

# Happy Holidays to all Hands from the Sailors' Union of the Pacific



Organized 1885

## West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, December 20, 2002

## Longshore caucus approves agreement for membership vote

The International Longshore and Warehouse Union (ILWU) announced on December 12 that its Longshore Division caucus meeting in San Francisco, overwhelmingly approved a six-year collective bargaining agreement between the Union and the Pacific Maritime Association (PMA). The caucus, comprised of delegates from all longshore locals on the West Coast, recommended membership ratification.

The secret ballot referendum by all ILWU Class A and B registered longshore workers and marine clerks begins on January 6 and concludes on January 13. The ballots will be counted on January 24.

The contract needs a simple majority to pass. But to protect the various interests within the ILWU Longshore Division, the locals are broken down into ten units for the purposes of voting on the contract. The larger locals (Local 13 in Southern California, Local 63 in Southern California, Local 10 in Northern California, Local 8 in Portland, Local 23 in Tacoma and Local 19 in Seattle) each constitutes its own unit. The other units are comprised of the Clerks' locals in Northern California, Oregon and Washington, the small ports in California, the small ports in Oregon and the small ports in Washington. If any of these units vote less than 50 percent plus one, that constitutes a veto. Should that occur, an overall vote of 60 percent plus one is required for the contract to be approved.

Editor's note: Non-Union workers in Utah protest ILWU/PMA pact. Story on Page 7.

## MarAd to enforce prohibition on use of substandard vessels for gov't cargoes

Secretary of Transportation, Norman Minetta, has delegated to Maritime Administrator, Captain William Schubert, authority to enforce the prohibition against shipment of government-impelled cargoes on vessels if:

- The vessel has been detained and determined to be substandard by the Secretary in violation of an international safety convention to which the United States is a party.

- The operator of the vessel has on more than one occasion had a violation of an international safety convention to which the U.S. is a party. The final rule became effective on December 5, 2002.

The Secretary is delegating to the Maritime Administrator his authority to enforce the prohibition of shipment of government-impelled cargoes on a vessel if:

- The vessel has been detained and determined to be substandard by the Secretary for violation of an international safety convention to which the United States is a party, and the Secretary has published notice of that detention and determination in an electronic form, including the name of the owner of the vessel.

- The operator of the vessel has on more than one occasion had

## Defense Department's reliance on foreign-flag ships weakens security

The Department of Defense's (DOD) use of foreign-flag ships crewed by non-U.S. citizen seafarers to transport military equipment and supplies represents a major weakness in DOD's force protection system aimed at securing the nation from terrorists acts at U.S. seaports, according to a recent General Accounting Office (GAO) report.

In a report released in November, GAO found that DOD used foreign-flag ships in four major overseas deployments involving about 6,550 tons of military equipment and supplies. DOD officials told GAO that about 43 percent of its cargo shipped overseas in 2001 as part of deployments supporting overseas op-

erations was transported on foreign-flag ships.

"When the third parties to whom DOD relinquishes control of its equipment include foreign nationals, there may be an increased risk of the equipment being tampered with, seized, or destroyed by individuals or groups whose interests run counter to those of the United States, and an increased chance that those weapons or equipment might be used against military or civilian targets," the congressional watchdog agency warned.

GAO cited a situation in Canada involving a non-U.S. registered ship crewed by non-U.S. citizen seafarers, the GTS *Katie*, which was transporting Canadian military equipment and three Canadian Forces personnel from the Balkans back to Canada. The ship refused to dock at a Canadian port after a dispute over payment to the vessel's owner. Alarmed over losing control over sensitive military equipment, the Canadian government was forced to board the ship with naval personnel from a nearby warship. Canada's Defense Minister later explained that the loss of control compromised his Nation's military operations and the ability to undertake new ones, the GAO report said.

Several U.S. military officials voiced concern over the use of vessels that are out of the reach of DOD's control, GAO said.

Furthermore, GAO noted Maritime Administration (MarAd) officials agreed that the use of foreign-flag ships and foreign crews carry national security risks. In this vein, MarAd officials expressed interest in increasing the number of U.S.-flag ships for DOD's use. Also, the shortfall of suitable U.S.-flag vessels will be exacerbated when the Military Sealift Command terminates charters for some U.S.-flag vessels,

GAO quoted MarAd officials as saying.

Entitled "Combating Terrorism —Actions Needed to Improve Force Protection for DOD Deployments through Domestic Seaports," the report follows on the heels of a chorus of concern raised by government officials and congressional lawmakers before congressional committees over the past several months concerning DOD's use of foreign-flag ships to transport sensitive military cargo through U.S. seaports.

In June, U.S. Maritime Administrator William G. Schubert told the House Armed Services Committee's Oversight Panel on the Merchant Marine that ships operating under flags-of-convenience registries could pose a serious national security threat, and at the same time urged reviving the U.S.-flag merchant fleet as the best defense against terrorism. This testimony exactly confirmed the SUP position submitted to Congress and Schubert in May and published in this year's May edition of the *West Coast Sailors*.

One month later, Schubert and GAO's Director of Defense Capabilities and Management Raymond J. Decker voiced the same concerns before the House Subcommittee on National Security, Veterans Affairs and International Relations, chaired by Rep. Christopher Shays (R-CT).

The GAO report was published in response to concerns voiced by Rep. Shays at the July hearing on how a number of issues, including DOD's use of foreign-flag vessels, affect security at U.S. seaports. Rep. Shays requested GAO to examine how DOD protects its forces and assets as they are deployed through strategic U.S. seaports.

Source: *The American Maritime Congress Washington Letter*



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## Merchant ships in danger as piracy increases in Southeast Asia

Worldwide acts of piracy against merchant shipping has increased since 2001.

Asia remains a main trouble spot, according to James Warren of the School of Asian Studies at Murdoch University in Australia.

The latest report from the London-based International Maritime Bureau shows 271 incidents in the first nine months of this year compared with 253 a year earlier. Indonesia continues to top the list of individual countries with 72 incidents.

The Malacca Straits between Indonesia, Malaysia and Singapore is notoriously vulnerable because it is congested and a narrow. Some 600 ships traverse the waterway daily, the chief link between Asia and the Persian Gulf and Europe.

Warren told an audience in Singapore that piracy in the Malacca Straits was rare before 1989 at about seven cases a year. By 1991, the number of reported cases had soared to 50.

"Southeast Asia is a global hot spot with more than half of all attacks world-

wide in this region," Warren said. "The lack of law enforcement is pushing the new wave to violence to new heights."

Other trouble areas include the Gulf of Thailand, the Sulu Sea off the Philippines and the triangle between Hong Kong, Manila and Hainan Island off southern China, Warren said.

At Singapore's prodding, seven Southeast Asian countries are drawing up plans to improve regional maritime security by developing a shared database of vessel, cargo and shipper particulars.

The IMB, which maintains an antipiracy station in Malaysia, said Bangladesh ranked second at 26 attacks. It says Bangladesh saw an "alarming increase" of pirate attacks beginning in the middle of last year.

Overall, incidents of hijackings increased to 20 in the first nine months of the year from 15 in the corresponding period of last year. The number of crew killed during attacks fell to six from nine in 2001.

## Pentagon foreign-flag charters questioned

A Military Sealift Command (MSC) official was questioned about the Pentagon's chartering of foreign vessels at a Washington conference this month. "There's nothing illegal about chartering foreign-built vessels," said Chris Thayer, the MSC's director of strategic planning after hearing complaints from maritime and shipyard executives about MSC chartering practices. Thayer said most new tonnage in the MSC fleet was built overseas and reflagged in the United States while most of the MSC's short-term charters in recent months were foreign-flag ships with foreign crews. Because those ships raise security concerns, Thayer said the MSC is "insuring that all vessels and crews are thoroughly vetted" and is placing U.S. Army personnel and other security forces on board. "The issue comes down to the fact that there are not many vessels in the U.S. market flying the U.S. flag," he said.

Albert J. Herberger, a shipping consultant who served as maritime administrator during the Clinton administration, countered that "one terrorist attack on a single foreign flag tanker will reverse this policy," which he called "shortsighted."

## Kauai and Maui deliver Christmas trees

Christmas trees along with spam and toilet paper are necessary commodities in Hawai'i. This holiday season, the Matson Navigation Company vessels *s/s Kauai* and *s/s Maui* delivered four shipments to the Islands in refrigerated containers. The *Kauai* was designated as the official Christmas tree ship.

## Support the SUP Political Fund

### SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2003:

	Hdqs.	Branch
January	13	21*
February	10	18*
March	10	17
April	14	21
May	12	19
June	9	16
July	14	21
August	11	18
September	8	15
October	14	20
November	10	17
December	8	15

\*Tuesday

### Timely Reminder First quarter 2003 dues are due and payable now!

### SUP Constitution ARTICLE VI DUES AND INITIATION FEE

Section 1. The initiation fee shall be Eight Hundred Dollars (\$800.00) payable in installments with the sum of One Hundred Dollars (\$100.00) being due and owing upon the members's admission into the Union and the balance of Fifty Dollars (\$50.00) per month for each month or part thereof in SUP-contracted vessels.

The initial installment of One Hundred Thirty Dollars (\$130.00) shall accompany the application of membership and the dues shall be One Hundred Thirty Dollars (\$130.00) per quarter, payable in advance.

## U.S. Coast Guard Alameda changes office hours

The U.S. Coast Guard Regional Exam Center (REC) on Coast Guard Island (Alameda) is going through some changes within the next couple of months to work on improving overall service. The office will be changing the hours of public operations to facilitate more training of personnel on the updated regulations and policies.

Beginning January 6, 2003, this office will no longer be accepting currency; mariners will need to pay by **credit card, money order, or check**. Mariners will be able to purchase money orders from the Coast Guard Island Post Office, if necessary. (Hours: 10:00 A.M. to 3:00 P.M., except for lunch.)

### Holiday hours of operations for REC

Office will be CLOSED December 25 & 27, 2002 and January 1, 2003.

Monday, Dec. 23, 2002-Friday, Jan. 3, 2003, 8:00 A.M.-12:00 P.M.

Friday, Jan. 3, 2003, 9:00 A.M.-12:00 P.M.

### New hours of operation starting January 6, 2003

Monday-Thursday 8:00 A.M.-11:30 A.M. and 12:30 P.M.-4:00 P.M.

Friday 9:00 A.M.-12:00 P.M.

Flashing light exams on Tuesday and Thursday at 7:30 A.M.

Closed for all Federal holidays and last Friday of each month.

### New user fee policy starting January 6, 2003

REC will no longer be accepting currency; mariners will need to pay by credit card, money order, or check.

Mariners will be able to purchase money orders from the

Coast Guard Island Post Office

(Hours: 10:00 A.M.-3:00 P.M., except lunchtime).

## State department proposes visa rules for foreign mariners

The U.S. Department of State on December 13 issued a Notice of Proposed Rulemaking that would eliminate crew list visits for crew members in foreign-flag ships calling U.S. ports.

If the new rule is adopted, alien mariners wanting to go ashore in the United States would have to possess a valid personal passport and a valid visa.

"In light of the security concerns resulting from the events of September 11, 2001, the department can no longer justify issuance of a visa without the full

application process" and is trying to "ensure that every effort is made to screen out undesirable aliens," the agency said in a notice published in the *Federal Register*. The new visas will be multiple-entry and long-term. The agency said it had learned through preliminary discussions with the industry that the new regulation should take into account "tight and sometimes erratic scheduling and a constant shifting of crew members."

The State Department will accept comments on the proposed rule until February 11, 2003.

## Wife of former Matson CEO dies

Mrs. Mary W. Pfeiffer, who christened the Matson Navigation Company vessels *s/s Maui* and *m/v R.J. Pfeiffer*, died after a long illness on December 4.

Mrs. Pfeiffer was a native of Connecticut and served as an officer in the U.S. Navy in World War II. In 1945 she met Mr. Pfeiffer who was also a naval officer. They were married that year on Kauai.

Mr. Pfeiffer eventually became Chairman of Matson and Alexander & Baldwin and currently serves as Chairman Emeritus of both companies.

In addition to her husband, Mrs. Pfeiffer is survived by four children, nine grandchildren and a brother.

## Final Departures

**Harry A. Holliday**, Book No. 5630. Born in Australia in 1927. Joined SUP in 1949. Died in Australia, September 9, 2002. (Pensioner)

**Alan Harold Hines**, Book No. 5736. Born in Illinois in 1928. Joined SUP in 1951. Died in Yakima, Washington, October 7, 2002. (Pensioner)

**Harry Dowell**, Book No. 2578. Born in Illinois in 1928. Joined SUP in 1945. Died in Las Vegas, Nevada, November 6, 2002. (Pensioner)

**Fred Ybarra**, Book No. 222. Born in California in 1921. Joined SUP in 1951. Died in San Leandro, California, November 21, 2002. (Pensioner)

**Orville Welch**, Book No. 3523. Born in Oklahoma in 1923. Joined SUP in 1951. Died in Kerrville, Texas, November 21, 2002. (Pensioner)

**William G. Schoenberg**, Book No. 7316. Born in Illinois in 1916. Joined SUP in 1953. Died in Sacramento, California, December 4, 2002. (Pensioner)

## West Coast Sailors

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## Danes float proposal to pool sea transport for NATO operations

The Danish newspaper *Politiken* reported on November 26, that Denmark proposed at the recent NATO summit in Prague, Czechoslovakia to assemble all NATO countries' sea transportation in one large pool.

Based on an American model, the proposal suggests establishing a sealift commando, based on a long-term lease of roll-on/roll-off ships, container ships, and other vessels to be rented from private shipping companies such as DFDS (United Steamship Company of Denmark) and Maersk Line.

According to the Danish Ministry of Defense, Denmark is investigating several different models, but there is much to indicate that NATO is prepared to lease a huge number of ships, which could open the door to lucrative contracts for a large number of shipping companies, including Denmark's Maersk or DFDS.

"We're following the development, and have discussed the project with Maersk Broker. We already enjoy a close cooperation today with the Danish defense, as well as several foreign defense contractors, to whom we lease ships," said DFDS director Ole Frie, who added that his company had positive experience leasing its ships for missions during the 1991 Gulf War.

