



West Coast Sailors

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Friday, May 23, 2003

New Maritime Security Program passes House Armed Services Committee

Legislation would expand number of ships, but dilute U.S. citizenship requirements

Legislation that would establish a new and expanded ten-year Maritime Security Program (MSP) advanced quickly in Congress, as the House Armed Services Committee on May 14, without discussion or debate, passed the measure as part of the Fiscal Year 2004 National defense Authorization Act (H.R. 1588).

Entitled the "Maritime Security Act of 2003" the new legislation would expand the number of ships in the program from 47 to 60, increases payments to ship operators from \$2.1 million to \$2.6 million per vessel per year and would go into effect on October 1, 2005 after the current MSP expires on September 30 of that year.

Of the thirteen new "slots" in the new program, five would be initially reserved for double-hulled product tankers. To be eligible, the product tanker must be owned and operated by Section 2 U.S. citizens (as defined by the Shipping Act of 1916); must be between 40,000-60,000 dwt; and must be ten years of age or less. The company applying for an operating agreement for a product tanker under this provision could operate a reflagged or

existing U.S.-flag product tanker that meets these eligibility requirements. In addition, the company must enter into a contract within nine months from the effective date of the new program to build a double-hulled product tanker of similar size in a United States shipyard. The contract must stipulate that the vessel will be delivered within four years from the date of contract.

To assist in the domestic construction of product tankers as called for in the new program, the proposal authorizes a "construction assistance" payment of \$50 million or 75 percent of the differential between U.S. and foreign construction (whichever is less) for each of the five product tankers. Appropriations for the shipbuilding component of the new program would be separate and apart from the appropriations for the Maritime Security Program itself. In addition, the proposal would give a clear priority under the Title XI program to product tankers that are otherwise eligible for Title XI.

The additional eight new "slots" would be authorized for vessels as selected by the Departments of Transportation and Defense and would be awarded first to vessels owned and operated by a Section 2 U.S. citizen, and secondly, to vessels owned by a documentation citizen and operated by a Section 2 U.S. citizen.

Forty-seven of the "slots" would be initially reserved (grandfathered) for the vessels participating in the current Maritime Security Program as of September 30, 2005. Vessels (other than product tankers) which are older than 15 years of age as of the effective date of the new program can participate in the new program but must be replaced by a vessel that is 15 years of age or younger within 30 months from the effective date of the new program.

New MSP *continued on page 3*

Matson finally commits to owning and operating Manukai-class ships

After successfully using every duplicitous scheme it could concoct to extort concessions out its seagoing Unions, Matson Navigation Company issued a press release on May 20 stating that it will "own and operate" the two *Manukai*-class vessels currently under construction at Kvaerner Philadelphia Shipyard. The vessels will operate in the Hawai'i trade.

The announcement came a day after the Sailors' Union completed the process of ratifying new collective bargaining agreements with the company covering vessels currently in the Matson fleet and the *Manukai*-class ships. Details of the agreements are covered in the President's Report on page 9.

The company broadside came almost three months after the subsidiary of Honolulu-based Alexander & Baldwin declared on February 28, that "rising la-

bor costs had driven the operating cost model for the new ships to a level that made the investment uneconomic." Matson added that it would seek other buyers for the Kvaerner ships and then "pursue the option of time chartering the vessels, which provides several lower crewing alternatives."

The SUP and MFOW resisted bargaining with this avaricious outfit, but were forced into negotiations after legal challenges failed, the licensed unions agreed to significant concession which only emboldened the company, and credible evidence emerged confirming that Matson was prepared to go forward with its egregious scheme.

If Matson had been successful in busting its current Unions by "outsourcing" the Kvaerner ships, it would have marked the beginning of the end for the SUP, MFOW and the other Unions with contracts with the

company.

The process to retain the work with Matson can only be characterized as rotten. However, the work ultimately was retained.

Company President and CEO James Andrasick stated: "Matson is very pleased that we have been able to reach agreements with all but one of our current offshore unions that will allow us to achieve most of the cost savings that are vital to this project. We are hopeful that a mutually satisfactory agreement can be reached with that remaining union, which presently provides one crew member aboard each ship that Matson owns and operates."

The Union Andrasick refers to is the American Radio Association. Since 2001 Matson has said that it will not employ a radio operator in the *Manukai*-class ships. The ARA agreement with the company expires on December 31, 2003.

President Bush's Maritime Day proclamation

Today, as in the past, America depends on our maritime services to help ensure our security, promote our prosperity, and advance the universal hope of freedom. We honor the service and proud history of our merchant mariners and also recognize their important contributions in strengthening our economy.

For generations, merchant marines and commercial sailors have assisted in the defense of our Nation. Most recently, more than 5,000 merchant mariners supported Operations Enduring Freedom and Iraqi Freedom by serving aboard 157 ships moving essential supplies to our troops. As they continue to support our troops in the ongoing war on terror, their mission continues to be dangerous and difficult, and remains vital to our efforts to defend the peace.

We also remember the vital role the Merchant Marine has played in past conflicts. More than 6,000 merchant mariners lost their lives during World War II, and more than 700 U.S. merchant ships

were lost. Even before the United States declared war, merchant mariners were making perilous runs to Europe with desperately needed supplies. President Franklin Roosevelt, the first President to issue a proclamation honoring merchant mariners, wrote of their role during wartime: "They have delivered the goods when and where needed in every theater of operations and across every ocean in the biggest, the most difficult and dangerous transportation job ever undertaken." We are grateful for the contributions and sacrifices of America's merchant mariners before and after World War II, in Korea, Vietnam, the Persian Gulf, and around the world today.

In addition to their efforts to support our troops, merchant marines play a vital role in moving the goods that we produce around the United States and throughout the world. Their work provides jobs and economic benefits to our country, and strengthens our economy. By operating as the eyes and ears of America at sea, they also help

protect our homeland.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by joint resolution approved on May 20, 1933, as amended, has designated May 22 of each year as "National Maritime Day," and has authorized and requested that the President issue an annual proclamation calling for its appropriate observance.

Now therefore I, George W. Bush, President of the United States of America, do hereby proclaim May 22, 2003, as National Maritime Day. I call upon the people of the United States to celebrate this observance and to display the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

In witness whereof, I have hereunto set my hand this twenty-first day of May, in the year of our Lord two thousand three, and of the Independence of the United States of America the two hundred and twenty-seventh.



