



► **Story by**
Keith McCalmont

FINDING LEADERSHIP

On July 30, following what has been a tumultuous eight months for the harness community, Woodbine Entertainment Group (WEG) and the Central Ontario Standardbred Association (COSA) announced that they had reached an agreement for harness horsepeople racing at Woodbine and Mohawk. **With the signing of that contract, the structure of horsemen's representation in Ontario has been forever changed.**

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The five-year deal ensures a minimum of 235 race days per year and guarantees the continuation of the currently existing financial terms -- including \$80 million in purse money annually.

“We at COSA believe that this contract provides stability, certainty and above all else, an opportunity for our members to prosper,” says Bill O’Donnell, president of COSA. “WEG has made it clear that it wants a partner that shares its goal of presenting a racing product of unquestioned quality and integrity. Our members have made it clear that they want COSA to be that partner.”

The announcement comes as a major coup for the fledgling group as they take over from the Ontario Harness Horse Association (OHHA), whose contract with WEG expired at the end of 2008. COSA was incorporated on June 30 and its growing membership currently includes more than 500 horsepeople.

The deal is groundbreaking in that it marks a move towards regional representation, which is a cause of concern for OHHA President Darryl MacArthur. “I’m curious as to the COSA group as a whole. How are they representing horsepeople with regard to the benefits that OHHA has been offering for decades?” he asks. “My major concern is how it will affect the horsepeople. We all know a deal with any racetrack is a deal with all the horsepeople in the province of Ontario. It’s not a deal with an individual. It’s not a deal with the board of directors. It’s a deal with all horsepeople.”

Information sessions were held by COSA at Mohawk over the August long weekend. O’Donnell, along with director Randy Bennett, explained the finer points of the deal and answered questions from current and prospective members. Bennett’s walk-through of the agreement confirmed the currently existing financial splits remain intact.

Bennett advised that COSA will have a general insurance policy in place, which will cover racing at all Ontario racetracks. As well, COSA will now provide the same benefits currently offered by OHHA. Bennett assured that there is no exclusivity language in the COSA by-laws and that those who wish to remain members of OHHA can do so. Going forward, COSA hopes to improve upon the benefit package, in particular with regard to RRSPs.

Top local driver Paul MacDonell, a member of the COSA board of directors, is clearly impressed with the deal. “I thought WEG came in with a very fair offer,” offered MacDonell. “I’ve been over every point of it and there weren’t many changes that needed to be made in my mind. It’s very fair and we’re enthused by it.”

The new agreement provides that COSA will not disrupt live racing with potential boycotts, something OHHA tried and failed at last January. As well, the deal reserves the right that should WEG have a reasonable concern regarding the integrity or potential negative impact of an individual racing at WEG, WEG can exclude that individual from participating in racing at WEG tracks. In such an event, the deal allows that any banned COSA member would receive notice and have opportunity to meet with WEG’s Vice-President of Standardbred Racing (accompanied by a COSA representative).

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Ultimately, the decision regarding participation belongs to WEG, and COSA has agreed not to participate in any subsequent legal proceedings. In turn, WEG has agreed not to exclude an individual if other means of protecting the integrity of the racing product are deemed sufficient.

MacDonell is confident the deal addresses the participation issue adequately. "There is a process in place for that, which I think is fair," he said. "I think the horsemen spoke loudly last January when OHHA asked everyone to boycott and it was unanimous how they felt -- I think they're going to ratify this deal."

He was right.

On Sunday, August 9, COSA members unanimously endorsed the contract. For the next five years, at least, they've got a deal.



It remains to be seen how OHHA will be affected by the loss of the lucrative WEG contract. OHHA infuriated the local racing operator in the weeks leading up to the new year as a bitter battle erupted between the two entities; the conflict was largely over WEG's desire to contract with an association agreeable to settling misconduct disputes through binding arbitration in order to avoid rising legal costs.

On December 23, 2008, OHHA called a members meeting where then-president, Jim Whelan, demanded a boycott of the Woodbine entry box until a new labour deal could be reached with WEG. Despite receiving support from its membership, the Woodbine entry box filled--allowing racing to go on as scheduled at the Rexdale track.

A week later OHHA held a second meeting -- again calling for a boycott of the Woodbine entry box. Once again the box filled and racing continued as scheduled, despite OHHA's plea for solidarity.

The new year arrived without a contract in place and OHHA's association with WEG tracks was over, though racing at WEG tracks continued all the same.

On January 4, 2009, OHHA called off the failed boycott.

Four days later, WEG issued a startling press release identifying that OHHA had written a letter to Members of Provincial Parliament asking them to instruct the Ontario Lottery and Gaming Corporation to withhold WEG's slot machine revenue until WEG contracted with OHHA. WEG's missive stated, in part:

"WEG finds it regrettable that OHHA continues to act in bad faith by, among other things, attempting to engage third parties to interfere with WEG's private commercial matters. WEG is in receipt of a letter sent by OHHA on January 5 (one day after members voted to call off the boycott of WEG racing) to every Member of Provincial Parliament in which OHHA requests that MPPs instruct the Ontario Lottery & Gaming Corporation to withhold WEG's share of slot machine revenue until such time as WEG contracts with OHHA."

The press release went on to express WEG's willingness to contract with horsepeople at Woodbine and Mohawk who share their vision, "...for honest, exciting, quality horse racing." Though there was no contract, WEG committed to the previous revenue sharing arrangements and purse contributions listed in the access agreements, allowing harness racing at Woodbine to continue.