*Politiken* reported that Denmark and the other NATO lands are currently sinking huge sums of money into contracts for ships that they may never need. By pooling transport capabilities together, and chartering ships on an as-needed basis, NATO could solve its transport challenges in a cheaper, more effective way.

SUP President Gunnar Lundeberg noted that "this proposal could undercut U.S.-flag shipping and jeopardize the Maritime Security Program."

## Reinstated bunker tax will hurt California maritime industry

When California reinstates an eight percent bunker fuel tax on January 1, the state's maritime industry will be hurt, according to the Marine Exchange of Los Angeles-Long Beach.

In addition to the bunkering firms that sell fuel to shipping lines, many "ship-count dependent" companies such as tug-boat operators, port pilots, barge companies, line handlers and other vendors will suffer lost revenue, said Manny Aschemeyer, executive director of the marine exchange.

That's what happened in the early 1990s, after the California Legislature declined in 1992 to renew a fuel tax exemption. Bunker sales in Los Angeles-

Long Beach dropped to one million barrels a month from four million barrels, causing the Legislature to immediately reinstate the tax exemption for ten years. The Legislature this summer voted unanimously to extend the bunker tax exemption for ten more years, but Governor Gray Davis vetoed the bill. He said the exemption would cost the state as much as \$35.5 million a year in tax revenue.

The SUP supported the exemption and lobbied Governor Davis not to veto the bill. SUP members employed in Foss Maritime Company's bunkering operation in San Francisco Bay could be affected by the governor's action.

## Coast Guard commends San Francisco Bar Pilots for contribution to national security: skill and patriotism of SUP crew praised

The U.S. Coast Guard on November 21, commended the San Francisco Bar Pilots for its contribution to national security with the successful implementation of the Sea Marshall Program.

*"The Commandant of the United States Coast Guard takes great pleasure in presenting the Coast Guard Public Service commendation to the San Francisco Bar Pilot's Association for its superior performance and significant contributions to national security."*

*"After the September 11, 2001, terrorist attacks, the Association worked hand-in-hand with the Coast Guard Marine Safety Office San Francisco Bay to develop and implement the nation's first Sea Marshal Program, which was created to protect the Port of San Francisco, California. The Association was a key link in this pioneering program, providing crucial transportation for Sea Marshals on pilot boats to embark and disembark from ships requiring security escorts. The Association was exceptionally proactive towards ensuring the welfare of Sea Marshals, volunteering countless hours of essential training that included how to safely board ships from a pilot boat in heavy weather, bridge familiarization, ship's crew routines, emergency procedures, and survival training. The Association generously offered their assets and experience, ensuring the success of the Coast Guard's newest mission. Providing a pilot boat with a skilled crew uniquely suited to Northern California's hostile offshore environment, the Association ensured the safety of Sea Marshals transiting in seas up to 25 feet and winds exceeding 40 knots, all without injury or incidents."*

*Together the Bar Pilots Association and Coast Guard provided security for over 2,000 commercial vessels, ensuring the security of San Francisco Bay's critical port facilities and landmarks, and hardened commercial shipping targets against future acts of terrorism. The San Francisco Bar Pilots Association's superb contribution to the success of this vital program and to the defense of the nation is recognized as another historic milestone in their rich heritage of public service dating back to 1835. The Association's unwavering support and strong dedication to duty are most heartily commended and are in keeping with the highest traditions of the United States Coast Guard."*

USCG Captain of the Port (San Francisco Bay), Captain Jerry Swanson, in making the presentation also noted the patriotism of the Pilots, the crew and all other employees. The Sailors' Union represents the marine personnel and dispatchers employed by the Pilots.

## Bob Hope and Fisher play important role in Operation Enduring Freedom

The Large Medium Speed Roll-On/Roll-Off (LMSR) vessels *USNS Bob Hope* and *USNS Fisher*, managed for the Military Sealift command by Patriot Contract Services and crewed on deck by the SUP, have played an important role in the U.S. military build-up in the mid-East as part of Operation Enduring Freedom.

Both vessels loaded in October at the Naval Weapons Station, Charleston, South Carolina, a combined total of almost 400,000 square feet of tanker trucks and bridging sections to support U.S. forces operating in the U.S. Central Command area of responsibility.



John Randt photos

*More than 1,000 pieces of U.S. Army equipment, much of it rolling stock, are loaded onto USNS Bob Hope at Naval Weapons Station, Charleston, South Carolina.*

The large ships, both delivered to Military Sealift Command in the late 1990s, are ordinarily kept pierside, ready to be activated if needed. Their spacious seven decks, interior ramps, stern ramp and two 110-ton single-pedestal twin cranes ease the loading and off-loading of tanks, trucks and other out-sized military equipment.

For two straight days, Army equipment rolled up *Bob Hope's* stern ramp. "We loaded 1,099 pieces in 48 hours," said Army Captain Jacob Millican, operations officer for the 841st Transportation Battalion. "That time includes meal hours and standby time," he added.

"The load-out went very well," said Captain John Kelley, master of *USNS Bob Hope*.

*Bob Hope*, generally kept in four-day reduced operating status, sprang into action in only three days when activated to transport the Army cargo.

"In the Surge Sealift Program, MSC expects us to perform on short notice," said Captain Kelley. "We have become used to this—it is our job. Our crew and office staff reacted admirably. We concluded our activation period almost a full day ahead of our 96-hour schedule."

"*USNS Bob Hope* has the honor and privilege of being among the first surge activations in support of Operation Enduring Freedom," added Captain Kelley.

## Captain Schubert confident MSP will be reauthorized by Congress

Maritime Administrator Captain William Schubert told a maritime forum in New York this month: "I'm very confident we will have a replacement program" for the current Maritime Security Program.

The MSP provides funding of \$2.1 million per ship per year for 47 U.S.-flag vessels whose owners agree to make them available to the military in time of war or national emergency. The program expires on September 30, 2005, but many in the maritime industry have hoped that a replacement program could be introduced and passed before that date. That has been held up by disagreement over whether foreign owners of ships in the program can operate those ships themselves or whether they need to use a U.S.-based third party ship operations company. Such third parties were made mandatory for all but a few of the MSP ships when the current program was created, under the view that companies such as Maersk, APL, Lykes and Farrel Lines were no longer owned by U.S. citizens. Some of those companies, particularly Maersk, have complained that the third-party ship operator adds an unnecessary expense and that its U.S. division, which already has security clearance and works with the military in other areas, should be able to be trusted to operate the MSP ships themselves. The so-called Section 2 companies that manage MSP ships object, stating that the ships need to be under the direct control of Americans if they're to be involved in national security operations.

In his remarks at a luncheon sponsored by the Port of New York chapters of the United States Merchant Marine Academy Alumni foundation and the Propeller Club of the United States, Schubert acknowledged that disagreements remain, but said he is confident that it would not ultimately stand in the way of producing a successor program to MSP. "The question is whether it will be renewed in the next session, in other words two years early, or the following year, which is one year early," he said. "It is true that we don't have full consensus among the stakeholders," but he noted, "a significant majority among the stakeholders" including the U.S. Transportation Command, the maritime unions and the carriers support renewal of the program.

## Matson shifts berths in Oakland

Matson Navigation Company vessels on the Hawai'i run will begin calling at the Stevedoring Services of America Terminal (SSAT) in Oakland at Berths 57-59 this month.

The terminal is located at 1999 Middle Harbor Road near the APL terminal. Transportation to vessels is provided at the guard shack adjacent to the longshore parking lot.

There is no long term parking at the terminal. Vehicles left in the parking lot will be towed at the owner's expense.



# SUP Honor Roll

Voluntary contributions from the membership to the following funds in 2002:

## Organization/General Fund

Gordon Abbott ..... 50.00	Theodore Filipaw ..... 200.00	Jose Lopez ..... 50.00	Rich Reed ..... 60.00
Doug Alexander ..... 30.00	Erik Finneman ..... 50.00	George Lua ..... 60.00	William Remoto ..... 20.00
Gerald Allen ..... 50.00	William Fisher ..... 10.00	Gunnar Lundeberg ..... 200.00	Thomas Riley ..... 105.00
Karl Andersen ..... 10.00	Ray Flores ..... 130.00	Juan Magana ..... 60.00	Newell Robison ..... 5.00
Cynthia Anderson ..... 50.00	Michael Fox ..... 20.00	John McAulife ..... 40.00	Jonathan Rose ..... 20.00
Jose Angeles ..... 20.00	Edgardo Franco ..... 20.00	William McCoy ..... 20.00	Steven Ross ..... 60.00
James Bailey ..... 40.00	Louis Frazier ..... 50.00	Daniel McDonald ..... 40.00	Gary Rymel ..... 20.00
Bar Pilots/MEBA Gang ..... 395.00	Dean Gille ..... 70.00	Mike McGahran ..... 20.00	Edward Sabo ..... 20.00
Mike Belleza ..... 20.00	Marvin Glasgow ..... 80.00	David McKeithen ..... 20.00	Carl Schou ..... 50.00
William Berger ..... 25.00	Clarence Godfrey ..... 50.00	John McKeon ..... 20.00	Whitey Secrest ..... 250.00
Archie Bickford ..... 20.00	Daniel Gonzales ..... 300.00	Joseph McShane ..... 50.00	Gino Segreti ..... 50.00
Mike Binsky ..... 35.00	Juan Gonzalez ..... 10.00	Carlos Medina ..... 40.00	William Self ..... 20.00
Peter Bragg ..... 20.00	John Gouveia ..... 50.00	Steve Messenger ..... 25.00	Edward Sexton ..... 50.00
Chris Bright ..... 20.00	Robert Greene ..... 80.00	Leonard Millsap ..... 20.00	James Sharp ..... 25.00
Chris Bujnowski ..... 50.00	Clinton Gregg ..... 80.00	Fritz Minder ..... 50.00	Augusto Silva ..... 20.00
Charles Bulmer ..... 40.00	Scott Griggs ..... 75.00	William Mitchell ..... 50.00	Bruce Smith ..... 50.00
Robert Burns ..... 20.00	Dean Gross ..... 60.00	Abdulhameed Mohamed ..... 10.00	Charles Smith ..... 100.00
Richard Cahill ..... 85.00	Vernon Haik ..... 25.00	Joe Moitoso ..... 130.00	Jack Stasko ..... 80.00
Joe Campos ..... 50.00	Dennis Helman ..... 20.00	Paul Monti ..... 40.00	Ernest Stimach ..... 40.00
Gene Castano ..... 10.00	Michael Henneberry ..... 40.00	Leo Moore ..... 80.00	Edward Suguitan ..... 50.00
Alex Castillo ..... 25.00	Paul Herriott ..... 20.00	Ramon Morales ..... 80.00	John Svane ..... 80.00
Danny Colton ..... 10.00	Duane Hewitt ..... 60.00	Ray Morgan ..... 10.00	Jack Swain ..... 20.00
Dave Connolly ..... 40.00	Henry Holzbug ..... 20.00	Donnie Morris ..... 40.00	David Sylstra ..... 140.00
Richard Cummings ..... 5.00	Dennis Howard ..... 20.00	Dave Munroe ..... 20.00	Douglas Taylor ..... 90.00
Donald Cushing ..... 200.00	Mark Hurley ..... 80.00	Jerry Napier ..... 50.00	Art Thanash ..... 100.00
Jack Dalton ..... 80.00	Izzy Idris ..... 50.00	Duane Nash ..... 20.00	Morris Thibodeaux ..... 80.00
Lee Dancer ..... 20.00	Herbert James ..... 20.00	Michael Nielsen ..... 100.00	Bruce Thompson ..... 50.00
Rex Daniels ..... 40.00	Knud Jensen ..... 50.00	Julio Nunez ..... 20.00	Grant Thorne ..... 10.00
William DeBenedictus ..... 20.00	John Jewett ..... 20.00	Terrance O'Neill ..... 40.00	Dan Tintun ..... 10.00
Deep Sea Fishermen's Union ..... 100.00	William Johnson ..... 40.00	Benjamin Oani ..... 200.00	Fred Trench ..... 60.00
John Drolla ..... 70.00	Peter Johnsson ..... 50.00	Jose Obsuna ..... 10.00	Remoni Tufono ..... 30.00
Frank Dufek ..... 60.00	Ed Kane ..... 20.00	Teodulo Ochoa ..... 20.00	Bill Tyra ..... 20.00
Mike Duvall ..... 60.00	Douglas Kashner ..... 80.00	Scott Oliphant ..... 20.00	Robert Vandernay ..... 20.00
Alexander Earle ..... 80.00	John Kelly ..... 50.00	Carl Orange ..... 25.00	Gene VanKlinken ..... 60.00
Joseph Eckert ..... 20.00	James Kerns ..... 40.00	Dave Pangan ..... 20.00	Miguel Villegas ..... 20.00
Mike Elgani ..... 80.00	Duke Kessler ..... 100.00	Ricky Pangan ..... 70.00	Francis Walsh ..... 40.00
Leo Endries ..... 40.00	James Kolm ..... 40.00	Eric Partika ..... 30.00	Washington State Labor Council ..... 50.00
Erling Erikson ..... 25.00	Donald Kruse ..... 50.00	John Perez ..... 25.00	Eric Weintraub ..... 5.00
Steve Everson ..... 50.00	Norman Kwak ..... 75.00	Michael Pflieger ..... 50.00	Dean Williams ..... 20.00
Tony Fague ..... 60.00	Anthony Labor ..... 10.00	Frank Portanier ..... 60.00	William Williamson ..... 20.00
Paul Farillas ..... 10.00	Thomas Larkin ..... 20.00	Harold Presswood ..... 40.00	Joseph Wolff ..... 10.00
John Fernandes ..... 20.00	Alberto Laurel ..... 20.00	John Quagliano ..... 20.00	Steven Zachmann ..... 10.00
Jose Fernandes ..... 40.00	Brian LePrevost ..... 20.00	Mario Ramella ..... 150.00	Stephen Zombro ..... 50.00
Diane Ferrari ..... 40.00	Mark Littlejohn ..... 20.00	Vincent Reardon ..... 40.00	
Edgardo Figuracion ..... 10.00	Belfred Lomba ..... 20.00		

## Wall of Honor

### San Pedro Merchant Marine Memorial

Gordon Abbott ..... 50.00	John Gouveia ..... 50.00	Vince O'Halloran ..... 50.00
Joe Amey ..... 40.00	Scott Griggs ..... 25.00	Sven Ostman ..... 50.00
Mike Arceo ..... 10.00	Vern Haik ..... 5.00	Ricky Pangan ..... 55.00
Ann Barrasso ..... 10.00	William Henneberry ..... 35.00	John Perez ..... 25.00
Peter Benavidez ..... 100.00	Paul Herriott ..... 20.00	Milburn Pond ..... 10.00
Archie Bickford ..... 20.00	Nick Hoogendam ..... 10.00	John Quagliano ..... 120.00
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### A look astern...100 Years Ago

from the *Coast Seamen's Journal* December 17, 1902

#### Peace and Good Will

It is meet and proper that we should at this season ponder the import of the message of "Peace and Good will," and charge ourselves with the duty of testing by the fruits of our own conduct the progress made toward the complete acceptance of that message. To the seaman of the world that duty is a pleasing one, pleasing in its justification of the past and in the enheartening optimism which it rightly cultivates.