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SUP Quarterly Finance Committee Report

SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED MARCH 31, 2003

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on April 9, 2003, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

General Fund	\$1,181,622.15
Political Fund	\$3,861.11
Strike Fund	<u>\$1,293,730.99</u>
Total Cash and Investments 1st Qtr. 2003	<u>\$2,479,214.25</u>

GENERAL FUND

Income:	
Dues, Initiation, Assessments	\$128,848.00
Interest	24,438.10
Donations - <i>West Coast Sailors</i>	2,540.00
Tanker & Joint Committee, Hiring Hall	274,682.96
Advertising & Promotion	970.00
Miscellaneous Reimbursements, Fines	20,014.87
Reimbursed Administrative Expenses	23,591.10
Contributions - General Fund	<u>2,110.00</u>
Total Income:	<u>\$477,195.03</u>

Expenses:	
Auto & Travel	\$1,855.84
Rent	15,331.72
Postage, Printing & Office	10,159.88
Telephone & Telegraph	5,805.69
<i>West Coast Sailors</i> Publishing Expense	8,230.09
Per Capita	15,375.25
Salaries & Payroll Taxes	205,825.62
Office Workers Pension	5,296.20
Insurance	27,064.30
Field Expense	3,382.39
Committee & Neg., Conference & Conv.	6,225.15
Investment Expense	1,470.80
Advertising & Promotion	3,224.97
Legal & Accounting	10,170.19
Contributions	350.00
Flowers	135.32
Officials Pension	912.87
Subscription	<u>5,208.06</u>
Total Expense:	<u>\$326,024.34</u>

BUILDING CORPORATION

Income:	
Assessments	\$3,492.00
Interest & Principle on Mortgage Notes	6,235.62
Miscellaneous	30.00
Rents	<u>100,933.04</u>
Total Income:	<u>\$110,690.66</u>

Expense:	
Building Services & Utilities	\$24,869.52
Repairs & Maintenance	58,720.98
Salaries & Payroll Taxes	13,584.76
Legal Expense	2,748.50
Filing & License Fees	347.00
Conference & Negotiations	916.36
Pension	122.13
Insurance	<u>6,490.65</u>
Total Expense:	<u>\$107,799.90</u>

POLITICAL FUND

Income:	
Contributions	\$4,155.00
Interest	1.39
Total Income	<u>\$4,156.39</u>

Expense:	
Contributions	\$1,000.00
Office Expense	10.00
Total Expense:	<u>\$1,010.00</u>

Net Income

\$16,600.00 paid 2/4/00 to AMMV for memorial
\$8,539.00 paid 1/27/03 to AMMV for memorial
 \$25,139.00 Total received and paid to AMMV

/s/Robert Copeland /s/Louis Frazier
 /s/Joe Lopez /s/Michael Smith
 /s/Gene VanKlinken

ACTION BY THE MEMBERSHIP February 10, 2003. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

U.S. asks A.P. Moller to take role in reconstruction of Iraq

A. P. Moller said last week the United States had formally asked the company to help rebuild war-torn Iraq. "They [the U.S.] have asked us whether we could be interested in contributing and we have replied that we are very positive to that and are ready to assist where we can," said Director Knud Pontoppidan.

A. P. Moller said it received the request, sent from the coalition administration in Iraq, via Denmark's Foreign Ministry.

"They know that our expertise is in the field of transportation, logistics and infrastructure and oil. We have given them information of our operations, our capabilities. They will review that and come back to us." Iraq's oil infrastructure suffered less damage in the war and has started to resume production but the industry was degraded during Saddam's 24 years of rule and is in dire need of investment.

Denmark participated in the war with a submarine and a corvette, and A.P. Moller, owner of the world's largest container line Maersk Sealand, has been transporting U.S. military equipment to the Gulf.

"The foremost reason that they have come to us is that we are an international group. We are a well known company in the United States, which we have good relations with and we are very active in all the Gulf area," Pontoppidan said. Pontoppidan declined to comment on the financial impact of the company's work for the US administration.

Honeymooner falls to his death

A honeymooning passenger fell to his death, this month, from the Carnival cruiseship *Carnival Conquest* after allegedly arguing with his wife. Mississippi police received conflicting accounts about events leading up to the death of Matthew Bjorn, 35. Some passengers report hearing Bjorn and his wife arguing before he fell from a tenth deck balcony as the ship was approaching Gulfport. The woman, whom Bjorn recently married, has given media interviews denying they had been fighting and saying Bjorn, intoxicated, lost his footing after climbing onto the balcony railing.

He was last seen alive in a shipping channel in the Gulf of Mexico in the early hours of May 11. The Coast Guard recovered his body from a nearby island after it was spotted by a fisherman. Police say the body's chest injuries indicate Bjorn may have struck a lifeboat before hitting the water.

Final Departures

John E. Andersson, Book No. 5393. Born in Sweden in 1916. Joined SUP in 1947. Died in Lawrence Harbor, New Jersey, January 24, 2003. (Pensioner)

David Kenney, Book No. 2385. Born in California in 1920. Joined SUP in 1941. Died in Alameda, California, March 31, 2003. (Pensioner)

Alexander Morse, Book No. 6192. Born in Estonia in 1912. Joined SUP in 1947. Died in Los Angeles, California, April 21, 2003. (Pensioner)

Soon H. Kong, Book 0431. Born in Hawai'i in 1928. Joined SUP in 1974. Died in San Francisco, California, April 24, 2003. (Pensioner)

Frank I. Bobu, Book No. 5449. Born in California in 1926. Joined SUP in

1948. Died in Palo Alto, California, April 27, 2003. (Pensioner)

Bernhard V. Kristensen, Book No. 2449. Born in Denmark in 1916. Joined SUP in 1942. Died in Solvang, California, April 5, 2003. (Pensioner)

Florentino R. Canaynay, Book No. 17414. Born in Philippines in 1929. Joined SUP in 1978. Died in San Francisco, California, April 24, 2003. (Pensioner)

John F. Morrell, Book No. 6517. Born in Massachusetts in 1957. Joined SUP in 1991. Died in Boston, Massachusetts, May 2, 2003.