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Then, on January 12, OHHA responded to WEG's fiery press release by announcing that veteran horseman Bill O'Donnell had been nominated and voted in as president of the organization, replacing the outgoing Jim Whelan. A *Trot Insider* announcement quoted O'Donnell as saying, "OHHA is open for negotiations any time. I'm going to make it a priority to contact either David Willmot, Jamie Martin or Bruce Murray today."

Later that day, OHHA issued a release announcing the updated executive committee list, which named Darryl MacArthur as first vice-president.

As the harness community honoured Somebeachsomewhere at the O'Brien Awards gala on January 31, there was a buzz of hope that O'Donnell might weave his magic to create a deal between OHHA and WEG. Unfortunately, it would take more than his magic to make those troubles disappear and on April 30, O'Donnell resigned his position as OHHA president.

The 'Magic Man' served less than 100 days in his role and his resignation spurred the immediate resignation of eight of the association's 27 directors. The surprise departure came as a result of a non-confidence motion brought forth following the passing of a hotly contested 12-11 vote authorizing OHHA to pay the legal bill for director Jim Whelan's personal battle with WEG. According to a May 7th *Guelph Mercury* report, Whelan had incurred personal legal expenses challenging WEG in appeals procedures within the industry. The report stated that Whelan had been challenging a WEG rule requiring race participants to sign access agreement waivers to race on their tracks.

In the weeks following O'Donnell's resignation from OHHA, the veteran trainer/driver met with WEG Senior VP of Racing Jamie Martin to discuss a new working relationship between horsepeople and WEG.

On June 23, COSA was announced as an alternative to the split OHHA group. O'Donnell was named president and advised that the group would maintain a board of 13 members, seven of which would be considered trainers or drivers and six members known to be owners or breeders. Ultimately, the group plans to switch their numbers every three years to maintain a fair balance. The announcement named nine members, several of whom belong to the Standardbred Horse Owners Panel (SHOP). Those members include John Bax (Board of Directors of SHOP - Trainer/Owner), Randy Bennett (Owner), Dave Drew (Executive Director of SHOP), Paul MacDonell (Driver), Jeff Ruch (Owner/Breeder), Ben Wallace (Trainer), Jim Wellwood (Trainer/Owner), Bob Young (Trainer/Owner) and O'Donnell.

COSA's formation was followed the next day by a positive press release from WEG. "Woodbine Entertainment Group (WEG) is encouraged by the announcement regarding the formation of the Central Ontario Standardbred Association (COSA)," it read. "Under the leadership of COSA president Bill O'Donnell, WEG is impressed by how representative the inaugural Board of Directors is of the broad spectrum of horsepeople that race at WEG's tracks."

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Fast forward to June 27.

On North America Cup night at Mohawk, a capacity crowd is on hand to watch Well Said race into the history books and COSA president O'Donnell is at the Campbellville track, overseeing a booth set up to hand out membership applications to prospective members. It proves to be a successful campaign that sees COSA sign up hundreds of followers.

The winds of change are beginning to blow across the racing community.

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In an interview with *Trot Radio* on July 3, O'Donnell spoke candidly with host Norm Borg. "You have to worry about the future of your members with regard to RRSPs, insurances and what not for trainers, drivers and grooms," declared O'Donnell. "Go from there as far as talking to WEG. Join hands and work to go forward with the industry."

OHHA President Darryl MacArthur appeared on the *Trot Radio* program the week after and was positive about a future for the association (founded in 1961) that has provided leadership, benefits and insurance as well as training programs for the Ontario harness racing community. "Our position absolutely is that there should be one unified voice across the province for standardbred horsepeople," stressed MacArthur. "That's been the role of OHHA for decades." Despite this hopeful declaration, the July 30th announcement of WEG's eventually ratified deal was unquestionably a blow to the organization that still represents horsepeople at 11 of Ontario's 15 harness facilities.

"OHHA is here for horsepeople and always has been," he insisted. "It's unfortunate at times the media portrays OHHA in a light of being adversarial and combative. I would ask people to genuinely look at the history and look at the facts. Ultimately, at the end of the day, anything we do is for horsepeople as a whole. To stand up and say that horsepeople are not being treated fairly and that horsepeople are being forced into situations -- that's not right. When that happens, absolutely we'll be adversarial. When push comes to shove and horsepeople need to be represented, and they've asked for that to happen, then if they (the media) consider that adversarial that we're standing up for horsepeople and making sure their rights are represented, then call me adversarial. At the end of the day, I'm proud of my role and proud of all my directors."

While the OHHA board members wait to determine the impact of the agreement between WEG and COSA, it is clear that the next fight for MacArthur's group could well be one of survival.



COSA called a members meeting for August 9, 2009 to endorse the agreement.

O'Donnell, who was confident the membership would approve, was proven right when the deal was ratified -- unanimously.

"The bottom line from my perspective is that we have a five-year deal here," shrugs O'Donnell. "A minimum of 235 race dates per year, and purses each year of \$80 million. So that equates to \$400 million. We get to race for the next five years for \$400 million and all that is required is to uphold the rules of racing and have a good enough horse to race here."

WEG is equally enthused with the partnership.

"We are delighted to be partnering with a new association which truly represents the horsepeople that race at our tracks," says David Willmot, WEG Chairman and C.E.O. "We look forward to working in partnership with COSA on those issues and opportunities which will help promote the future quality, integrity and prosperity of standardbred racing at Woodbine and Mohawk."

It is said that change is inevitable.

Horsepeople must now hope that change (the shiny kind) will continue to flow through the WEG slots as COSA looks to improve the state of standardbred racing with this lucrative new deal. **T**

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