The seaman's outlook upon the field is wide and penetrating. It goes back to the days of Gennesaret, to the days when the catchers of fish obeyed the Savior's command to leave their nets and become catchers of men. It goes back of those days, even to that unsung age in which man of one race looked over unsounded seas into the face of his fellows of other lands and exchanged with them the first offerings of human brotherhood. As it is said that the stars are visible at midday from the bottom of a well, so the further back the seaman goes in his knowledge, the further ahead he may go in his faith.

The status of the world-movement among seamen for the improvement of their conditions justifies in ever respect a prediction of the early rehabilitation of our craft in the primacy of the world's industrial activities. Organization is spreading among seamen and kindred craftsmen in every part of the world. The immediate and tangible evidences of this growth we see in the reports of strikes here and there among transportation worker. These are the premonitory symptoms of a universal awakening that is destined to find its full development in a worldwide union of all the carriers of commerce. With the consummation of that event the era of industrial peace will come appreciably nearer to realization, if indeed it e not fully realized in the event itself. It will be the peace that reigns upon justice in the relations of man to man; therefore, it will be permanent. In this great movement the seamen of the world are leaders; in the hope and assurance it holds they are sharers with all mankind.



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## Federal workers' pay raises cut; Bush cites national emergency

President Bush slashed the pay raises last month that most civilian federal workers were to receive starting in January citing a state of national emergency due to last year's terrorist attack.

Under a law passed in 1990, federal employees covered by the government's general schedule pay system would receive a two-part pay increase with the new year - a 3.1 percent across-the-board increase plus a pay hike based on privatesector wages in the areas where they work.

But Bush is freezing that second increase, which is referred to as locality pay. Military personnel still will receive a 4.1 percent increase and aren't affected.

This law outlining federal pay kicks in because Congress has not yet passed the appropriations legislation directing a specific increase, said Amy Call, a spokeswoman for the White House's Office of Management and Budget. The White House couldn't say exactly how many federal employees the change would impact, but said it would be almost all.

Bush's pay decision is yet another blow to federal workers, many of whom are facing big changes in job descriptions under the Bush administration.

Last month, the administration announced it wants to let private companies compete for up to half of the 1.8 million federal jobs. Also, in the new Homeland Security Department, Bush won the broad powers he sought to hire, fire, and move workers in the 22 agencies that will be merged.

"It's been a tough year for federal employees," said Paul Light, senior fellow at the Brookings Institution and a specialist on the federal work force. "I don't think any one of them will be surprised. It's one of several lumps of coal in the stocking this year."

Bush announced in a letter that he was using his authority to change workers' pay structure in times of national emergency or "11 serious economic conditions" and limiting raises to the 3.1 percent

across-the-board boost.

That means that the extra money most federal employees receive for working in urban areas where wages are higher would remain at current levels because "our national situation precludes granting larger pay increases...at this time," Bush said.

Those areas cover much of the country and include a range of cities such as New York, Boston, San Francisco, Dallas, Houston, Cincinnati, Orlando, and Kansas City.

The White House quietly released the letter to journalists via e-mail in the middle of a long holiday weekend when most Americans were apt to be paying little attention.

"This is just another slap at federal employees," said Bobby L. Harnage Sr., president of the American Federation of Government Employees, which represents 600,000 federal workers. The Bush administration says "they want to recruit the best and the brightest, but they can't even keep the best and the brightest in those jobs now."

The White House estimated that the overall average increase in the economic differential would be about 18.6 percent.

Bush said granting the full raises would cost about \$13.6 billion in 2003, or \$11.2 billion more than he proposed for the year—a cost the nation can't bear as it continues to battle terror.

"A national emergency has existed since September 11, 2001," Bush wrote. "Such cost increases would threaten our efforts against terrorism or force deep cuts in discretionary spending or federal employment to stay within budget. Neither outcome is acceptable."

The president noted that the raises still amount to more than the current inflation rate of 2.1 percent.

"I do not believe this decision will materially affect our ability to continue to attract and retain a quality federal work force," he said.

## Backed by right wingers non-Union clerks in Utah protest ILWU/PMA pact

Non-Union marine clerks employed by Stevedoring Services of America (SSA) in Utah contend that the recent agreement reached between the ILWU and PMA could eliminate their jobs and have asked the National Labor Relations board to issue an injunction.

The ILWU/PMA agreement calls for the work performed by the non-Union Utah workers to be shifted to West Coast ports and turned over to ILWU marine clerks.

The injunction effort is being led by the National Right to Work Legal Defense foundation and supported by Utah's two Republican Senators, Orrin Hatch and Bob Bennett.

In a letter to the NLRB, Hatch and Bennett warn that the workers purportedly face "an immediate threat to their livelihood simply for exercising their freedom of association. Moreover, it is alleged that the people of Utah are to be deprived of a productive business, good jobs, and needed tax revenues by the unlawful compulsory relocation of the SSA facility."

SSA said following the Utah workers' complaint to the NLRB that it supports its employees' efforts to protect their jobs. "It is certainly their right to pursue their own counsel, especially when they are not directly a party to the PMA-ILWU negotiations," said John Hemingway, SSA's president and chief executive.

The PMA contends the new labor pact does not require SSA's employees in Utah to become members of the ILWU. The agreement only calls for their work to be taken away and given to Union members on the West Coast.

**Attend your SUP  
Union meetings!**



From left Tony Huertas, Pete Karmelich, Julio Nunez, Bill Cody, Tom Larkin and bosun John Crockett in Matson's s/s Mahimahi August 2002 at Terminal Island.

## Ship carrying scud missiles sailed under many flags-of-convenience

Shipping industry sources said earlier this month that a North Korean ship seized December 8 while carrying Scud missiles to Yemen has traded under numerous names and blacklisted flags-of-convenience in recent years.

"This is typical of ships that are involved in this kind of activity — ownership is far from transparent and there is a pattern of frequent changes of name and frequent changes of flag," David Osler, industry editor with *Lloyd's List* told Reuters.

Official registration records showed the ship might not have been flying any flag at all when it was seized by Spain and the United States in the Arabian Sea. The *So San* was found to be carrying 15 Scud missiles, 15 conventional warheads, 23 tanks of nitric acid rocket propellant and 85 drums of unidentified chemicals, under a cargo of cement bags.

The vessel has changed name five times in the past three years. It has also been registered under four flags since it was built in 1981, two of them blacklisted. In recent years it has been registered with the Cambodian flag which experts say is a notorious blacklisted flag of convenience.

"Cambodia is one of the highest-risk flags. It is particularly murky and has got to be one of the first choices if you are running arms," a spokesman for the International Transport Workers' Federation said.

Apparently, the ship was under the Cambodian flag until October, when it switched to the flag of North Korea. On December 10 it switched again to an unknown flagstate.

## Wage hike for mariners deferred

The International Transport Workers' Federation (ITF) has temporarily backed down on a benchmark seafarer minimum wage increase, after shipowners and managers collectively declared the hike "unviable".

A final "frank and constructive" meeting in Manila late last month saw the ITF agree to defer a \$50 per month increase set for January 2003 until May 31 to allow a new international forum to be established to negotiate future wage changes.

Meetings have been set for London in January and Tokyo by the end of March, but the ITF has set a strict May 31 deadline for the international forum to conclude a new agreement, a joint statement by the ITF and employers' groups said.

The London-headquartered ITF established a benchmark minimum wage of \$1,200 per month for seafarers aboard flag-of-convenience ships from 2000, with a series of benchmark increases to \$1,400 a month by the start of 2004, after negotiating with the International Maritime Employers Committee (IMEC), a Europe-based and dominated group.

The global agreement came under fire from some Asian shipowners' association—particularly in Japan—who demanded at least a delay in the looming \$50 per month increase due on January 1, due to the dire financial situation facing much of the shipping industry.

The ITF said it has commissioned an independent study into the "current state of the world shipping market" post September 11, and acknowledged the depressed environment, but fell short of agreeing the stepped unilateral wage hike was unviable.

However, the raise postponement received a lukewarm welcome from Asia, where shipping lines and managers have just mounted a campaign to scrap the benchmarks altogether, in favor of localized collective bargaining. Last month, the recently-formed Asian Seafarers Employers' Group (ASEG) called for a "realistic review" of Asian seafarers' wages, claiming "Eurocentric" ITF benchmarks failed to reflect "local and current living standards of Asian seafarers".

ITF Secretary General David Cockroft confirms that Filipino trade unions and those of other labor-supply countries have "expressed their concern" on several occasions. "So have unions from countries where FOC ships are beneficially owned."

However, ITF Special Seafarers' Department Secretary Steve Cotton effectively ruled out scrapping benchmarks. "I won't say that I'm not disappointed to see the planned increases shelved for now, but ultimately we are realists and know we have to respond to world events," he said. "But let no one think that the existence of the benchmark itself—a guarantee of minimum wages and deserved social protection—is open to questions."



## ESU Office Assignments

For the month of January, Jerry Patterson will be in the Baytown office and John Straley will be in the Benicia office.

# ESU NEWS

DECEMBER 2002

Official Publication of the Exxon Seamen's Union

## SeaRiver continues to attack our benefits

In the September 2001 issue of the ESU News The Union printed an article titled "Are Our Benefits Under Attack." The ESU can now safely unequivocally state, that indeed they are.

At the start of every contract negotiation the Company prefaces their first proposal with a statement that extols the value of the Company Benefit Plan. They come with their glossy charts and tout the plan as one of the best in the industry. On paper it looks very impressive. But in reality it is nothing more than a shell game that SeaRiver is playing at the expense of their employees.

An example of this smoke and mirrors game came to light recently when one of our members exhausted his non-industrial disability benefits. On page six of the "ExxonMobil Disability Plan" there is a provision called "Special Disability Benefits - Non Industrial Disability" that states, "If you exhaust your full-pay and half-pay non-industrial disability benefit schedule and you are likely to be able to return to work, special disability benefits may be payable. The maximum payment period for these benefits is twice the length of your non-industrial disability benefit schedule. The company-not the plan-decides if and when these special disability benefits are paid. The benefit amount is half pay reduced by any government benefit being paid." This individual is able and willing to work, but unfortunately he is taking medication that precludes him from being on a ship for the next two months. When he applied for these extended benefits, he was denied, and told that he didn't meet the criteria. When the ESU inquired about these special benefits we received a reply that made it clear that this benefit is rarely granted and for all intent and purposes is non-existent.

When an employee is injured the first question that the company should ask is, "What can we do to help." Instead, when a member is injured it triggers an accelerated flurry of activity within SeaRiver that has one objective, and that is to find a catch- 22 to deny the employee his benefits. Why would a company such as ExxonMobil permit one of its affiliates to engage in such activity that is unethical at least and possibly unlawful? The answer is simple, to fudge on the numbers in regard to recordable injuries.

SeaRiver management approached the Union in the spring of 1997, with an absurd proposal called alternative work. Their suggestion was that if you were injured, they would send you a laptop computer and in some cases just paperwork, manuals etc. to correct, then they could avoid calling it a recordable injury. The Union declined, as we thought it was unethical, legally questionable and nothing more than manipulating the books. Additionally, our benefits are there for the specific purposes that are stated in the benefits book.

It is now apparent that SeaRiver has intensified their assault on our benefits. Their investigative techniques are haphazard at best and the manager that makes the decision at SeaRiver is far away from the accident scene. He therefore, has to rely on piecemeal evidence from the Master of the vessel who acquired the information from yet another source. The criteria that they themselves established for determining a disability appears to change daily. The ESU suspects that facts are manipulated in some cases to re-classify an industrial disability to a non-industrial disability. Recently one ESU member had just dismantled the crane and was going aft to eat and injured his hand. As absurd as it seems the company classified it as a non-industrial disability.

The Exxon Seamen's Union has always been resolute in our position that any injury that occurs while aboard a vessel is an industrial disability because the injured individual is in the service of the vessel.

It is of utmost importance that the membership remains vigilant in the face of this onslaught by the company. If you are on board a vessel and you are injured, or think you might have injured yourself, report it to the Master immediately and keep a good record of what you were doing when the injury occurred. Be aware that if you go to the Master and report an injury and you are unsure of the cause, the company will most assuredly classify the injury as a non-industrial disability.

The ESU urges our members to please read your benefit books to know what is at stake. There is an enormous difference between Industrial and non-industrial disability benefits. Your **industrial** disability benefits provide up to 52 weeks at full pay regardless of your length of company service. Your **non-industrial** disability benefits are tied directly to your length of service. An example of non-industrial sick leave eligibility is: If you have 1 year of company service you are eligible for only **4 weeks of full pay and 2 weeks of half pay**. The maximum benefit paid for an employee with 10+ years for **non-industrial** sick leave is 26 weeks at full pay and **26 weeks at half pay**.