Soloma Kapahu, Book No. 3036. Born in Hawai'i in 1919. Joined SUP in 1946. Died in San Francisco, California, May 5, 2003. (Pensioner)

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2002:

	Hdqs.	Branch
June	9	16
July	14	21
August	11	18
September	8	15
October	14*	20
November	10	17
December	8	15

*Tuesday

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Maersk wins MarAd approval to operate fifteen more Maritime Security Program vessels

Maersk praises government; AMO, MM&P, MEBA, SIU-A&G hail decision; U.S. Ship Management challenges ruling

The Maritime Administration on April 29, ruled that Maersk Line, Ltd. (MLL) "qualifies as an eligible transfer of Maritime Security Program agreements from United States Ship Management, Inc. (USSM)". MLL initially sought the ruling in November 2002.

Kenneth Galden, MLL's senior vice president for marketing and government relations said, "Without question, MarAd's leadership on this issue will improve the current MSP program, streamlining operations and much needed efficiencies." If the ruling stands, MLL will directly operate the 15 MSP vessels now managed by USSM.

In a letter sent to maritime Administration Captain William Schubert on April 30 by MM&P President Tim Brown, MEBA President Ron Davis, AMO President Mike McKay and SIU-AGLIWD/NMU President Mike Sacco, hailed the decision as a positive step forward for the further MSP.

The reaction of USSM was just the opposite. In a press release dated April 29, USSM stated: "We are disappointed that MarAd has succumbed to Maersk's efforts to hijack the Maritime Security Program. MSP was designed first and foremost for U.S. citizens. Except for a narrow exception limited to five vessels, the entire program was reserved to U.S. Section 2 citizen companies.

Since 1997, MarAd has required every single transfer of an MSP Agreement from a U.S. citizen company to be to a U.S. citizen company

Now, ignoring Congressional Intent, statutory and contractual requirements, and each of MarAd's own precedents, MarAd's acquiescence to Maersk's request reads like something out of Alice in Wonderland.

We intend to challenge this decision and we are confident that it will not withstand judicial scrutiny.

Following a failed effort to convince Congress to change the law, Maersk engineered an "end-run" around Congress by requesting on November 7, 2002 that MarAd reverse its consistent position and expand the five vessel exception to encompass the entire program. If MarAd's decision stands, eventually no U.S.-flag vessel will be owned or operated by U.S. citizens.

We do not understand why anyone would favor eliminating a clear U.S. citizenship requirement in order to reward Maersk, whose parent company has continued to do business with Iraq, Iran, Libya and Sudan even though those countries have been officially designated by the U.S. Government as "state sponsors of international terrorism."

MLL operates four MSP vessels but claims that there is a provision in the contract between USSM and MLL that enables MLL to operate the ships directly. MLL further claims that the arrangement between the two companies "has proven unworkable, resulting in inefficiencies, duplicative management arrangements and added costs."

USSM was started in 1996 when the A.P. Moller Group, Maersk's Danish parent, purchased the international operations of Sea Land Services, Inc. and Sea Land's fifteen MSP vessels were transferred to USSM. MLL is a "documentation citizen" under U.S. law while USSM is a Section 2 citizen as de-tended by the Shipping Act of 1916.

When MSP was enacted in 1996, MarAd made an exception to the Section 2 citizenship requirement for Maersk. All other MSP operators must be Section 2 citizens. For example, SUP-contracted American Ship Management is a Section 2 citizen and operates nine MSP vessels for APL Ltd., a wholly-owned subsidiary of Singapore-based Neptune Orient Lines.

AFL-CIO targets foreign-flag cruise line

The AFL-CIO is going after the world's biggest cruise operator, Carnival, to drive it out of its Panamanian tax haven. The federation has lodged notice with the Securities and Exchange Commission that it will formally ask Carnival to incorporate in the United States at the company's board meeting next month. The Miami-headquartered group has been incorporated in Panama since 1974, thus exempting Carnival from U.S. taxes.

The AFL-CIO, which holds a nominal parcel of shares in Carnival, has lodged similar claims against other large US-based, offshore-registered companies and says it has selected Carnival from the cruise sector because it is the largest. Carnival's biggest competitor, Royal Caribbean, is also incorporated offshore from its US base. The AFL-CIO says bringing Carnival back onshore would benefit both shareholders and employees. Carnival's board will recommend that shareholders reject the organization's proposal, arguing that it would result in "a very significant decrease" in after-tax profit.

Executive pay watch: Alexander & Baldwin Chairman and CEO Allen Doane

How many workers could be supported by Allen Doane's \$1,930,161 pay package (wages, stock options, and bonuses): 1 Nobel prize winner, 5 average university presidents, 4 U.S. presidents, 8 AFL-CIO presidents, 17 Chairmen of the Joint Chiefs of Staff, 75 average workers, 180 minimum-wage earners.

How long would it take to equal Doane's total compensation for 2002? A Nobel prize winner would have to work until 2003 A.D.; an average university president would have to work until 2007 A.D.; the President of the United States would have to work until 2006 A.D.; AFL-CIO President John Sweeney would have to work until 2010 A.D.; The Chairman of the Jones Chiefs of Staff would have to work until 2019 A.D.; and average worker would have to work until 2077 A.D.; a minimum-wage earner would have to work until 2182 A.D. *Source: AFL-CIO*

War zone bonus declared for U.S. merchant mariners in Operation Iraqi Freedom

The Department of Defense has authorized the payment of war bonuses to U.S. merchant mariners that were in vessels engaged in support of Operation Iraqi Freedom.

The bonus is an amount equal to 100% of bases wages, on a day-for-day basis, for vessels in the Arabian Sea west of 57 degrees East Longitude and the Gulf of Aden/Bab al Mandab Straits between 43 degrees west and 45 degrees East Longitude and 12 degrees North Latitude and 13 degrees North Latitude. The dates the bonus was in effect started on March 19, 2003 and ended on May 1, 2003.

Under Secretary of Defense Charles Abell, citing Title 5 of the United States Code, Section 5348(a), determined "that it is in the public interest to authorize payment of 'war zone' bonuses and harbor and vessel attack bonuses to merchant mariners. Such payment is commensurate with current and historic practice in the maritime industry during period of hostility."

U.S. merchant mariners sailing in harm's way are also being paid "imminent danger pay" while in hostile waters.

The "imminent danger zone" includes the Mediterranean Sea east of 30 degrees East Longitude, the Arabian Sea north of 10 degrees North Latitude and west of 68 degrees East Longitude, the Red Sea (including the Suez Canal), the Gulf of Aden, the Gulf of Oman, and the Persian Gulf.

