



August 30, 2017

VIA EMAIL AND REGISTERED MAIL

Sara Mojtehdzadeh
The Toronto Star
1 Yonge Street
Toronto, ON M5E 1E6

Dear Ms. Mojtehdzadeh:

RE: Fiera Foods

I have reviewed the correspondence and materials passing between the Toronto Star and Fiera Foods ("Fiera") and I am now responding to your latest request for further information which you say is required in order "to ensure accuracy and fairness" in your story.

I answer your queries below, but, first, I have some questions for you and the Toronto Star, which require answers.

The Canadian Association of Journalists Ethics Guidelines states the following:

We generally declare ourselves as journalists and do not conceal our identities, including when seeking information through social media. However, journalists may go undercover when it is in the public interest and the information is not obtainable any other way; in such cases, we openly explain this deception to the audience.



I am sure the Toronto Star either adheres to these Guidelines or has its own guidelines and requirements in place, governing what you refer to as “undercover” activities.

Please provide these guidelines or ethical standards to us. Please also provide evidence of any management or editorial approval obtained by you, authorizing your covert activities at Fiera. What was submitted for authorization? What was authorized?

You made no attempt to obtain any information from Fiera before going “undercover”, in breach of these Guidelines and you continued to deceive Fiera in seeking information subsequently without disclosing you had accessed Fiera’s premises under false pretenses, using what appears to be a false Ontario Health Card and Social Insurance Card, in a name other than your own. These activities are more accurately described as underhanded, not undercover.

The *Criminal Code* makes it an offence to commit Forgery: making or issuing a false document with the intent to use it for an unlawful purpose, here, to obtain employment with the agency and thereafter with Fiera under false pretenses.

The *Code* also makes Identity Fraud an offence: using another identity to secure an advantage or to disadvantage another.

Of particular relevance, s 56(1) of the *Criminal Code* and the relevant authorities make it an offence, specifically with reference to Identity Documents, which includes both a Health Card and a social insurance number, to use government documents of another person for purposes of identity.



Fiera does not know or understand what you have done with the Health Card and Social Insurance Card, both in a name other than your own, and used by you to secure employment with us for your deceptive purposes, but we are troubled by this conduct and seek a full explanation from you and the Toronto Star with respect to your actions in this respect.

Did the Toronto Star authorize the use of these false identities? Did the Toronto Star know and authorize your use of false documents to gain entry to our premises? Do you consider your activities in this respect proper and ethical? Why did you feel the need to make these false representations about your identity? Why would Fiera, which is a victim of your unlawful conduct, have any faith in either yours or the Toronto Star's fairness, objectivity or balance in any activities and reporting you carry out under these false pretenses? This is not responsible journalism.

On your first day of work at Fiera Foods, you met with one of Fiera's supervisors. He reviewed a number of documents related to our facility with you. He remembers you specifically. He remembers your ability to communicate well in English. He tells us that at no time did he sense you did not understand what you were being told or any of his instructions, nor did you indicate to him that you were having any difficulty understanding his instructions or that you were dissatisfied with your orientation.

Fiera's safety training does involve showing employees a drawing of the emergency stop buttons that are present throughout our facility, as you acknowledge. It is a drawing that appears on the 4th page of Fiera's orientation materials. It makes sense that this was reviewed with you along with a number of other policies involved in Fiera's Good Manufacturing Practices and Health and Safety



Orientation. Right beside the picture of the emergency stop button were a number of other diagrams illustrating the types of machines you would encounter in the workplace and the machine motions you needed to be aware of from a health and safety perspective.

According to a document you signed or Sarah Heshmati (your false name) signed, you confirmed that Fiera's supervisor reviewed the Good Manufacturing Practices and Health and Safety Policies with you at the beginning of your first shift on May 2nd. I enclose this document. Do you deny this now? Do you say that you signed this document knowing it was false? If you did not receive this training, why did you not complain? Why did you sign, signifying to any objective observer that you had received Fiera's training? The answer of course, is that your purpose and intent was deception, not responsible journalism.

With respect to your comments about WHMIS, Fiera's agreement with its temporary work agencies requires those agencies to ensure temporary employees are provided with both WHMIS and HACCP training.

With respect to your comments about employees' rights to refuse unsafe work, Fiera provides its supervisors with training in respect of the procedures to follow if an employee refuses to work because he/she feels that the work is unsafe. Fiera is not aware of your ever refusing to work because you felt unsafe while you were working with us.

Information about Fiera's Joint Health and Safety Committee and many other Health and Safety policies is posted throughout our facility on bulletin boards including in the employee lunchroom.



Fiera does not believe it is possible for you to have been working in our facility without your viewing any number of these bulletin boards. Fiera's supervisor also says that he told you where the fire exits were. These are items discussed during your orientation, and included on the form that you signed.

Your statement of events does not accord with what was recorded and acknowledged by you on the day of your orientation. You are practising selective denial and myopia over inconvenient facts. We expect you to acknowledge these failings in any reporting you choose to publish.

In terms of your suggestion that there was an emergency stop button out of reach of someone, please tell us where; specifically which line, and when you noticed this. Fiera audits its work areas constantly to ensure that we have both emergency stop buttons and pull cords for employees to use in the event that a line needs to be stopped. Fiera always welcomes input from its employees in this respect and we have installed additional emergency stops or pull cords where appropriate based on this feedback. We would be surprised if you didn't see these in numerous places throughout our facility.

In addition, the Ministry of Labour has conducted guarding assessments in our facility and we have retained independent consultants to perform guarding assessments on our lines. As you know there are no outstanding orders from the Ministry with respect to our facility. If you saw an uncovered rotating gear somewhere on a line that you felt a worker could actually access, please identify this as, again, we take these issues extremely seriously. Fiera seeks to proactively identify risks and



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when identified takes steps to eliminate the risk. Clearly you took no steps in respect of any of these matters while you were in our facility under deceptive circumstances.