The ESU is aware that some of our members may have been misinformed by the company with regard to re-qualification of sick leave benefits following an illness. You re-qualify for the full schedule of non-industrial benefits by working a total of 26 weeks since the last time you received full-pay non-industrial disability benefits. If you become disabled again before that, whether it is the same non-industrial disability or a different one, your schedule of benefits is only that portion of the schedule you have not already used. However, **if the second disability is an industrial disability, you have the full schedule of industrial disability benefits**.

The ESU will remain aggressive in our quest to protect and defend our benefits and we will use any means at our disposal to ward off the relentless attacks by the company in an effort to weaken them.

## ESU Election results

On Friday December 13, 2002, the ESU Baytown office received the official tabulation of the 2002 election of ESU Board Officers and Ship representatives from the American Arbitration Association (AAA) in New York. There were 174 ballots received. Three of those ballots were not counted because one had no identification and 2 were duplicates. The voting results are as follows:

### President

W.T. (Jerry) Patterson 122

Charlie Pollard 49

Blank 0

### Recording Secretary

(Unopposed)

Thomas Thompson

### Engine Trustee (Unopposed)

William Ackley

### Ship Representative election results are as follows:

#### S/R Baytown

Thor Floreen 66

Mark Myser 98

Blank 7

#### S/R Wilmington

Allen Cooper 66

Marvin Marcum 40

Johnny Navarro 38

James Schettler 21

Blanks 6

#### S/R Galena Bay (Unopposed)

Levy Ponce

### S/R Mediterranean (Unopposed)

Frank O'Malia — (Should the *Mediterranean* return to service.)

On behalf of the entire membership the Union congratulates the winners of the election. A special thanks is in order as an expression of our gratitude to all the candidates who unselfishly volunteered to serve their union.

In this election, 35% of the eligible voters failed to exercise their right to vote and four elective positions were unopposed. The ESU mailed a total of 269 ballots to the membership and the American Arbitration Association office received 174 ballots. Of the ballots received by the American Arbitration Association 3 ballots were not counted because there was not any identification on the return envelope of one ballot and 2 ballots were duplicates. Although the number of members who voted improved by 10% over the previous effort in September (Contract), to a certain degree voter apathy is still prevalent within the membership and it definitely sends the wrong message. ESU members are urged to become involved and participate in their democratic elective process. Let us strive to have 100% participation in the election now underway (Ship Representative, S/R Bristol Bay).

The ESU extends its thanks to those members that demonstrated their support for the Union by taking the time to cast their vote.

## Ship reports

### S/R American Progress

Vessel has been transiting from Valdez to Puget Sound since last Board visit on Nov. 15. Rep. Chuck Bell onboard and communicating frequently with ESU offices. Lookout/Helm relief issue clarified. Rotations to be conducted in a manner that does not require Lookout or Helmsman to stand more than 2 hours at either post.

### S/R Baytown

Executive Board visit conducted Dec. 13. Re-elected Ship Rep. Mark Myser going to paid leave and Pumpman Jim Bird taking over as Temporary Rep. Preference in who gets relieved to paid leave first when two members join the same day resolved.

### S/R Bristol Bay

Vessel has been trading between Valdez and Puget Sound since Oct. 25. David Franklin is serving as Temporary Ship Rep. and reporting no major beefs. Voting period to elect new Ship Representative is currently underway.

### S/R Charleston

Ship Boarded at ExxonMobil in Baytown, TX on Dec. 10 and Dec. 11. Ship Rep. Robert (Bob) Knight is aboard and reports no beefs. Vessel is headed up North.

### S/R Galena Bay

ESU Board member visited ship while it was at the Valero dock in Benicia, CA, December 9. Allen Bostwick is filling in for Ship Rep. Levy Ponce. Allan is calling in regularly and reports everything running smooth.

### S/R Hinchinbrook

Vessel recently visited Hawaii again. Ship Rep. Danny Jones on paid leave and James Schettler has filled in admirably in Danny's absence. No beefs reported.

### S/R Long Beach

Vessel visited at the Valero dock December 3. Rep. Joe Graca scheduled to return soon. The Executive Board thanks Rudy Benavides for serving as Temporary Rep. in the interim. There have been no major beefs reported.

### S/R Puget Sound

ESU visited the vessel December 7 at the Richmond Long Wharf, Richmond, CA. Cook Adam Anderson serving as Temporary Ship Rep. Issue involving use of M/S under Article XVI, Section 4 and paragraph B resolved onboard.

### S/R Wilmington

The Baytown Board Officer boarded the *Wilmington* on Dec. 9 at ExxonMobil in Baytown, TX. Mail issue resolved. Everything running reasonably well. Ship Rep. Johnny Navarro onboard.



# Happy Holidays to ESU Members and their Families

## Are foreign ships coming?

On November 25, 2002 President George Bush signed in to law the Maritime Security Act of 2002, that while addressing a wide range of security concerns within the shipping industry, contained deep within the expansive document Section #214, entitled the "Jones Act Waiver For Delayed Vessel Delivery". The language in this section allows for an American tank vessel operator such as SeaRiver Maritime, Inc., under certain circumstances to request and be granted a waiver to bring in to service up to 3 foreign flag vessels. Additionally, the waiver language does not appear to specifically prohibit the use of foreign crews to man these vessels.

Among restrictions imposed on the Secretary of Transportation in granting such a waiver is a provision requiring shipping operators to have signed contracts with American shipyards for construction of vessel(s) similar in size as the foreign vessel(s) the company is requesting a waiver of the Jones Act to operate or charter. A waiver cannot be requested or granted if a shipping company has not, 24 months prior to the request contracted with an American shipyard to build. Other restrictions include waivers not extending more than 24 months and the Secretary may approve these waivers only under certain circumstances related to the late delivery from a United States shipyard of a coastwise eligible self-propelled tank vessel.

Tim Colton, President of Maritime Business Strategies, LLC, a firm of maritime economists, industrial engineers and transportation consultants reported that Congressman Gene Taylor (D-MS) while speaking at the formal opening of the VT Halter Marine, Inc.'s facilities in Gulf Port, MS. "...roundly criticized an oil company that wants to bring foreign-built tankers into the Jones Act trades: He didn't mention a name but his choice of words made it clear that he was talking about ExxonMobil". U.S. Representative Taylor is a member of the Armed Services Committee and ranking member of the Subcommittee on Military Procurement. Additionally, Congressman Taylor's credentials included participation on the Military Installations and Facilities Subcommittee, the Merchant Marine Panel, the Transportation and Infrastructure Committee and serves on the subcommittees of the Coast Guard and Maritime Transportation as well as the Water Resources and Environment.

It is reasonable to assume that the inclusion of this waiver in the Act did not miraculously appear and that an interested party lobbied for this language. In reviewing companies that would have need for

such a provision, ExxonMobil seems to be the company that would have the most interest in obtaining such an exception. In reviewing the scheduling of new builds, both Polar Marine and ATC seem well positioned in the construction of new tankers. Alaska Tanker Lines (BP) has firm contracts for four deliveries of 95,000GT crude carriers in the 4th quarters of 2003, 2004, 2005 and 2006. Polar Carriers has additional new 82,545GT vessels scheduled for delivery in December 2002, September 2003 and May of 2004. Although it is heavily rumored that SeaRiver Maritime will contract to build new vessels, to date no formal announcement has been made by the company.

If any shipper were to actually try to acquire this waiver it is inevitable that the full political wrath of the U.S. maritime industry would descend upon that company. Not only do the merchant mariner's have a vested interest in protecting the Jones Act, but the shipbuilding industry as well. The Oil Pollution Act of 1990 has now existed for more than 12 years, clearly defining the "drop dead" dates for older tankers and by all credible accounts, it has been clear that there would be a need for additional load capacities for at least 3 years. At this late date it would be difficult for any shipper to plead before the Secretary of Transportation that they were caught unaware.

Though there is ample reason to believe that no company would be successful in actually employing foreign crude tankers and foreign crews to ply the coastwise trades of the United States under this waiver as written, this issue should not be taken lightly either. It is no secret that the major oil companies are politically active and influential as this waiver clearly indicates. If they were successful in actually employing these foreign vessels in the Jones Act trade, there would seem to be a genuine possibility that they may be equally successful in further political maneuverings to keep them in the trade.

The Jones Act, originally passed by Congress in 1920, not only provides employment for thousands of Americans, but is crucial to the commerce of the United States, today. Enforcement of the Act aids in assuring a ready merchant marine and shipbuilding industry to serve the United States in both times of peace and war. In light of recent national security concerns, the Act is becoming an even more critical component of our nations homeland security. Attempts by any company to dilute this law should, rightfully be rebuffed.

The ESU will continue to monitor and report on this issue as information becomes available.

## New members

The ESU has been remiss in announcing the addition of new members in our paper of late and would like to take this opportunity to do so.

The Union welcomes the following ESU members into our ranks; Larry Moses, Koko Nsa and Robert O'Conner, all of whom joined in October of 2001. Magdi Rashid became an ESU member the following month. In December of 2001 John Drew joined the ranks. The year 2002 has seen Lars Wibroe join in April and George Rains in September. And finally, our newest member, Derek Whitaker became a member in October of this year.

The non-member roll presently stands at 14 individuals. A number of these non-

members are long time employees, and in some cases are former ESU members. It is undeniable that these individuals, as well as all non-members have benefited greatly in recent years from the efforts of this Union. Members are encouraged to spend some time with these shipmates to discuss the importance that their membership will contribute in enabling this Union to continue to provide the very best representation possible for them and all unlicensed employees sailing in the SeaRiver oceangoing fleet. All non-members are invited to join the Exxon Seamen's Union at any time.

Membership in the ESU stands at 269 as of the posting of the November dues.

## Continuing BC/BS difficulties

The Union has fielded a number of calls from members who have been told by their health care provider that their BC/BS medical insurance was not in effect and that the insurer had denied payment to the provider on that basis. After an investigation by the Executive Board it was discovered that there had been a procedural error dating back to at least October of 2001, in which members requesting dependents be added or removed from their policy were taken out of the data base to make the changes and then mistakenly never re-entered into the database.

All members that the Union are aware of that had experienced this problem are now squared away and any claims that were erroneously denied have been paid. It is recommended that all members, when requesting such changes, which normally occur during the "open enrollment" period, verify with benefits after an acceptable length of time that the changes have in fact been made correctly and that their coverage is active. Contact Ms. Betty Haley in Benefits at 1-800-262-2363.

In a related matter, members are still reporting some difficulties in being reimbursed for prescription drug costs. The Union continues to find that in most cases these reimbursements are being filed incorrectly, using the BC/BS Prescription Reimbursement Claim Form. As previously reported, this form is not to be used. Reimbursements for prescription drugs will only be properly processed when filed using the standard Medical Claims Form that participants use when filing for any medical cost reimbursements.

## Christmas at SeaRiver

As the season approaches that's renowned for good cheer,  
It's time to reflect on the passing year.

We held the Ship Representative Conference without a hitch,  
Started negotiating the contract and overcame glitch after glitch.

Blue/Cross, Blue/Shield, the news was good this year,  
A rate reduction is always a cause for good cheer.

The election is over, Christmas cards are in the mail,  
As Christmas approaches things are reasonably well.

But our attention is focused on our members at sea,  
Without their support this Union couldn't be,

Our thoughts are with them whether they are at home or underway,  
Wishing them the best holiday.

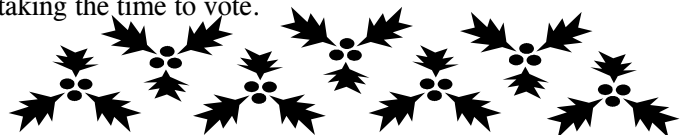
In this season of hope and good cheer, to the membership, retirees,  
and their families, Merry Christmas and Happy New Year.

## S/R Bristol Bay election underway

Ballots were mailed to all members on November 23, 2002 eligible to vote in the election to fill the Ship Representative position on the S/R Bristol Bay. This "special" election is required by the Exxon Seamen's Union Constitution and By-laws, in Article V, Section 2 and paragraph 4(A) which reads in part; "When a vacancy occurs in a Union office due to resignation or other reasons and more than one year remains of the unexpired term, the Executive Board shall call a special election to fill the vacancy...". In instances where a vacancy occurs and less than one year remains of an officers term, the Constitution and By-laws allows for the Executive Board to appoint an eligible member to fulfill the remainder of the term.

The deadline for the American Arbitration Association (AAA) to receive your ballot will be no later than 5:00 pm. January 22, 2003. The ESU office in Baytown, Texas, immediately upon notification of the results on January 23, 2003 by the AAA will announce the official outcome of the election. ESU Ship Representatives on board the vessels or either Union office can provide additional ballots.

Members vying for the Ship Representative position are James Ham, Doug O'Neil and Timothy Williams. The Executive Board extends a most sincere thank you to these three members that have selflessly volunteered their time and energies to the Union and strongly encourages all members to participate in the Unions democratic process by taking the time to vote.



The ESU News is written and edited by the Exxon Seamen's Union.

## EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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President Jerry Patterson

Vice President John Straley

Secretary/Treasurer Leo DeCastro

Recording Secretary Thomas Thompson III

Deck Trustee Patrick Campbell

Engine Trustee Chester Bell

Steward Trustee Gerard Nelson

# Sailors' Union of the Pacific/ Training Resources, Ltd. Schedule of Course Offerings for 2003

## STCW 95 Basic Safety Training

• Basic Fire Fighting	• Basic First Aid		
• Personal Survival	• Personal Safety and Social Responsibility		
Jan 6-10	Apr 7-11	Jun 23-27	Sep 22-26
Jan 27-31	Apr 21-15	Jul 14-18	Oct 6-10
Feb 10-14	May 5-9	Jul 28-Aug 1	Oct 20-24
Feb 24-28	May 19-23	Aug 11-15	Nov 3-7
Mar 10-14	Jun 9-13	Aug 25-29	Nov 17-21
Mar 24-28		Sep 8-12	

## Small Arms Training (MSC approved)

Jan 20-22	Apr 21-23	Aug 25-27	Nov 17-19
Mar 3-5	May 26-28	Sep 29-Oct 1	Dec 15-17
Mar 24-26	Jun 30-Jul 2	Nov 3-5	

## LMSR Vessel Training (MSC approved)

Jan 7-17	Apr 8-18	July 22-Aug 1	Oct 21-31
Feb 18-28	May 13-23	Aug 12-22	
Mar 11-21	June 17-27	Sep 16-26	

## Survival Craft (Lifeboatman)

Jan 21-24	Apr 22-25	Aug 19-22	Nov 18-21
Feb 25-28	Jun 3-6	Sep 30-Oct 3	Dec 16-19
Apr 1-4	Jul 29-Aug 1	Oct 28-31	

## Training Information and Enrollment

### Contacts

Rich Reed, SUP Welfare Plan Rep  
SUP Welfare Plan  
450 Harrison St., San Francisco, CA 94105  
Tel: (415) 778-5490  
Fax: (415) 778-5494  
E-mail: supwelfareplan@hotmail.com

Dave Connolly, SUP Vice President  
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450 Harrison St., San Francisco, CA 94105  
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E-mail: daveconnolly@msn.com

# Welfare Notes

## December 2002

One of the benefits for SUP retired members is the reimbursement of Medicare Part B deductions from your Social Security check. The Welfare Plan will reimburse you and the monthly amount will be deducted from your Annual Medical Allowance, and paid on your monthly SUP pension check. If you are not already signed up for this benefit, all that is needed is a copy of your Medicare Part B card. Please also be aware that if you are married and wish to make your spouse eligible for this benefit, you will need to mail a copy of her Medicare Part B card along with her date of birth.

Social Security benefits are scheduled to rise in 2003. In January most Social Security recipients will receive an increase of about \$13.00 a month. This amount equates to about a 1.4 percent increase.

Medicare Part B deductions are also scheduled to increase in 2003. Currently the deduction is \$54.00 a month. In January 2003 the deduction will increase to \$58.70 a month, an increase of \$4.70 a month or about an 8.7 percent increase.

For those members who are currently reimbursed by the SUP Welfare Plan, the new rate increase will be reflected in your pension check. Please be aware that you do not need to do any extra work, or phone the Plan Office to obtain this new increase and that the Welfare Plan is making all the necessary adjustments.

### SUP Welfare Plan

450 Harrison Street, San Francisco CA 94105

#### Telephone Numbers:

Main ..... (415) 778-5490  
Eligibility active members/dependents ..... (415) 778-5491  
SUP Money Purchase Plan, SUP 401(k) Plan,  
Pensioner Medical Benefits ..... (415) 778-5493  
Toll Free Number ..... (800) 796-8003

# Support the SUP Political Fund

## Master and chief officer stabbed by seaman

Intervention by Indian Coast Guard officers saved the lives of the master and chief officer of K Line containers ship *James River Bridge* last month after they had been allegedly stabbed by a seaman while the vessel was en route from Egypt to Singapore.

The coast guard commandant said they had received an SOS from the vessel seeking help to rescue the captain, Harmindar Singh, and chief officer, Pradeep Kumar, both Indians. They were allegedly stabbed by a Filipino seaman who, according to the master, is mentally disturbed. The Coast Guard sent a helicopter with doctors to the vessel, which was directed to approach the coast. The two seriously wounded officers were immediately rushed to a private hospital in Cochin. There were 13 Filipinos and six Indians on board.

**Editor's Note:** For those who want to receive the *West Coast Sailors* in a more timely manner, subscriptions via first-class mail are now available (one-year intervals only) for \$25 per year.

## LMSR trained



Danilo Ycoy, Brandon Koft, Phil Fernandez, Tamara Becker, Jose Calong, Inti Sternback, Troy Van Linden, Norbert Black and Brian Yost after completing LMSR training in San Diego.

## Matson implements terminal fees for containers

Effective January 12, Matson Navigation Company will charge terminal fees of \$100 per eastbound container and \$200 per westbound container.

"Terminal handling costs comprise approximately 40 percent of Matson's operating costs and today exceed \$200 million annually," said James Andrasick, president and chief executive. "In the past four years, Matson's terminal handling costs have risen over 23 percent." This drop does not include any costs associated with the shutdown of port terminals in September by Pacific Maritime Association.

Andrasick said, "This terminal handling charge will allow us to recover only a small portion of the dollar amount of moving cargo through West Coast and Hawai'i terminal facilities and will be adjusted periodically as conditions dictate."

"While we recognize that this new charge will affect some business more than others, we feel that one uniform fee for terminal handling is the most equitable overall approach to this cost issue. Matson's terminal handling costs are the same for all cargo, regardless of the size of the container or commodity moved."

Matson has no plans to implement a general rate increase in 2003, and will continue to look for way to make its terminal operations more efficient and cost effective.

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## “Man overboard” device tested by U.S. Navy

The U.S. Navy is testing a device that could speed up the recovery of sailors who fall overboard. The *USS Constellation* is one of 20 ships testing the Man Overboard Indicator, an electronic beacon attached to sailors whose jobs put them most at risk. The Navy rushed to outfit the aircraft carrier with 1,200 devices before it deployed November 2.

An airman apprentice fell off the carrier a few weeks earlier and floated in the Pacific for more than seven hours. He survived, but his rescue time could have been faster with a device like MOBI, said Chuck Collins, director of operations for BriarTek Inc., a company that developed the product for the Navy.

“It will replace the passive mode of manual detection through the exclusive use of lookouts,” Collins said in a phone interview from Alexandria, VA. When a sailor falls overboard, rescuers must rely on sight, scanning the sea for dye from a survival pack, a strobe light flash or the reflective tape on a life jacket. The MOBI system relies on technology.

Also known as Overboard Recovery Communication Apparatus, it has three components: a plastic transmitter, a data receiver and a direction finder. The transmitter, a little larger than a pager and powered by a 9-volt battery, is tucked inside a sailor’s float coat. Its beacon activates within three seconds of being submerged in salt water. A data receiver on the bridge picks up the signal and emits an alarm. Each transmitter has a unique ID, “so you can tell which sailor it is that fell off a ship,” Collins said. The signal is also picked up by the direction finder — usually on the bridge and on a recovery boat.

Collins said the Navy bought about 3,000 transmitters, spending around \$1.5 million for the systems so far. He said the eventual cost will be about \$250 per sailor. The transmitters are about \$200, the data receiver is \$2,600 and the direction finder is \$3,500. To outfit the entire fleet, the cost would be up to \$40 million, Collins said.

Out of 383,938 active-duty sailors in the Navy, seven fell overboard in the past year and three of those sailors died, according to the Naval Safety Center in Norfolk, VA., in a report in the *Virginian-Pilot* newspaper. Fatalities have remained

in single digits annually since 1995, the newspaper reported.

The George Washington, Abraham Lincoln and Constellation battle groups and ships in two amphibious ready groups are trying out the devices. One submarine, the *USS Oklahoma City*, has 30 transmitters on board.

Don Neuman, MOBI program manager at Naval Sea Systems Command, said officials will decide early next year whether to install the devices fleetwide.

Ships turn in their reports on MOBI this month. He said preliminary reports are positive, although some ships have had minor problems using the equipment.

“It could be a function of training or minor growing pains or how we installed it,” Neuman said. “Some had difficulty in using the direction finders and we believe that might have been a case of where the antennas were installed.”

Collins said the Navy initially ordered the transmitters to be both activated by fresh water and salt water. But then rain-water set off the alarms.

“There was a modification to make them all salt water-activated and there have been no inadvertent activations other than individuals playing with the transmitter and being very curious,” Collins said.

Lt. j.g. Jason Lima helped train fellow *USS Normandy* sailors on the MOBI, which he said is easy to use. The crew tested the device by strapping it to Oscar, a dummy, and tossing it overboard. Initially, Oscar didn’t cooperate. “The only real snag we had was when we first threw Oscar in the water; the activation didn’t go off because he was too buoyant and it was above water,” he said, laughing.

The crew has used MOBI during linehandling and underway replenishment operations. “If they ... allow people to be able to wear them at all times, not just special evolutions, they’ll be a lot more worthwhile. With special [operations], there are a lot more people on deck and they can see people fall overboard. [MOBI] is more worthwhile at night,” Lima said in a telephone interview from the guided missile cruiser in the Mediterranean Sea. The system has a range of two miles from a ship. Collins said search-and-rescue aircraft have found the beacon more than 20 miles away.

## MarAd rejects Israel request

The U.S. Maritime Administration on December 4, rejected a request from the government of Israel to relax its rules on shipping jet fuel on U.S.-flag tankers. “We will not take any action at this time,” MarAd said in a notice posted in the *Federal Register* about the request, which was made last summer. Israel’s Ministry of Defense purchases U.S. jet fuel under a special U.S. foreign military sales program that requires 100 percent U.S.-flag carriage. When such vessels are not available, MarAd can waive the requirement. In this case, Israel said it was concerned that qualified vessels “may not be available in 2004 and beyond, due to many U.S.-flag tankers being retired” under OPA90. Specifically the defense ministry asked MarAd to waive a provision requiring vessels to have three-years service under the U.S. flag before carrying preference cargo.

## European unions call for safety assessment in the wake of *Prestige* sinking

Representatives from major Spanish, French and Portuguese unions who met in La Coruna, Spain last week, have urged the European Union (EU) to urgently adopt a global maritime safety plan in response to the *Prestige* disaster. Union leaders adopted a resolution calling for the urgent and exhaustive evaluation of available safety plans and of port control measures and for greater transparency in the technical requirements used in ship inspections. The resolution said the EU should work towards harmonizing ship inspection conditions to guarantee the fulfillment of inspection criteria. Unions also urged the EU to bring in new regulations determining the civil responsibilities of ship owners, charterers, flag states and classification societies in relation to ships and marine disasters. They called for obligatory emergency plans for coastal areas at risk from the shipping of dangerous goods, and the gradual withdrawal of single-hulled tankers. However, there were differences of opinion over any decision to move shipping lanes further from the coastline.

## New unionization rights for workers on Senator Kennedy’s agenda

Citing new research from the General Accounting Office on the number of workers who have collective bargaining rights, Senator Edward M. Kennedy (D-MA) said recently he plans to push for legislation that would extend those rights to millions of additional workers.

About three-quarters of civilian workers in the United States currently have some form of legal right to organize and collectively bargain with their employers, according to GAO.

GAO estimated that about 103 million of the approximately 135 million people in the civilian workforce as of February 2001 had some form of collective bargaining right under federal, state, or local law. Private-sector workers are more likely to have bargaining rights than those working for federal, state, or local government entities. About 78 percent of the estimated 115 million private-sector workers have some bargaining rights, compared with 66 percent of the approximately 20 million government workers.

About 32 million civilian workers lack the legal right to organize and collectively bargain with their employers, GAO reported. It identified several large groups lacking bargaining rights, including about 8.5 million independent contractors, 5.5 million employees of small businesses, 10.2 million supervisory or managerial employees, 6.9 million government workers, 532,000 domestic workers, and 357,000 agricultural workers.

Referring to GAO’s findings on the number of workers lacking bargaining rights, Kennedy said, “It is unacceptable that so many millions of Americans are denied this basic right in their work place and a fair opportunity to obtain decent wages, health care, and other important benefits.” Kennedy vowed to do all he can to get legislation enacted in the next Congress “to protect this basic right.”

## “Lay off the Jones Act” says International Chamber of Shipping

The International Chamber of Shipping has written to its member organizations suggesting that they should refrain from discussing the Jones Act and that the issue of domestic cargoes or cabotage restrictions should not be included in the World Trade Organization agenda. Albeit the international shipping industry deplores the Jones Act, there is no realistic chance of the U.S. legislation being amended in the foreseeable future, because of America’s vehement support of the Act.

The ICS Shipping Policy Committee has concluded that, if the United States and other countries where cabotage is a politically sensitive matter are to be encouraged to be actively involved in the WTO negotiations, it is best that cabotage issues were not on the agenda.

If the Jones Act was to be the subject of WTO discussions, it is suggested that the strong U.S. interests supporting the protective legislation would block U.S. involvement in the maritime discussions at the WTO.

## Hundreds of Americans fall sick on foreign-flag cruise ships

November and December—traditionally high volume cruise months—turned out to be a time of bothersome stomach aches for many Americans on board ships operated by a number of foreign-flag cruise lines.

Over 1,000 would-be vacationers fell victim over the past several weeks to stomach viruses and other ailments they endured while on board foreign-registered cruises operated by such well-known cruise lines as Disney Cruise Line, Carnival Cruise Line and Holland America Line.

More than 500 passengers and crewmembers on Holland America Line’s *Amsterdam* were struck with a stomach virus, while some 450 passengers and crew on the Disney ship *Magic* reportedly suffered from the same virus known as Norwalk gastrointestinal virus in late November. Also, nine passengers were reportedly struck with flu-like symptoms while on board Holland America’s *Statendam*.

In early December, *USA Today* reported 200 passengers and crew suffered from gastrointestinal problems while on board the Carnival Cruise Line ship *Fascination*.

An outbreak of suspected salmonella on the Seven Seas Mariner, operated by Radisson Seven Seas Cruises was also reported.

Officials of the Center for Disease Control and Prevention said this year’s slew of outbreaks were “the worst the agency has seen in at least six years.”

Source: The American Maritime Congress  
Washington Letter

## Typhoons found to stir oceans’ nutrients

Typhoons, the violent storms that are the bane of life across much of Asia, are a boon for life at sea, where the cyclones stir up the nutrients that microscopic algae crave, researchers say.

Scientists in Taiwan and the United States recently used three NASA satellites to observe how the passage of even moderate typhoons over the South China Sea can generate upwellings of nutrient-rich water from deeper in the ocean and cause massive blooms of phytoplankton.

“It’s a natural hazard, it destroys life, but what I am showing is it also enhances life,” said Timothy Liu, a senior research scientist at the National Aeronautics and Space Administration’s Jet Propulsion Laboratory in Pasadena.