Prior to April 11, 2003, mariners transiting these waters (except for the Mediterranean) were paid \$150 a month in "imminent danger pay." The amount is now \$225 per month retroactive to October 1, 2002—including the eastern Mediterranean.

According to the Military Sealift Command, "imminent danger pay" cannot be collected in the area designated as a war zone from March 19, 2003 through May 1, 2003 as the war bonus was in effect.

Changes at Neptune Orient Line

Neptune Orient Lines board member Boon Swan Foo, who had been regarded as a strong contender to succeed Flemming Jacobs as chief executive, will be stepping down at the Singapore-listed company's AGM on May 28. Boon joined the board last year and was one of the four members of the executive committee running the liner company since Jacobs was asked to leave in January this year following losses amounting to \$330 million in 2002. NOL said Boon signalled his intention to step down due to "pressing commitments".

The company, which agreed the sale of subsidiary American Eagle Tankers to Malaysia International Shipping Corp on April 29, also cut salaries for senior executives including chief financial officer Lim How Teck. "Following the poor financial results in 2002, bonuses paid to senior executives in 2001 were not paid in 2002. This includes the CFO along with the rest of the senior management team," NOL explained.

New MSP passes House Committee

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In order to receive an operating agreement under this "grandfather" provision in the new program, the vessel must be: (a) owned and operated by a Section 2 U.S. citizen; or (b) owned by a Section 2 U.S. citizen and chartered to a "documentation U.S. citizen"; or (c) owned by a qualified documentation citizen trust and chartered to a Section 2 U.S. citizen; or (d) owned and operated by a defense contractor.

To be an eligible documentation citizen under the new program, the company must have a U.S. citizen chairman and CEO; have a majority of its Board of Directors comprised of American citizens who are appointed by, and can be removed by, the Department of Defense; and have a certification from its foreign parent that it would not interfere in the operation of the MSP vessel.

What is fundamentally different in the proposed legislation as opposed to that currently in effect as passed by Congress in 1996 is the change in the citizenship requirements for MSP operators.

Under the provisions of the Maritime Security Act of 1996, operators have to be Section 2 U.S. citizens which basically means that the company has to be 100% American-owned. The proposed legislation dilutes that provision by allowing foreign-owned companies to participate in the program on an equal basis with Section 2 operators.

In reaction to the proposed legislation SUP President Gunnar Lundeberg stated, "While we welcome the initiative to reauthorize and expand MSP, we are alarmed at the changes in citizenship requirements. We question the wisdom of Armed Services Committee—especially during this time of terrorism, war and uncertainty—to eliminate the precedence of U.S.-citizen operators over foreign operators. This fundamental change in longstanding U.S. maritime policy is not in the best interests of the country.

MSP was designed to maintain an active, privately-owned, U.S.-flag and U.S.-crewed merchant shipping fleet in international commerce that would provide sustained sealift capability in time of war or national emergency. The MSP program must require that priority be given to vessel operators that are owned and controlled by U.S. citizens."

The Armed Services Committee bill is expected to be acted upon by the full House of Representatives this month. As the *West Coast Sailors* goes to press, no MSP legislation has been introduced in the Senate.

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

*In lieu of dues increase.

Mike Boyle	15.00
Lee Dancer	50.00
Rex Daniels	60.00
Diane Ferrari	20.00
Clinton Gregg	40.00
Dean Gross	30.00
Vernon Haik	20.00
Jim Marsh	20.00
Daniel McDonald	20.00*
Michael Nielsen	50.00
Julio Nunez	10.00
Thomas riley	20.00*
Jeremiah Rozell	20.00
George Sherbula	10.00

Political Fund

William Berger	30.00
Rogelio Berioso	10.00
Robert Burns	10.00
Lee Dancer	50.00
James Estling	30.00
E. Figuracion	150.00
Louis Frazier	50.00
Toetaua Gago	10.00
Clinton Gregg	40.00
Roy LaPlante	25.00
Gunnar Larsen	30.00
Gunnar Lundeborg	50.00
Harry Naeole	20.00
Michael Nielsen	50.00
Vince O'Halloran	100.00
Jerry Patterson	50.00
John Peterson	20.00
George Sherbula	10.00
Hank Suhr	40.00
Chester Williams	20.00
Rich Williams	20.00
Elroy Wong	20.00
Richard Ziembra	10.00
Ed Zoobrick	25.00



West Coast Sailors

Jerry AhSam	10.00
Mike Boyle	15.00
Errol Brown	25.00
Calvin Browning	25.00
Joseph Castege	25.00
Lee Dancer	20.00
Rex Daniels	20.00
Marvin Emans	25.00
James Estling	20.00
John Folcarelli	40.00
John Gabourel	25.00
Gary Gelfgren	20.00
Gunnar Larsen	20.00
Gus Leveroni	20.00
Thomas Mariner	25.00
Jim Marsh	20.00
William O'Connor	25.00
Joe Piscopo	25.00
Harold Rave	50.00
Lloyd Rust	40.00
George Sherbula	25.00
Andy Simkanin	25.00
Martin Smith	20.00
Eugene Souza	25.00
Gerald Spaulding	20.00
Leo Surmeian	25.00
Robert Weaver	25.00
Pat Weisbarth	10.00
Chester Williams	25.00
William Williamson	25.00
Richard Ziembra	30.00
Ed Zoobrick	25.00

Dues-Paying Pensioners

Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Gunnar Larsen	Book #3516
Orson Larsen	Book #4095
Joseph Napier	Book #2299
John Perez	Book #3810
Ralph Senter	Book #7323



SUP delegate Gary McDevitt and bosun Joe Moniz aboard the *APL Thailand* in Oakland this month. The *Thailand* is a C11-Class Maritime Security Program vessel operated by American Ship Management.

Photo: Dave Connolly

President signs wartime supplemental funding bill

A sweeping wartime supplemental funding bill (H.R. 1559) containing a provision that reaffirms and clarifies enforcement of U.S. cargo preference laws by government agencies transporting military and humanitarian cargoes to support U.S. military operations overseas and to aid in the rebuilding of Iraq was signed into law by President Bush on April 16.

The President signed the Emergency Wartime Supplemental Appropriations Act of 2003 just five days after the legislation was cleared by House and Senate conferees, and as the U.S. prepares to embark on the largest post-war reconstruction program since World War II — the rebuilding of Iraq. This massive post-war effort will not only include the sending of reconstruction materials, but also large quantities of food and other humanitarian aid to the Iraqi people.

