators who are in the communities they are reporting on?
20. The real point is this: news does not just come to a TV studio to sit down and be interviewed. News must often be chased down, pursued, and caught.
21. To have Category 2a without Category 1 is really putting the chicken before the egg. How can you analyze and interpret something you have no first hand experience from reported news? If you weren't there, you're reporting second and third hand information. Canada's multi cultural communities deserve much more than a cable-talk-show to reflect matters that are important to them.

## **Local News Fund**

22. This fund should support the creation of local news but also reward and fund innovation in Canadian local news programming. Local, original, daily, in-house news programming.
23. News programming aimed at multi platform delivery. Perhaps a traditional news story that when accessed on a computer, tablet or smart-phone could give the viewer the option of three (3) minute or six (6) minute version and an additional link to longer interviews included in the story.
24. Third party governance and transparency are important principals to ensure this fund is credible and does not become an industry slush fund or an arm to the government. Unifor could participate in this process and could work with other groups like the Canadian Association of Journalists.
25. The CRTC is potentially creating a situation where large vertically integrated companies are discouraged from investing in unregulated programming in the digital realm vs the LNF subsidized programming which is based on the "old bridge" model. This would essentially create a bridge with two lanes: a toll lane, paying it's fair share through government regulation, able to access tax credits and LNF dollars; and the fast no-toll lane for over the top content providers like Netflix and Google, who fly past everyone else because the CRTC is turning a blind eye to what they are doing.

*Quotes from hearing transcripts:*

6008 MR. KITT: I think that would be great if whoever offers local professional quality journalism would be great as long as it is that. But I didn't hear the willingness from any of the cable companies to do that this week so far. But wherever those jobs are if it's good quality professional journalism and it's on the air or on any number of platforms and there's a job there that would be good, yes.

5603 MS. WATSON: Let me speak to the elephant in the room. The issue with OMNI was content and format. And so we replaced the traditional newscasts in Ontario and in Vancouver with current affairs programs that, using my expertise on the local level, I felt would enhance local engagement with those communities.

5604 So rather than spend eight minutes, ten minutes of the newscast from New Delhi or from Shanghai, we would focus on Markham and the Chinese population there, or the gun violence in the Sikh community in Surrey.

5605 And so that's what we intended to do. Yes, it's much less expensive to do than the other way. But I want to be clear that they still have a voice. They have a voice every day, day in, day out, for 30 minutes every day like they used to. The format changed, but the opportunity and the delivery and the focus on local was still, if I can be so bold to say, enhanced with the change.