Through photosynthesis, the algae, absorb carbon dioxide from the atmosphere and convert it to oxygen, offsetting emissions of carbon dioxide from the burning of fossil fuels. The algae are also an important food source for marine life.



# Disaster exposes flag-of-convenience system

The flag-of-convenience tanker *Prestige*, which sunk last month in two miles of water north of Spain, continues to spill oil. Early speculation that the near-freezing water temperatures on the ocean floor would congeal the toxic cargo, or that her tanks might come to rest intact, proved false. A group of scientists appointed by the European Union (EU) recently determined that the wreck spews heavy fuel oil at the rate of about 125 metric tons a day or 33, 600 gallons, adding to the 10,000 spilled before she sank. Roughly 56,000 metric tons (15 million gallons) remain inside the ship's cracked tanks. The panel estimated that the *Prestige* could go on discharging her cargo for more than three years in a huge slow motion spill.

The Spanish Galician coastline, already blackened by thick sludge, is expected to withstand further devastation as new slicks emerge. Nearly 200 miles of coastline has been affected. Clean up costs, and damages to a well-developed fishing industry situated in one of the richest shellfish beds in the world will ultimately total in the hundreds of millions of dollars. Salvage efforts have so far included the use of a French submarine to patch one of a dozen leaking cracks in *Prestige's* hull in an attempt to stem the toxic tide.

The long-term efficacy of these patches is unknown. Future attempts to control the ongoing spill could include pumping the oil to barges on the surface, or enclosing the ship in a concrete cask. Unfortunately, strong currents, cold temperatures, and the high pressure of deep water make any complete salvage operation extremely risky and expensive.

The 26-year-old *Prestige* broke in two and sank on November 19th, in the Bay of Biscay, renowned for bad weather, about 200 miles northwest of Spain's Cape Finisterra. She was built in Japan in 1976, registered in the Bahamas, owned by a Liberian company operating out of Athens called Universal Maritime Services. The ship was chartered by a Swiss-based commodity trading company called Crown Resources. Crown is controlled by Mikhail Fridman, the chairman of a vast Russian financial industrial group called Alfa. As the West Coast Sailors went to press, the entity that actually owned the oil remained uncertain. The ship's captain, Apostolos Mangouras, remains in a Spanish jail with bail set at an absurdly high \$3 million.

## FLOATING TIME BOMBS

The disaster is sending shock waves through European governments and the international shipping industry. Politicians and bureaucrats, casting blame, recrimination, and votes, have speeded up implementation of two separate and pre-existing sets of tanker reform-called Erika I and II. These reforms were enacted in reaction to the eerily similar break up and spill of the Maltese-registered *Erika* in 1999 off the coast of France. Originally designed to phase out single hull vessels in European waters by 2015, the *Erika* package will now achieve that goal five years earlier. More stringent is the recent agreement of the European Union's (EU) transport ministers to impose an immediate ban on single-hulled tankers carrying heavy fuel oil, tar, bitumen and heavy crude oils from entering EU ports. 'We need to stop these floating time-bombs from sailing in our waters,' EU Transport Commissioner Loyola de Palacio was quoted as saying in a Bloomberg report. 'There's a clear will to take all necessary measures at a European and international level to stop ships which pose such an obvious risk from causing this kind of accident which has such serious consequences,' she added.

## THE LAXITY OF GARBAGE SHIP DEVELOPMENT

French President Jacques Chirac was more adamant. He called for "draconian" measures to stop substandard shipping. In particular, Chirac criticized the "inability of officials ... in particular European, to take the necessary measures to fight against the laxity that allows the development of these garbage ships. It is now urgent to take measures that are a bit draconian, serious and severe, even if they conflict with the interests of certain companies," Chirac was reported saying in the Guardian, a British news source.

In addition to the ports ban, the European Union (EU)

precise information on their cargos, destinations, owners, insurers and operators. If their documentation or safety standards are found deficient, they will be expelled. In Spain, effective on January 1, single-hulled tankers made 23 years or more ago will be banned from Spanish ports, long in advance of the EU's directive. Spain's largest petroleum transport company, which operates six such tankers, is not exempt.

Chirac and Aznar, anxious to show that the proclamation was more than toothless verbiage, have since then directed their naval warships to escort two single-hulled, flag-of-convenience tankers carrying heavy fuel oil out of their Exclusive Economic Zones (200 mile limit.) This unprecedented and untested unilateral action by port states against

flag-of-convenience shipping concerns calls into question the viability of the United Nations Convention on the Law of the Sea (UNCLOS). That critical law holds freedom of the seas as the most central of its tenets. As a result, these measures mark a potential turning point in history of maritime law.

## THE LAW OF THE SEA

The debate has raged for centuries. In 1609, Hugo Grotius, of the Netherlands, published his *Mare Liberum*, which argued for maximum freedom of the seas. In response, John Selden of England produced his "Of Right and Dominion of the Sea" which argued for the coastal state control of the

sea, sometimes called the closed sea view, or *Mare Clausum*. In the intervening 400 years, the view of Hugo Grotius has prevailed as shipowners have sought out the most permissive legal environments ensuring the greatest possible return on their investments. The entire flag-of-convenience system is based on the inalienable freedom of the seas, and the related immutable sovereignty of a flag state for hire. Consequently, despite the attempts of the United Nations to impose some kind of legal order, the system has produced shipowners fundamentally unaccountable to their transgressions since transparency of ownership is impossible under the current rules. Without even the most basic terms of accountability, shipping reform from within appears to some so unlikely that only unilateral port state reform can begin to address the imbalance.

The new French and Spanish policy has drawn howls of protest from the flag-of-convenience shipping industry and the open registry flag states that profit from it.



With her back broken, the *Prestige* is ready to go under on November 19.

also blacklisted 66 ships with poor safety and inspection records from its ports and waters. (See table on page X of blacklisted ships.) Ministers also pledged to bring forward tighter inspection standards at ports and to examine setting up a 1 billion-euro (\$1.7 billion) European compensation fund for spills unless the International Maritime Organization establishes such a fund by the end of 2003.

Despite these sweeping measures, even more drastic reforms are on the horizon. A group transport ministers within the EU is pushing for a provision that would prevent not only port calls from blacklisted ships but also the rights of their free passage through European waters up to 200 miles offshore.

While the EU debates the idea, the governments of France, Spain, and Portugal, are under considerable political pressure for their handling of this crisis, and for their perceived ineffectual attempts to prevent the next one. Protesters numbering about more than 150,000 gathered in a fishing village near the spill called Vigo, and demanded the resignations of Prime Minister Jose Maria Aznar and others for their decision to not provide *Prestige* with a port of refuge and send it back out to sea. Aznar publicly apologized in Galicia for a shortage of clean up resources, but defended his decision to deny refuge. He was pelted with eggs in his first appearance on the northern coast. In Barcelona on December 15, thousands more marched under a new political platform called "Nunca Mais" in the Galician dialect or "Never Again" in English. As more black tides desecrate beaches in France, Spain and Portugal, political pressure on those governments will undoubtedly increase.

Consequently, politicians in France and Spain are not waiting for new substandard shipping reforms to issue forth from the International Maritime Organization (IMO), or the European Union. On November 27, 2002, France and Spain issued a joint proclamation that all single-hulled tankers more than 15-years-old and that are carrying toxic materials or heavy oil products must submit themselves to inspection when passing through French and Spanish territorial waters. In addition, all such ships are now required to present



Workers begin the clean-up effort on Spanish beaches.

A recent round table of international shipping industry organizations, including the Baltic and International Maritime Council (BIMCO), the International Chamber of Shipping (ICS), the International Association of Independent Tanker Owners (INTERTANKO), issued a statement against tough policies of individual nations.

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## continued from page 12

The shipowners characterized the action of the governments of France and Spain as a "blatantly illegal" contravention of accepted international law. By ordering ships out of their 200-mile Exclusive Economic Zone, France and Spain had bypassed the accepted international vehicle for maritime regulation, the United Nations' International Maritime Organization. The shipowners associations urged the two affected flag-of-convenience flag states—the Bahamas and Malta—to seek legal redress at the International Tribunal on the Law of the Sea in Hamburg.

### "IT'S TIME TO GET AWAY FROM THAT."

Irrelevant of the concerns of shipowners, other nations with vulnerable coastlines and active environmental lobbies are recognizing the French and Spanish reaction as sensible and appropriate. Speaking to a Canadian news outlet, CBC, Canada's Minister of the Environment, David Anderson, for example, called for tough new measures. "The dilemma is, of course, that we respect the flags of other nations, and it's time to get away from that. If certain vessels of certain companies are inadequately maintained and are not safe on the seas, let's eliminate not just those vessels but the vessels of that company," he said. "If you have the problem of flags of convenience, there will be certain flags that will not be accepted in Canadian ports. It sounds hard, it is hard, it's tough, but it's time we started doing that. Not just (for) Canadian ports - we have to have an international system to make this work," he continued. Regretfully, the usual means of generating meaningful regulation of the shipping industry is disaster. To raise the public awareness of a problem, such as not having enough lifeboats for passengers and crew, it took a series of early 1900's passenger ship casualties including the Rio de Janeiro and the Empress of Ireland and culminating in the Titanic. STCW reforms began in the late 1970's only when it became unavoidable that 90% of maritime casualties were attributable to human error and yet worldwide mariner training and certification standards were non-existent. If reform will issue forth from this disaster, it will probably come from the tension of tighter regional controls that undermine the intent of international law. That could influence the IMO to pressure flag-of-convenience flag states to increase oversight of their registered ships. But the IMO is a weak cop, and flag states must be compelled by economic reasons to change.

### FAILING FLAG AND CLASS

Although the official cause of the casualty is still unknown, and some have suggested that the ship may have been holed by a submerged object, the *Prestige*, is generally thought to have split apart along the lines of a weld repair carried out in a Chinese shipyard. The hull was reportedly found to be defective 18 months ago with the result that inspectors from the ship's certifying agency, the American Bureau of Shipping (ABS), ordered major repairs. ABS, like other inspection agencies called "classification societies," is a non-profit charged with certifying the structural and system integrity of ships. Those repairs were performed in a Bahamian yard and as late as May of 2002, *Prestige* was inspected and declared seaworthy. But ABS inspectors were horribly wrong. Like the *Erika*, which was inspected only two weeks before she broke apart, the *Prestige* disaster confirms the almost total unreliability of the classification societies in terms of protecting the environment and ensuring mariner safety. How could the system of ship certification be so flawed? Answering that question may require broader analysis than inspection procedures or standards, and protection from further failure may require more than stiffer regulation such as regional double hull requirements. Recognition of the vast, underlying, systemic failures, the greatest of which is the culture of secrecy, non-compliance, and low standards of flag-of-convenience flag states, appears critical.

A ship's flag state is responsible for ensuring compliance with all applicable standards. But when a flag state uses its ship registry as a business enterprise, its ability to make disinterested decisions on safety is fundamentally compromised. As shipowners deserted their national flags in favor of low cost flag-of-convenience registries, more and more of the regulatory burden was shifted to the classification societies. But *Erika* proved and *Prestige* confirmed that the class societies were poor watchdogs for two reasons. First, although the class societies are usually non-profits, their primary source of revenue is the shipowners whose ships they are in-

specting, creating an essential conflict of interest. Secondly, even though a ship meets certain technical criteria, that fact does not guarantee safety or reliability. Safety, as measured by comparative risk, is a comprehensive concept. Therefore, its regulation should include all aspects of ship operations, including those not typically covered by the class societies such as crew training and certification.

Without real regulatory oversight by the flag states

ultimately responsible for the ships, market forces favor the lowest possible standards and hence the greatest possible risk. The *Prestige* was successfully evacuated before she went down. But flag-of-convenience ships routinely kill and endanger thousands of seamen each year. Those that survive live in oppression. Until the rotten flag-of-convenience system is abolished, the human and environmental tragedies exemplified by the *Prestige* are likely to continue.

## ITF and environmental groups call on the UN to end flag-of-convenience system

In the wake of the sinking of the Bahamas flag-of-convenience tanker *Prestige* off the Spanish coast last month, the International Transport Workers' Federation (ITF), Greenpeace and the World Wildlife Fund have written to United Nations Secretary-General Kofi Annan appealing for a fundamental change in the way global shipping is operated and regulated.