Under the cargo preference statutes, U.S.-flag merchant ships are poised to play a major role in the post-war construction and humanitarian aid program. U.S. cargo preference laws mandate that 100 percent of shipments generated by the U.S. Department of Defense, and 75 percent of all food aid cargoes generated by the U.S. Agency for International Development (USAID) be transported on U.S.-flag vessels, provided they are available and at fair and reasonable rates. Fifty percent of all other USAID cargo, such as reconstruction material bound for Iraq, is required to be carried on U.S.-flag bottoms, as long as suitable tonnage is available and at fair and reasonable rates.

The conferees' reaffirmation of cargo preference laws' U.S. flag shipping requirements followed on the heels of an April 3 Senate vote unanimously approving a Manager's Amendment from Senate Appropriations Committee Chairman Ted Stevens (R-AK). Offered by Senator Mary Landrieu (D-LA) and co-sponsored by Senator Barbara Mikulski (D-MD), the amendment drew support from a bipartisan group of Senators, including Senators Trent Lott (R-MS); Ernest Hollings (D-SC); Kay Bailey Hutchison (R-TX); John Breaux (D-LA); Daniel Inouye (D-HI); and Olympia Snowe (R-ME). The amendment was also supported by a broad-based coalition of U.S.-flag vessel operators and U.S. maritime labor organizations, including the American Maritime Congress and the Marine Engineers' Beneficial Association.

Significantly, the emergency legislation earmarks \$369 million for U.S. Department of Agriculture food aid shipments under Public Law 480 Title II grants. Of this amount, \$69 million will be transferred to USDA's Commodity Credit Corporation to acquire commodities under the Bill Emerson Humanitarian Trust.

The supplemental also sets aside funds for the AID shipments including \$90 million under the agency's Child Survival and Health Programs Fund, and \$143.8 million for international disaster assistance.

The bill provides \$2.475 billion to the President under the Foreign Assistance Act for use in the Iraq Relief and Construction Fund, which includes costs associated with Iraq's water/sanitation infrastructure; feeding and food distribution; agricultural sectors; and, other humanitarian relief efforts.

The legislation requires the President to report on U.S. strategy for the relief and reconstruction of Iraq to the House and Senate appropriation committees within 45 days of the April 16th enactment date. Additional reports are due every 90 days after enactment, until September 30, 2004.

On the home front, the supplemental provides \$228 million for the U.S. Coast Guard's Operation Liberty Shield, the agency's homeland security program to secure U.S. ports, coastlines and borders from acts of terror, and an additional \$400 million provided from funds transferred from the U.S. Department of Defense. The funding includes \$38 million for port security assessments; \$10 million to document merchant mariners; \$180 million to deploy personnel and assets overseas; and another \$180 million for targeted increases in homeland security activities related to Operation Liberty Shield; and, finally, \$220 million for military out-load security.

The conferees said the appropriated \$38 million is expected to permit the Coast Guard to finalize port security assessments "at all tier one strategic ports."

The bill sets aside \$20 million to the Transportation Security Administration for port security grants, which are in turn, administered by the U.S. Maritime Administration. Noting that only \$93 million has been granted to U.S. ports of the \$368 million appropriated, the legislation directs TSA to issue grants from the first round of appropriations within 60 days of the enactment date of the emergency funding bill.

The bill earmarks \$35 million to support the U.S. Customs Service's Container Security Initiative (CSI) program; \$60 million for additional inspectors along the Northern border of the U.S. and at maritime ports of entry; and, \$90 million for portal radiation detection and monitoring technology.

Finally, the legislation allocates \$25 million for the Maritime Administration's Title XI ship loan guarantee program. The funds are to remain available until September 30, 2005.

Source: AMC Washington Letter

NLRB won't save non-union planning jobs

In a decision that could strengthen organized labor's grip on marine terminal planning jobs at West Coast ports, a regional office of the National Labor Relations Board declined to protect about 30 non-union planning positions for terminal operator Stevedoring Services of America.

The decision, which the SSA workers plan to appeal, is significant because it will help the International Longshore and Warehouse Union extend its jurisdiction over rail and container yard planning positions at West Coast ports under the new six-year contract the union ratified earlier this year.

When the draft contract was released last fall, non-union rail and container yard planners employed by SSA in Salt Lake City, Utah, appealed to the Denver office of the National Labor Relations Board to protect their positions. The planners charged that if the new contract was ratified, it would give the ILWU a contractual right to all on-dock rail and container yard planning jobs at West Coast container terminals.

In the suit they filed with the NLRB, the SSA planners charged that they will lose their jobs because the ILWU was retaliating against them for having previously voted against unionization. However, the Denver office of the NLRB ruled that any loss of non-union jobs in Salt Lake City would be due to a business decision, and not because the ILWU was retaliating against the SSA planners.

The National Right to Work Legal Defense Foundation, a non-profit group that provides legal advice to non-union workers, charged that the employer lock-out and port shutdown that occurred during the ILWU contract negotiations was an attempt by the union to expand its jurisdiction.

U.S. Sealift was critical and dominant in Operation Iraqi Freedom

U.S. sealift operations played a dominant role moving military equipment and supplies in the fastest and most cost-effective way during the liberation of Iraq, according to Brigadier General Henry L. Taylor, vice director of logistics for the U.S. Department of Defense's Office of the Joint Staff, J4.

"Sealift was the workhorse for Operation Iraqi Freedom," Taylor declared in an April 17 luncheon address before the Washington, D.C. Chapter of the National Defense Transportation Association.

With an armada of 165 vessels, the Navy's Military Sealift Command moved over 15 million square feet of cargo in 60 days under Operation Iraqi Freedom, compared to moving 33 million square feet of cargo in excess of six months during Desert Shield/Desert Storm, Taylor said. "Put another way, we are closing a Desert Storm-equivalent force in two-thirds the time and into fewer ports."

Sealift operations, which include surge ships in the MSC's fleet, vessels in the Maritime Administration's Ready Reserve Force fleet, and commercially chartered vessels, provided 90 percent of the current support to the U.S. Central Command in Iraq, while the Army's fourth Infantry Division alone required more than 4.6 million square feet of stowage space spread across 59 sealift ships, Taylor said. Stowage space provided by the sealift vessels for the fourth Infantry Division was equivalent to more than 100 acres of land, or nearly 100 football fields, the DOD logistics expert noted.