Part of Fiera's agreement with its temporary work agencies requires sending us qualified workers, including with a basic understanding of English. If there is any confusion or misunderstanding on the part of a worker, Fiera encourages its people to voice questions and request clarification. You had ample opportunities to ask questions, whether during your orientation or at your work station.

Fiera did not know that Magnus was paying employees who had been referred to us in cash. Nor was Fiera aware that Magnus was not complying with statutory deductions, remittances and/or records of employments as required. As a result of your allegations, Fiera is currently in the process of engaging a third party to audit Magnus and we will extend this process to all temporary work agencies we contract with if we become aware of any similar circumstances.

With regard to the three separate tragedies that occurred at or near our facilities, we remain saddened. Despite these tragedies, we believe that the health and safety of our workforce is our highest concern and we continue to strive for improvements.

But we are not going to engage further with you on these tragedies so that you can exploit them for your own purposes.

The matter with Mr. Golyashov's family was resolved.

With respect to Mr. Kasimov, our Company was not convicted.



We acknowledge Fiera has had Ministry of Labour orders, including stop work orders. In each and every situation, Fiera worked to address and resolve each order, and, as you know, there are no outstanding Ministry of Labour orders. The nature of such orders ranges from the requirement to provide the Ministry with a copy of a specific policy through to taking steps to reduce and/or eliminate a workplace risk. But in all instances we comply within the Ministry's timelines.

Fiera believes it took adequate measures to protect Ms. Diaby. However, there are pending charges with respect to this accident (as you identify). As a result, it is not appropriate for us to comment further in respect of this very unfortunate accident.

You attempt to paint a picture of an unsanitary facility. We deny this in the strongest possible terms.

Food safety is paramount at Fiera Foods, and Fiera adheres to stringent food safety policies. Fiera is subject to a number of third-party audits, which validate its commitment to food safety:

- BRC AA – the British Retail Consortium is a quality certification program used by thousands of suppliers to the food industry across the world to help protect consumers by standardizing quality, safety and operational activities. All of Fiera Foods facilities are audited at the AA rating (the highest possible achievable result);
- Homeland Security – Fiera is prescreened to meet the requirements of its U.S. customers including audits for all aspects of production, from ingredient sourcing to product delivery;
- All facilities are externally audited and use food safety standards from the American Institute of Baking International, Sillicker Incorporated, American Sanitation Institute, Guelph Food Technology Centre and the Canadian Food Inspection Agency;



- HACCP – Hazards Analysis and Critical Control Points is a systematic preventative approach to food safety from biological, chemical and physical hazards in production processes that can cause the finished product to be unsafe, and designs measurements to reduce these risks to a safe level. Fiera Foods follows and enforces all requirements and specifications.

We are vigilant in our procedures, and, among our protections, we rely on our employees to help us maintain our high standards. You were our employee, but you did nothing with respect to what you say you observed. Why is that? I suggest you were interested in nothing other than sensationalism and finding evidence to fulfill your purposes.

If there was an incident involving blood, Fiera's Quality Assurance checks would have caught it along the production line. However, our workers also share the responsibility, as Fiera has a strict and clear protocol regarding any incident involving blood. All workers must abide by safe food handling policies and standard sanitation operating procedures. You breached this requirement when you failed to report having sustained a cut and, in simply observing without reporting, a co-worker handling food in the circumstances you describe in your email. We attach Fiera's relevant Sanitation policy.

We expect you to report our side of these issues in any story you choose to publish.

Fiera adheres to Good Manufacturing Practices, as does every food company in Canada. Facemasks and gloves are not mandatory. All workers wash and sanitize their hands before entering production areas and after each break or changeover from a product containing allergens. Good Manufacturing Practices are overseen by regulatory agencies in Canada, the U.S., Europe, and other countries.



Fiera is a food production company operating in Canada, and as such is constantly subject to audits and inspections from third parties, including the Ministry of Labour. Fiera has always cooperated with the Ministry and rectified any orders in a timely manner. To reiterate our previous email, Fiera Foods has undertaken many proactive health and safety activities at a significant cost to the company in order to continuously improve the health and safety of our workforce.

You say that you “interviewed” Fiera employees. Did you identify yourself as a reporter for the Toronto Star? Otherwise, these are not interviews as that term is commonly understood. Please provide us with notes of questions asked of Fiera’s employees and answers given. Did you make any recordings or take any photographs on Fiera’s premises while there under false pretenses? If so, please provide these to us forthwith.

Finally, I want to reiterate our long and positive history of working with temporary work agencies because of the vital role they play in helping Fiera ramp up quickly to meet fluctuating customer demands and the opportunities we provide for people, especially immigrants, to enter the Canadian workforce. Our commitment provides flexible working arrangements that accommodate family and other life obligations, helping people successfully balance work and other aspects of life.

Finally, again, we reiterate that Fiera does not agree with your characterization of its employment practices, in offering employment to a Canadian workforce including new Canadians and providing part-time employment. Your comments betray a bias on this issue and do not reflect Fiera’s intentions to provide opportunities to Canadians, including new Canadians, through its use of



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temporary work agencies. Fiera's use of temporary work agencies is no different than our competitors.

For all these reasons, we have no faith in your professed objectivity or fairness. We do not believe you are practising responsible journalism. You are following your own pre-determined agenda and pre-determined course. Finally, Fiera does not comment on its customers.

Nonetheless, we look forward to answers to the questions I ask of you in this letter.

Yours very truly,

A handwritten signature in black ink, appearing to read "D. Gelbloom", followed by a long horizontal line.

David Gelbloom
General Counsel & HR Manager