The full text of the letter dated November 25, follows:

"Mr. Kofi Annan

Secretary General

United Nations

New York, New York 10017

Dear Secretary General:

*The Prestige is the latest in a long line of accidents involving oil tankers. It does not just present a grave risk to the marine environment, but is also a symptom of much deeper problems. There is a weekly litany of losses of other types of ships that sadly do not attract the same kind of media attention, even though the seafarers on board have died needlessly. Unless the root causes of the problem are addressed substandard ships will continue to sink, threatening lives, the marine and coastal environment, and the economies of affected communities.*

*Greenpeace, the ITF and WWF believe that the only way to tackle this situation is by making urgent and fundamental changes to the way that global shipping is operated and regulated. We are calling for concerted action to eliminate sub-standard shipping and practices. Action that requires that the shipping industry becomes more transparent and accountable, that regulations are made adequate - and, crucially, are enforced - and that attention is paid to protecting particularly vulnerable marine and coastal areas.*

*Sub-standard ships and shipping practices create a higher than normal risk of serious accidents. Current arrangements can make it almost impossible to identify the real owners of vessels and hold them accountable for the way they maintain and operate their ships, as well as allowing irresponsible industry practices to continue. It is essential that the details of ownership and management of ships be fully transparent and that effective liability arrangements are put in place to ensure that the guilty parties are held responsible for the consequences of poor standards and practices.*

*The current approach to setting international standards for shipping has tended to be reactive, ponderous and based on industry-driven compromises - the long time scales for phasing-out old tankers and improving the safety of bulk carriers are obvious examples.*

*Even where rules have been agreed internationally, there is a problem in ensuring compliance. Enforcement of shipping regulations relies largely on the actions of flag States, which bear the ultimate responsibility for the safety of the ship and the lives of the seafarers on it. Many flag States take these responsibilities seriously, but there are some - often referred to as flags of convenience (FOCs) - who profit from allowing foreign ship operators to register vessels in their nation's name but fail to effectively monitor and oversee the ships which fly their flag. The FOC system turns ship registration into a business and allows a competitive advantage that encourages sub-standard shipping practices. Article 91 of the United Nations Convention of the Law of the Sea (UNCLOS) establishes that there must be a "genuine link" between the ship and the flag it flies and this needs to be enforced. International law states that a ship has the nationality of the flag it flies, and this has serious consequences for the crew who live and work on it, not just as regards civil and criminal jurisdiction, but also for the protection of their human and trade union rights.*

*A new global agreement is required which eliminates the FOC system and ensures that flag States meet their responsibilities, which are clearly established under applicable international law, and are made accountable for the enforcement of internationally agreed regulations.*

*Even if only quality ships were carrying dangerous and toxic materials - of which oil is only one example - there is a risk of an accident leading to marine pollution. It is also important to identify those marine and coastal areas that are especially at risk from such incidents, for example as Particularly Sensitive Sea Areas of which only five have been designated since 1991. It is necessary to strictly regulate shipping in these areas, and, as permitted under international law and the provisions related to the freedom of innocent passage, exclude the transport of highly polluting substances through them.*

*Article 94 of UNCLOS sets out the duties of a flag State and requires that all flag States shall effectively exercise jurisdiction and control over administrative, technical, social and labour matters over ships flying its flag and in doing so flag States are required to conform to generally accepted international regulations, procedures and practices and to take any steps which may be necessary to secure their observance. There is also a need, while flag States do not meet their obligations under international law for a further enhancement of the port State control regime. It being understood that port State control is not and never can be a substitute for effective flag State control.*

*Shipping is the motor of world trade and the globalised economy. The United Nations in its Millennium Declaration (A/55/L.2) says:*

*"We believe that the central challenge we face today is to ensure that globalization becomes a positive force for all the world's people," (paragraph 5)*

*Central to this must be responding to the demands of civil society and ensuring that the shipping industry is run on a rational and sustainable basis. There is an urgent need to bring about a fundamental change in the way it is operated and regulated.*

*This will require a concerted multi-agency approach involving all the international agencies with competence in ocean and seas issues. This will include the International Maritime Organization (IMO), which tends to focus on technical solutions; and the International Labour Organisation (ILO) which addresses the social and labour aspects. It would also require that the United Nations Department Of Ocean Affairs and the Law of the Sea be invited to revise the United Nations Convention on Conditions for Registration of Ships (1986), which has not entered into force.*

*However, in order to ensure that this serious situation is addressed we would request that you take a leadership role and convene a special task force to address these problems in a co-ordinated manner, which would bring the synergies of the competent international agencies and concerned regional bodies to bear on the matter. We would suggest that this process would be facilitated if it was inclusive and also provided for multi-stakeholder participation.*

*We look forward to hearing from you.*

*Yours sincerely,*

*Mr. Lasse Gustavsson, Deputy Political and Science Division Director, Greenpeace International*

*Mr. David Cockroft, General Secretary, International Transport Workers' Federation*

*Dr. Sian Pullen, Head of WWF Delegation at IMO, On behalf of Dr. Simon Cripps, Director, WWF International Marine Programme"*



# SUP President's Report

December 9, 2002

## LONGSHORE UPDATE

The International Longshore and Warehouse Union and the Pacific Maritime Association reached agreement on a new contract on November 23.

The ILWU's Longshore Division will caucus in San Francisco beginning on December 9 to review the tentative pact. Depending on the recommendation of the caucus, the agreement will be submitted to the membership for ratification.

## PATRIOT CONTRACT SERVICES

### WAR RISK BONUSES

Given the volatile situation of the Persian Gulf region and for that matter around the world, the SUP and MFOW petitioned Patriot on November 19 under the provisions of the LMSR collective bargaining agreement for any added remuneration and/or bonuses due to the war risk. The decision on bonuses, etc., will ultimately be decided by the President as it was in the Gulf War twelve years ago. In addition, the Unions have requested Patriot to investigate whether MSC is awarding bonuses for transiting hazardous water to mariners employed in its "in house" fleet. Patriot is in the process of making those inquiries.

### LMSR PROTEST

As reported in August, Patriot Contract Services, a division of American Ship Management, filed a protest with the General Accounting Office (GAO) regarding an award by the Military Sealift Command of eight prepositioned Large Medium Speed Roll-on/Roll off (LMSR) vessels to Maersk Line, Ltd.

Patriot informed the SUP shortly after the protest was filed that it was contemplating suing MSC over the award. The Union was notified this month that the company will not sue but will focus on "other opportunities with MSC, other government agencies and commercial interests."

The GAO has not yet responded to Patriot's protest.

## MATSON NAVIGATION COMPANY

### ONE-MAN WATCH PROPOSAL

After bargaining with Matson concluded on June 30, the company proposed the implementation of a one-man watch system aboard all vessels similar to the one in effect in American Ship Management vessels. In exchange, Matson proposed to, in effect, guarantee maintenance overtime on a daily basis to watchstanders and dayworkers with a proviso that the decision to turn-to for this kind of work be left to the individual sailor. (The proposal was covered in full in the July *West Coast Sailors*.)

The SUP Negotiating Committee thought the proposal had merit because it would—for the first time—change the nature of this type of overtime which historically has always been at the discretion of the company. However, the Negotiating Committee concluded that further membership discussion was necessary and recommended that the proposal be discussed at the coastwise Union meetings in July and August and that a vote be taken to authorize further bargaining.

On a coastwise basis, the membership approved the general concept of continuing to bargain on the proposal, but were almost evenly split on the proposal itself. Your secretary received communications from all Matson vessels which were overwhelmingly opposed to the one-man watch system unless the company—at minimum—agreed to compensate watchstanders on the weekend at the overtime rate.

Last month, met with members of the Negotiating Committee (Sonny Cooper, Romaine Dudley, Trev Motlow) who concurred with your Secretary's recommendation that given the input of the membership that the status-quo on all Matson vessels should be maintained but that the Union was willing to meet with the

company to discuss the proposal for new construction (*m/v Manukai*-class). The position of the Committee was sent on November 29 to Captain Gary Fleegeer, Senior Manager for Vessel Operators.

On December 4, Captain Fleegeer responded by stating that it was the company's position that it wanted the one-man watch system implemented in all company vessels and that "there is absolutely no way we will ever consider compensating the watchstanders on the weekend."

Therefore, there is no reason to continue bargaining as the issue is effectively dead for the term of the current agreement.

### PASSPORT REQUIREMENT

All hands are again reminded that as a result of bargaining with Matson, effective January 1, 2003, it shall be a condition of employment on all vessels that a crew member possess a valid passport. If there are special circumstances that prevent the U.S. State Department from issuing a passport, he may still be employed aboard domestic vessels upon the mutual agreement of the Company and the Union.

Provided that receipts are provided to the Company, crew members employed in Company vessels engaged in foreign trade shall be reimbursed for the cost of obtaining a Visa for China or other countries that require a Visa. Such reimbursement shall not be made to the same crew member more than one time a year.

In addition effective January 1, 2003, Supplemental Benefits shall increase from 14 to 15 days per month.

## SEAFARER'S RIGHTS: SHORE LEAVE

Since the terrorist attacks of September 11, 2001, and subsequent attacks that have followed, mariners worldwide have been increasingly restricted to their vessels in foreign ports and denied shore leave.

In response to this threat to human rights of all mariners, including Americans, the SUP, MFOW, SIU-AGLIWD, MM&P, MEBA and AMO sent the following letter to the U.S. Coast Guard in preparation for an International Maritime Organization meeting on the subject scheduled for London next month.

November 14, 2002

Rear Admiral Paul J. Pluta  
Assistant Commandant  
Marine Safety, Security and Environmental Protection  
United States Coast Guard  
2100 Second Street SW  
Washington, DC 20593

Dear Admiral Pluta:

We are writing to express our concern that some of the provisions contained in the proposed amendments to Chapter XI-2 of the IMO SOLAS Convention and the associated International Ship and Port Facility Security (ISPS) Code may infringe upon the rights of seafarers. We are asking for your help to ensure that the provisions adopted by the IMO Maritime Safety Committee are fully compatible with international human rights instruments.

We are particularly concerned that the proposed text does not include any provision relating to shore leave for merchant mariners. It raises the presumption that, until proven otherwise, seafarers are at best a risk and at worst criminals. This is not only wrong and insulting, but is completely unacceptable and needs to be addressed through a more equitable balance between the legitimate security issues addressed by the Code and the human rights and human dignity of seafarers. The fact that seafarers live and work on the vessel cannot be stressed enough.

At the same time, we have studied the submission of

the ICFTU and fully support its contents and its proposed amendments to Chapter XI-2 and the associated ISPS Code, including the draft Conference Resolution on the Human Element Related Aspects and Shore Leave for Seafarers. We urge our Government's representatives to the IMO meetings to actively support the ICFTU proposals and to ensure that the interests of seafarers are fully taken into account.

Seafarers work and live on ships involved in international trade, often for over six months at a time. Shore leave is one of the most time honored maritime customs and is undoubtedly one of the elements vital to the well being of seafarers, in terms of their living and working conditions. In fact shore leave is expressly provided for in the IMO Convention on Facilitation of International Maritime Traffic (1965). Nevertheless, shore leave is under threat, both in law and in practice, and the growing problems many seafarers now face while their vessel is in port in certain countries has been widely reported. Not only are seafarers being denied shore leave and therefore access to shore based welfare facilities, but also there are also frequent instances of armed security guards being posted to ensure that seafarers do not leave their vessel.

As we said, we believe this issue should be addressed in the new Chapter XI-2 of the SOLAS Convention and the associated ISPS Code. We believe that as a condition for approval, a port facility security plan should expressly allow seafarers shore leave at security level 1 and should facilitate the transfer of crewmembers to and from a vessel. We urge our Government's representatives to the IMO meetings to sponsor and actively support the inclusion of such a provision in the final text.

We would appreciate confirmation that our Government will act to protect the human rights and the basic human dignity of seafarers at the forthcoming IMO meetings beginning on December 2, 2002. We stand ready to discuss this issue with you in more detail at your earliest convenience. Thank you for your consideration of our views.

Sincerely,

Captain Timothy A. Brown, President, International Organization of Master, Mates & Pilots Ron Davis, President, Marine Engineers' Beneficial Association Henry Disley, President/Secretary Treasurer, Marine Firemen's Union Gunnar Lundeberg, President/Secretary Treasurer, Sailors' Union of the Pacific Michael R. McKay, President American Maritime Officers Michael Sacco, President Seafarers International Union

## BOSUN'S STAMP COMMITTEE

In the 2001-2002 election of officers and referenda on amendments to the SUP Constitution and Shipping Rules, the membership passed a proposition that stated:

**"Are you in favor of forming a committee of rank-and-file members from each port to study the issue of re-qualification for bosun's stamps for the purpose of making a recommendation to the membership?"**

At the coastwise meetings in February of this year, it was recommended by your secretary and approved by the membership to elect a committee in early 2003.

Therefore recommend that the Bosun's Stamp Committee be elected at the February 2003 Headquarters and Branch meetings in Seattle, Wilmington, and Honolulu (one at each port). Once constituted, the Committee will meet at Headquarters on February 24, 2003.

In the two-month period prior to the committee's election, urge all hands who are interested in this issue to submit proposals in writing to this office which will then be reviewed by the Committee.

Any recommendations of the Bosun's Stamp Committee will be forwarded to the Committee on Constitution which will be elected in June. The Committee on



## SUP President's Report cont'd

Constitution will review specific proposals made to amend the Shipping Rules regarding bosuns which will be subject to membership approval at the coastwise meetings before going on the 2003-2004 ballot.

### HOLIDAYS

All SUP halls will be closed on Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

Christmas Day and New Year's Day are holidays under all SUP collective bargaining agreements.

Christmas Eve (Tuesday, December 24) and New Year's Eve (Tuesday, December 31) are ILWU holidays and, therefore, are recognized holidays for SUP members working under the American Ship Management and Matson Naviga-

tion Company shoreside maintenance agreements on the West Coast and in ASM and Matson vessels in West Coast ports on those dates.

Christmas Eve and New Year's Eve are also holidays for the run boat crews, the dock bosun and the dispatchers employed by the San Francisco Bar Pilots.

Next month SUP halls will be closed on January 20 in observance of Martin Luther King, Jr.'s birthday, a holiday under all agreements except those with Chevron and Foss. Due to the holiday Branch meetings will be held on Tuesday, January 21, 2003.

### ACTION TAKEN

M/S to accept the balance of the President's report. Carried unanimously.

*Gunnar Lundeberg*

## Vice President's Report

December 2002

### Ships Checked

During the vacation of San Francisco Business Agent Bill Berger, I made the *Mokihana* in Oakland. Clarification on black gang jurisdiction. Delegate Chris Bright and Bosun Frank Portanier have things well in hand. Also made the *Kauai* and the *Matsonia* and found them generally in good shape. There is a pattern of storing shortages on the *Kauai* that, along with the MFOW, we have taken up with the company. Also made the *Chevron Colorado* at the Long Wharf. Delegate Dave McKeithon, Bosun Nick Hoogendam.

### The Fighting Sailor

On the SUP website at [www.sailors.org](http://www.sailors.org) you can hear Harry Lundeberg talk about basic dignity and respect for the seafaring class. Speaking at the dedication at Marine Cooks and Stewards hall in San Francisco in 1956, he said: Not long ago, "the man that goes to sea for a living was paid the big sum of forty dollars a month, and if you were lucky you got fifty, in some of the intercoastal ships you got thirty-two fifty a month... And if you squawked, they fired you. If you carried a union button, you couldn't get a job on the ship. They had their fink halls, up and down the coast, east and west and south, where you gotta go in like a crumb, with your cap in your hand, just like a dog to get the lousy job for thirty-two dollars a month. That was the conditions the shipowners gave us when we were not strong!" Recalling more recent negotiations, Lundeberg said the last time "we sat down with the shipowners it took us about a half an hour" [to reach agreement]. "Now I can remember the day, and it wasn't that long ago... when we were on strike on this coast for 101 days for 10 dollar bill. Now, maybe," he summarized, "the shipowners are respecting us... We don't ask for charity, we ask for recognition and respect and we got it. We might have taken the hard way but we got it."