Taylor also cited the cost advantages of sealift over airlift operations. "One obvious benefit of sealift is cost," Tay-

lor said, noting that according to the U.S. Transportation Command, the use of sealift during the liberation of Iraq saved the government \$168 million through mid-March of this year.

He also praised the readiness of sealift operations as "phenomenal," adding that "all ships were ready and available for mission tasks."

Taylor also lauded the long-standing commercial transportation - DOD partnership over the past several months. "Support for the war effort would not be possible without our superb DOD-commercial transportation network, and our prior private sector arrangements," he said.

The DOD logistics expert also cited the need for maintaining the fleet of ships enrolled in the government's Voluntary Intermodal Sealift Agreement (VISA) program. VISA, he said, is important to the Nation's overall strategic capability, providing "insurance and depth in the event of multiple contingencies."

Taylor also noted that DOD's 20th large, medium speed roll-on/roll-off (LMSR) ships, which played a major role in moving equipment and supplies to the Middle East, will be delivered this coming June.

Nine of the LMSRs were some of the first ships to offload cargo in Kuwait, and have now returned to the U.S. to move more cargo forward, Taylor said.

"The close relationship between the powerful civilian and military transportation industries will continue to be the key to our success," Taylor concluded.

Source: AMC Washington Letter



SUP member, Bud Yost (former-Exxon Seamen's Union president) joining the *President Jackson* in San Pedro and saving ASM a load of dough thanks to Captain Bent Christiansen and the *California* pilot boat skipper and crew. Bud was dispatched for 0800, but the *Jackson* sailed before 0700! Photo: Mark Hurley

High insurance costs and low public interest lay up *Potomac*

The former U.S. presidential yacht *Potomac* may not move again because of high insurance costs and fewer-than-expected visitors, Kate Howard, interim executive director of the Potomac Association said. The 67-year-old boat has been laid up at the Port of Oakland while its operator, the Potomac Association, organizes a new business plan and attempts to come up with additional funding to support the historic vessel.

The port purchased the *Potomac* for \$15,000 over 20 years ago and spent more than \$5 million to rebuild it. It has been made available to the public for meetings and educational tours around San Francisco Bay since 1995.

The *Potomac* was built as the Coast Guard patrol boat *Electra* at Manitowoc, Wisconsin, in 1934 and was taken over by the Navy as a presidential yacht in 1935.

The vessel then served as President Franklin Roosevelt's presidential yacht and "floating White House" from 1936 until the time of his death in April 1945. During the period it was used to trans-

port Roosevelt to Cape Cod, where he boarded the cruiser *USS Augusta* for a famous conference with British Prime Minister Churchill that formulated the Atlantic charter. The *Potomac* also carried FDR to board the battleship *USS Iowa* for travel to the Tehran Conference.

The *Potomac* was replaced at war's end by the new presidential yacht *Williamsburg* and went on to serve the State of Maryland as a fisheries vessel from 1946 to 1960. After periods of use as an interisland ferry in the Caribbean, and for a short time as a floating museum dedicated to Roosevelt, it was purchased by Elvis Presley in 1964, and donated to St. Jude's Hospital in Memphis, Tennessee.

The hospital sold the vessel after Presley's death and in 1980 the Coast Guard seized the yacht on suspicion of drug-running. Soon thereafter, it then sank at its berth in San Francisco Bay. After being salvaged by the Navy, it was taken over by the Port of Oakland and restored. It will continue to be docked at the FDR Pier at Oakland's Jack London Square but will not be open to visitors.

New Deputy Maritime Administrator

The U.S. Secretary of Transportation Norman Y. Mineta announced this month that John Jamian, a former Michigan state legislator and executive director of the Detroit/Wayne County Port Authority, has been appointed Deputy Administrator of the Maritime Administration.

Jamian will assist in leading the operation of MarAd, an 850-person agency, including five regional offices and the United States Merchant Marine Academy. He will also oversee issues relating to the Great Lakes and inland waterways, deepwater ports, as well as segments of the Marine Transportation System initiative.

Senators Hollings and McCain want GAO study on Maritime Transportation Security Act

Senators Fritz Hollings, (D-SC) and John McCain (R-AZ), are asking the General Accounting Office to look into how well the Bush administration is fulfilling its obligations under the Maritime Transportation Security Act.

In a letter to GAO Comptroller General David M. Walker, Hollings and McCain said they are concerned that the Department of Transportation and Department of Homeland Security had "failed to ensure all requirements of the Act are being executed effectively and in a timely manner as Congress intends and that major problems have arisen in the coordination among federal agencies on various issues and the key maritime stakeholders, both at home and abroad."

Hollings and McCain want the GAO to examine the Bush administration's methodology and approach toward the initial port vulnerability assessments and how they estimate the costs associated with fixing deficiencies.

They also want to know the methodology used for developing the Sea Martial program, the Automated Vessel Identification System, the maritime intelligence system requirements, the transportation worker identity cards and the effort to certify security systems of international intermodal transport.

Hollings and McCain also want to know how the administration would assess security efforts at foreign ports.

The administration's port security efforts have drawn criticism from port officials for not releasing enough funds for port improvements, and from poor coordination among federal, state and local agencies.

But DHS Secretary Tom Ridge has said his department remains committed to homeland security and continues to secure funds for border protection and emergency personnel nationwide. The DHS this week awarded \$75 million to "high risk" ports for security improvements.

ABS certifies Matson as the first U.S.-flag container vessel company to meet safety, quality and environmental management standards

Matson Navigation Company has achieved certification of its combined Safety, Quality and Environmental Management Systems (SQE) to the exacting, internationally recognized standards established by ABS (American Bureau of Shipping).

According to ABS Manager of Safety & Environmental Systems Certification Patrick L. Fallwell, Matson is the first US flag container vessel company to expand its management system to include full compliance with the ABS SQE standards resulting in this certification.

"Formalized management systems are now a part of everyday life for most of the maritime industry due largely to the ISM Code in SOLAS," explains Fallwell. "However, companies that are integrating management systems that embrace both the ISM Code with quality management principles like ISO standards are the ones truly benefiting with increased efficiency, customer satisfaction, safer operations, reduced accidents and reduced claims." The ABS SQE certification is a three-pronged approach to a comprehensive quality system sought after by leaders in the maritime industry.

