

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.