Although today we are far, far beyond the tyranny suffered by those who sailed with Harry and before, the Union is just as restless, just as determined, and still stares down the challenges to basic dignity of seamen on ships. We're fighting for topside recognition of unlicensed professionalism, for employer recognition of the value of our contribution, and for fair and democratic principles on the job. We're for maintaining and developing skill in seamanship, for continued Union control of the hiring process, and for understanding of the unique conditions of the seagoing life. We're for real representation. We want a national maritime policy that benefits not hinders the growth of the U.S. merchant marine. We want regulation that doesn't discourage young people from choosing to go to sea for a living. We're fighting against the scourge of flag-of-convenience shipping and the oppression of seamen of other countries. We demand that foreign companies and their domestic proxies respect and abide by U.S. maritime laws. We're fighting for our jurisdiction, for war bonuses, for shore leave, for total adherence to both the letter and intent of our contracts. We're fighting for decent wages, improved benefits, and a complete and safe retirement. These battles are the responsibility of every official, every delegate, and every member—and the organization will never rest until we get them all.

Happy holidays to all at sea and ashore.

*Dave Connolly*

## San Francisco Business Agent

December 9, 2002

**Kauai**— Richard Cahill, delegate: Hawai'i run. No disputes.

**Lurline**— Carl Ziegler, delegate: No disputes. First time in Oakland for a long time. Going back on L.A. run.

**Mahimahi**— John Gabourel, delegate: Voyage pay off. No disputes. Paid at anchor; San Francisco Bay for four days.

**Manoa**— Robert Greene, delegate: Don Bohle, bosun: Voyage pay off; no disputes.

**Manulani**— Ian McLeod, delegate: Island run. Had food problems last trip. An improvement this trip; gang happy.

**Matsonia**— Jim Clay, delegate: No disputes; Hawai'i run.

**Maui**— John Hamman, delegate: No disputes. Questions on loading stew voyage stores.

**Moku Pahu**— Ron Reed, delegate: Sugar ship; going to Portland to load grain for Indonesia.

**R.J. Pfeiffer**— Keith Miller, delegate: Hawai'i run; few clarifications.

**President Polk**— Eric Hands, delegate: Voyage pay off. No disputes.

**President Truman**— Marvin Glasgow, delegate; Trev Motlow bosun: Voyage pay off, no disputes.

**President Wilson**— Gil Wilson, delegate: Voyage pay off. Paid disputed time for restriction to ship in L.A. harbor.

Wishing all hands a Merry Christmas and a Happy New Year!

*Bill Berger*



AB Lee Crandley and bosun Nick Hoogendam at the gangway of the *Chevron Colorado*.



AB Kingsley Baidoo operating the stores cherry picker on the Richmond Long Wharf.



Left to right: OS Casey Russell, delegate AB Dave McKeithon, OS Juan Gonzalez, Messman Rocky Orpiano, and Steward Steve Jones.

## All in a day's work aboard the *Chevron Colorado*

## CSX Lines sold to Carlyle Group

CSX Corporation announced on December 17, that it has reached an agreement to sell its domestic shipping company, CSX Lines, to private equity firm Carlyle Group for \$300 million in cash and securities.

Carlyle, the politically-connected turnaround firm, says it will acquire a majority stake in CSX Lines for \$240 million in cash and \$60 million of securities issued by the venture.

CSX Lines is the nation's largest ocean transport company, with 17 U.S. flag vessels, providing ocean transportation and logistics services to and from the continental United States, Alaska, Hawaii, Guam, and Puerto Rico.

The carrier will be renamed Horizon Lines LLC. The transaction is expected to close in the first quarter of 2003 pending regulatory approval. Carlyle Group is a global private equity firm with more than \$13.9 billion under management. The company's directors and advisors include a virtual of who's who of former government officials including former President George Bush Sr., former

British Prime Minister John Major, and former Secretary of State James Baker. IBM Chairman Louis Gerstner Jr. is slated to become chairman of Carlyle on January 7, replacing former Secretary of Defense Frank Carlucci.

# SUP Branch Reports

## Seattle

November 18, 2002

Shipped during the period: 1 Boatswain to an A-card; 7 Able Seamen berths filled by 1 A and 1 A to a return, 3 B cards to steady's and 1 B card to a relief, and 1 C-card to USNS ship. 16 standby's filled by 7 A-cards and 9 B-members.

Registration: 5 A cards for a total of 26; 11 B cards for a total of 38; 5 C cards for a total of 14.

### Ships checked

APL Thailand, APL Singapore little or no beefs, Maui and Kauai in twice and running smooth. Effects of the PMA lock-out are still in evidence as the Northwest ships remain out of schedule up here but the situation should change back to normal soon.

On Sunday, November 17, Mike Carr and I rented a truck and with the help of the membership, we moved the hiring hall to it's new location at 2414 S.W. Andover St. Suite F-105 Seattle Wa. 98106. Particular thanks goes to Norm Christianson who as "Number One Bosun" made it all happen. Brett and Vince Christianson, Gregg Schauff, Ray Ramirez, Chris Rogers and Steve Petritz all get a big tip of the "Stetson". Robert Jones has been the "wood-butcher" on this moving voyage and has done an excellent job for all of us.

I attended the King County Labor Council meeting and the Puget Sound Maritime Trades meeting.

The SUP was present at an "Operation Safe Commerce" meeting where we presented a strong case for using U.S. Mariners to help combat possible terrorist threats on ships and around waterfront facilities.

The Christmas party will be here at the new hall and we welcome all who care to join us.

Happy Holidays to everyone from Seattle.

Vince O'Halloran  
Branch Agent

### New pensioner

One SUP member has joined the rank of pensioner bringing the total number of SUP members now receiving a pension to 958:

Eugene Horden, 76, Book No. 5767, joined SUP in 1955, 36 years of seetime.

## New Address

### Seattle Branch

2414 S.W. Andover St.  
Building F, Suite 105  
Seattle WA 98106

Tel: 206 467-7944  
Fax: 206 467-8119

## Wilmington

November 18, 2002

Shipped during the period: 4 bosuns, 24 ABs, 2 AB maint., 1 OS and 43 standby for a total of 74 jobs shipped.

Registration: 53 A members, 29 B members, 10 C members and 5 D registrants.

### Ships checked

Chief Gadao, John Kerlin delegate; President Kennedy, R.J. Pfeiffer, Keith Miller delegate; President Adams, Mokihana, Lihue, Joe Marusak delegate; Mahimahi, Lurline, Carl Ziegeler delegate; President Polk and APL Philippines.

On October 21, I attended the L.A. County Federation of Labor meeting with Steve Callahan. On October 23, both Steve Callahan and I walked with the nurses of Long Beach Memorial for their one-day strike. The nurses just want the basics: safe staffing and pension benefits.

On October 28, ASM paid the restricted to ship beef on the President Wilson. Thanks to a concerted effort by Headquarters, Bill Berger, Steve Callahan and Tony Poplawski of MFOV, we sent a clear message to ASM to honor the contract. MM&P, MEBA and SIU were also 100 percent with us on this one. Every man on the ship was paid his due.

November 6, I attended an Agents' lunch at Ante's in San Pedro, something we have been doing once a month to get to know the other maritime Union's agents and patrolmen. It has paid off. On the President Wilson, all five Unions were represented to talk with the captain about the restricted to ship issue when the ship tied up.

The Veteran's Memorial Committee met on November 4 and 12, with two different contractors who bid to refurbish the existing memorial. On the 12th, we selected one and the work should start soon. By Maritime Day 2003, the old and new memorial should be ready for dedication. By the way, we are only \$600 away from our pledge of \$25,000 for the new Wall of Honor.

On November 8, I attended the MTD Executive Board meeting. November 14, I went to our monthly lunch meeting at the Westcoast Long Beach Hotel. Brothers Tom Larkin and Tony Figueroa joined me to represent the SUP. We heard a very informative and concise speech regarding maritime issues by Al Camelio, MEBA Agent. In addition, we heard another fine talk with ILWU Local 13 Business Agent Ole. The crowd appreciated both speeches. On November 14, I joined the CNA for another one-day strike at Long Beach Memorial.

We have a clarifications of "trips off" from Headquarters. If you take an emergency trip off, that counts for your mandatory trip off. However, if you take your trip off, you can still be eligible for a bona fide emergency trip off later.

I would like to take this opportunity to congratulate the men who got their AB ticket this past year: Jose Alvez, Kianoosh Barkhordar, Paul Farillas, Randy Valdez, Brian Masters, Larry Gately, Cordel Bendeck, Robert Bradley, Steve Hudson and Brent Fitzgerald.

Condolences to the family of Dean Gille. Dean helped a lot of sailors while he was in office. Duane Nash and gang honored his wishes and dispersed his ashes from the deck of the Chief Gadao.

Please always remember — take time to put safety first. Happy Holidays and Happy New Year.

Mark Hurley, Branch Agent

## Honolulu

November 18, 2002

During the month of October, dispatched following: 1 bosun relief, 1 bosun return, 8 ABs, 1 AB relief, 2 O.S. and 1 O.S. return. These jobs filled by: 7 A members, 6 B members and 3 C members. Also shipped 9 standbys jobs filled by: 3 B members, 5 C members, 1 D registrant. Total jobs shipped: 25.

During the month of October, registered the following: 3 A members, 10 B members, 6 C members and 2 D registrants. To this date now have registered: 5 A members, 11 B members, 7 C members, 6 D registrants for a total of 29 registered.

### Ships checked

Maui, Lurline, Chief Gadao, Matsonia, Kauai, Ewa, R.J. Pfeiffer, Manulani and Lihue. All with few or no problems. Paint and rigging gang running smoothly with George Lua as bosun.

On November 9, manned the Hawaii Ports Council booth during the Honolulu Harbor Festival at Aloha Tower. This event draws public awareness to the importance of the maritime industry to the state of Hawai'i. The port council booth passed out informative pamphlets on the importance of the Jones and Passenger Services Acts.

On November 20, attended the monthly Hawai'i Ports Council meeting. Commiserated over the Republican Gubernatorial win here in Hawaii. On November 25, sent Jon Rose as SUP delegate to the Hawaii AFL-CIO Convention where Matt Matsunaga was nominated as labors choice to run for the District Two Congressional District shot. On this same day former San Francisco patrolman Kaj Kristensen was in town and together we made the Paint & Rigging gang, Matson vessels Kauai and Lurline, and then to the hall. A busman's holiday for Kaj; the members were pleasantly surprised.

On November 30, Ed Case won the special election to fill out Patsy Minks unexpired term. This guy is maritime labor's worst nightmare. As a state legislator, he continually introduced and supported bills trying to repeal the Jones and Passenger Service Acts. He won with only a 13 percent registered voter turnout. On the January 4 election, we're going to increase turnout and elect Matt Matsunaga.

Sad to report good friend and union Brother Sammy Yates died November 6. Will miss his stand up attitude. He was SUP old school. Ashes to be put aboard Kauai; Smooth Sailing Sammy!

The Honolulu membership wishes all our Brothers and Sisters a Mele Kalikimaka and Hauoli Makahika. (Merry Christmas and Happy New Year).

Mike Duvall  
Branch Agent

## Norfolk Office

November 2002

In the month of November, I shipped 2 ABs, taken by 2 C members. The rest of any turnovers were forward out to Headquarters, as all my sailors are either out to sea or working on ROS ships. They were distributed up and down the coast to help get our new graduates to work.

On Thanksgiving week, I made my quarterly visit to our ships in the Gulf. USNS Brittin in Avondale is well; bosun Rudy Musgrove did a fine job as the captain and chief mate had all good things to say.

On the USNS Pililaau bosun Allen White has things in control and there were a few minor problems. I met with the captain and hopefully they were resolved.

A word to the wise, we all think of New Orleans as the "Big Easy." In the last three months, four crew members made the bucket. Spending the night or two or three in the tank. Please think, take a cab. The two ships in Baltimore all is well and no problems. All four ships in the Norfolk area are in good shape with good gangs.

The Bob Hope is due back soon for another load as to and where is being kept under wraps. The Fisher is east bound via Honolulu. I will update when I know more. Soon the holidays will be upon us. From me and the Norfolk gang, Happy Holidays.

Jack Stasko  
SUP Representative

## Dispatcher's Report

Headquarters—Dec. 2002

<b>Deck</b>	
Bosun .....	5
Carpenter .....	0
MM .....	1
AB .....	18
OS .....	4
Standby .....	28
<b>Total Deck Jobs Shipped .....</b>	<b>56</b>
<b>Total Deck B, C, D Shipped .....</b>	<b>16</b>
<b>Engine/Steward</b>	
QMED .....	0
Pumpman .....	0
Oiler .....	0
Wiper .....	0
Steward .....	0
Cook .....	0
Messman .....	0
<b>Total E&amp;S Jobs Shipped .....</b>	<b>0</b>
<b>Total E&amp;S B, C, D Shipped .....</b>	<b>0</b>
<b>Total Jobs Shipped - All Depts. ....</b>	<b>56</b>
<b>Total B, C, D Shipped-All Depts. ..</b>	<b>16</b>
<b>Total Registered "A" .....</b>	<b>74</b>
<b>Total Registered "B" .....</b>	<b>67</b>
<b>Total Registered "C" .....</b>	<b>10</b>
<b>Total Registered "D" .....</b>	<b>11</b>

## Record of SUP Shipping November 2002

	Hdq's .....	Seattle .....	Wilm .....	Hono .....	Total
Bosun .....	5	0	6	1	12
Maint. Man .....	1	0	0	0	1
A.B. Dayworker .	0	0	4	0	4
A.B .	18	10	19	6	53
O.S. ....	4	2	0	0	6
Standby .....	28	10	40	31	109
<b>TOTALS .....</b>	<b>56</b>	<b>22</b>	<b>69</b>	<b>38</b>	<b>185</b>