"Matson considers safety, quality and environmental policies as an integral part of our business," says Paul Londynsky, Director, Safety, Quality and Environmental Affairs, Matson Navigation Company. "We believe no job is effectively completed unless it is done safely and with consideration for its impact on the environment. We have had a 'zero overboard discharge' program for all Matson container vessels for over a decade. The SQE certification program was the next logical step for a company such as Matson that serves some of the most pristine areas of the United States.

"Founded in 1862, ABS is a leading international classification society devoted to promoting the security of life, property and the marine environment through the development and verification of standards for the design, construction and operational maintenance of marine-related facilities.

ESU Office Assignments

For the month of June, John Straley will be in the Baytown office and Leo DeCastro will be in the Benicia office.

ESU NEWS

MAY 2003

Official Publication of the Exxon Seamen's Union

SUP Political Action Fund

Recently, members of the ESU have voiced their concern over pending legislation in Congress that is designed to circumvent, weaken, or even repeal the Jones Act. The ESU membership is savvy enough to realize that the victories that we win at the bargaining table can easily be taken away, or severely compromised in the halls of the Congress. Many members have inquired as to what, if any action the Union Executive Board was initiating to fight this assault on our livelihoods. The ESU Executive Board has historically, and presently pursues creative ways in an attempt to influence legislation that is favorable to the membership and to the maritime industry in general.

The ESU as an independent organization was severely restricted in its ability to fight these legislative onslaughts prior to 1999, save the occasional protest letter to a Congressman or the USCG. In 1999 the ESU membership had the foresight and wisdom to affiliate with the Sailors' Union of the Pacific, AFL-CIO. Thus, overnight we attained legitimacy and a force to be reckoned with.

One of our greatest assets in this ongoing battle is the *West Coast Sailors* newspaper. The *West Coast Sailors* is an excellent source of information of what is happening in the maritime industry and it has a wide distribution including members of Congress. On page two of the newspaper contained in the SUP Honor Roll section, you will find the Sailors' Union of the Pacific Political Fund. This fund cuts across party lines and is used to provide financial support to political officials, particularly those in Congress, who support the Jones Act and other key pieces of maritime legislation. This financial support is usually donations to assist these labor/maritime friendly politicians in their re-election campaigns. The enemies of the Jones Act are numerous and well funded. Without friends in Congress, the Jones Act would be history and all U.S. flagged ships in Jones Act trades would quickly be re-flagged and

crewed with foreign seamen.

The SUP Political Fund is maintained solely from voluntary contributions from SUP members and any disbursement from the fund is approved by membership vote. We do not have a political action fund in the ESU for a number of reasons. First, is that our organization is so small that we could not generate enough money from voluntary contributions to make a donation sufficient enough to have an impact. And second, we do not have general membership meetings where the membership could vote their approval for disbursements. With our system it would be a cumbersome, costly and lengthy process to implement a vote through the AAA anytime we wanted to make a donation. Third, federal regulations on political action fund record-keeping and reporting are onerous and time consuming. However, because of our affiliation with the SUP, we can participate in a ready-made fund that is exactly aligned with our own interests and be an active part of the lobbying efforts to retain the Jones Act and our livelihoods.

Some ESU members already contribute to the political action fund from time to time. Any ESU member can become a part of the political process and lobbying efforts to save the Jones Act and protect our livelihoods through voluntary contributions to the SUP Political Fund. If you wish to make a donation please send a check or money order to the SUP Political Fund, c/o Sailors Union of the Pacific 450 Harrison St., San Francisco, CA 94105. If any member has any questions regarding the Political Action Fund please feel free to contact Dave Connolly at 415-777-3400.

As an affiliate, the SUP cordially invites ESU members to stop by the SUP hall at 450 Harrison Street whenever in San Francisco to get acquainted with SUP members or to attend their general membership meetings held on the second Monday of every month at 1100 hours.

Promotion grievance settled

On March 28, 2002, the Union filed a grievance against the Company for failing to make promotions that would bring all seniority list up to their requisite numbers. The ESU proposed a resolution that the Company make the necessary promotions to bring all seniority lists up to their requisite numbers as outlined in Article IX, Section 1, paragraph C, of the ESU Contract with an effective date of March 1, 2002. Additionally, make all individuals that received a promotion whole for any lost wages and benefits with an effective date of March 1, 2002.

The Union was scheduled to arbitrate this case on May 13, 2003, however, the Company approached the ESU about a possible resolution instead of going before an arbitrator. On May 9, 2003, with the assistance of our attorney and in agreement of the Executive Board, the Union accepted an offer from the Company to settle this grievance. Per the terms of the settlement, the following individuals will receive an effective promotion date in this grievance as of March 1, 2002: Humberto Berrios, Marcos Clotter, Roberto Dixon, Brian Gilbert, Keith Francis, Erwin Laserna, Kevin Linden, Neal Morse, and Steve Wilson.

The settlement essentially satisfies the Union's proposed resolution at the third step of the grievance process. In addition to being promoted as of March 1, 2002, the above individuals will be made whole for any lost wages and benefits.

2003 Ship Representative's Conference a success

The 2003 Ship Representatives Conference convened on April 21, at the Wyndham Greenspoint Hotel in Houston, Texas and concluded on April 25. The conference is held annually to provide communication and training skills that will enhance the ability of the individual representatives to professionally handle the response process in regard to problems that may arise onboard his/her respective vessel. These annual conferences insure that the very best representation possible is provided to the members of the Exxon Seamen's Union.

The attendees at this year's conference are as follows: Ship Representatives Mark Myser, (*S/R Baytown*) Timothy Williams, (*S/R Bristol Bay*) Bob Knight, (*S/R Charleston*) Danny Jones, (*S/R Hinchinbrook*) Joe Graca, (*S/R Long Beach*) Frank O'Malia (*S/R Mediterranean*) and Allen Cooper (*S/R Wilmington*). Unable to attend this year's conference were Representative's Levy Ponce (*S/R Galena Bay*), Michael Harrison (*S/R Puget Sound*) and Charles Bell (*S/R American Progress*). Executive Board members in attendance were: Jerry Patterson, John Straley, Leo DeCastro, Tom Thompson, Pat Campbell, Will Ackley, and Gerard Nelson.

A welcoming reception was held for the Representatives upon their arrival at the hotel on Tuesday, April 22. ESU President Jerry Patterson as well as SeaRiver Maritime, Inc. Operations Vice President Jack Buono, Ed Cahill Human Resources Head and Dave Walker Human Resources Services Manager presented welcoming remarks.

SeaRiver Vice President Jack Buono also presented a comprehensive overview of the company's present operations. Additionally, Mr. Buono offered his personal outlook on SeaRiver Maritime's position within the industry for the future. A Q&A session followed Mr. Jack Buono's remarks touching on a variety of topics.

On Wednesday, April 23, management's day included presentations by Carmine Dulisse, regarding security, Chris Matteson, benefits harmonization project, Mark Wertheimer, Fleet Manning issues, Dr. Frates, medical exam requirements and Dave Walker, disability determination.

On Thursday, April 24, Charlie Pollard and Mike Noack gave an update on the progress of the Loss Prevention System

(LPS) that the company is implementing. Following the LPS presentation, ESU Secretary/Treasurer Leo DeCastro gave an overview of the past and present Union finances and projected future outlays. Mr. DeCastro reiterated the ease of tracking the Union finances by using the Quick Books program. John Straley, ESU Vice President and Tom Thompson, ESU Recording Secretary, discussed ESU ideology and objectives, 2002 goals that were achieved, 2003 goals, long term goals, and Ship Representatives responsibilities. Ms. Sharon Groth, legal council for the ESU discussed legal issues, the grievance process and the status of pending grievances.

On Friday, April 25, Commissioner Steve Fischer of the Federal Mediation & Conciliation Service hosted a workshop that included such exercises as a group exercise to determine one's belief about Labor/Management cooperation, Perceptions, Working Styles, Active Listening Self Assessment and other group exercises. The afternoon session also included contributions from SUP officers Gunnar Lundberg President/Secretary Treasurer of the Sailors' Union of the Pacific, and SUP Vice President Dave Connolly. The fraternal brothers, Lundberg and Connolly discussed the ESU/SUP relationship and the benefits of its continuing evolution. Additionally, Dave Connolly gave an informative presentation on the "Maritime Security Act" and its looming impact on mariners. He also spoke on a variety of other subjects involving the present regulatory quagmire of the maritime industry.

The Ship Representative appreciation dinner and reception was held in the Campobello dining room of the hotel. All participants of the conference were present for this event as well as invited guests. The guests included Mr. Steve Fischer of the Federal Mediation & Conciliation Service. Mr. Gunnar Lundberg President/Secretary Treasurer of the Sailors' Union of the Pacific, Mr. Dave Connolly Vice President of Sailors' Union of the Pacific and Ms. Sharon Groth.

The 2003 Ship Representative Conference accomplished all of its objectives and was deemed a success by all involved. In conclusion, the ESU Board on behalf of the entire membership thanks the Ship Representatives for the monumental effort that they put forth every day of the year on behalf of the Union and membership.

Retirements

Two long-time loyal fraternal ESU brothers have elected to retire. AB Ricardo Padilla elected to retire on May 1, 2003 with 23 years of Company service. Ricardo's first ship with the Company was the *Exxon Boston*.

A.B. Dennis Simoneau will commence his retirement on June 1, 2003 with 23 years of Company service. Dennis' first ship with the Company was the *Exxon Gettysburg*.

Their years of loyalty and service to the Union are appreciated by the entire membership. Both Ricardo and Dennis were excellent shipmates and we wish them all the best in their retirement.

ESU News

Harassment and intimidation is illegal

Several incidents of what the Union deems to be inappropriate behavior directed at ESU members by officers and/or shore side managers has been brought to the Unions attention in recent months. This type of behavior is inexcusable and should never be tolerated. There are avenues available to members to report such conduct and seek relief from this degrading behavior that is practiced by a few misguided SeaRiver managers. SeaRiver management has to comply with strict Federal guidelines regarding what is acceptable and appropriate behavior in administering their duties and any actions that result in an employee being harassed, intimidated, embarrassed or humiliated are not acceptable and is against the law.

Some examples of the intimidation that members have experienced in the past involves Fleet Manning administrators becoming rude and threatening when a member refuses to agree to travel arrangements (i.e. flights scheduled before 0600 from home port) that does not meet the criteria as stated in our Agreement. Members should never feel threatened in any way for exercising their contractual rights and should notify the Union immediately when this happens.

Additionally, the Union has identified several officers in the fleet that have on occasion conducted themselves inappropriately in the judgment of the ESU. Infractions by these officers include screaming and cursing members as well as making derogatory and inflammatory remarks involving an individual's participation and activism in regard to this Union.

No member should ever tolerate any form of inappropriate behavior from either managers or peers that would result in them being harassed or intimidated in the workplace and should report such instances immediately to the Union.

Written complaints can be directed to Mr. Terry Thompson at SeaRiver Maritime, Inc. Members are encouraged to seek guidance from the Executive Board as how to best proceed if a written complaint is not addressed in a timely manner.

Ship reports

S/R American Progress

Ship was visited in Beaumont, Texas on May 9. John Munich continues to fill in as Temporary Ship Representative. Safety concerns expressed about numerous slips and falls due to a floor surface that becomes very slippery when wet in the galley. Issue to be addressed through communications meeting. Additionally, there is an on-going safety concern regarding a fatigue problem with the pumpman who is virtually working non-stop due to the short run of this vessel. This ship is in dire need of an extra pumpman on this run.

S/R Baytown

Vessel was visited May 6 at the Valero Dock in Benicia, CA. The ship is preparing for its yard period. At this point it looks like the repairs will be done in Singapore. Wen Shie Tai is doing a good job filling in for Mark Myser and reports that all is well.

S/R Bristol Bay

Vessel is in temporary lay-up in Orange, Texas. The duration of the lay-up is unknown at this time.

S/R Charleston

SeaRiver Charleston was visited in Benicia, CA after arriving from the Gulf Coast via the Panama Canal. After a partial discharge in Long Beach, & Benicia CA, the "Charlie" has back-loaded for the U.S. Gulf and will make its fourth transit of the Panama Canal in the last three months. Aaron Rathbun is doing a good job filling in for Bob Knight as the Ship Representative and reports no beefs.

S/R Columbia Bay

Board visit conducted at the Valero Dock in Benicia, CA, on May 2, 2003. Thor Floreen continues to do a good job of handling the Temporary Ship Representative duties and reports no outstanding issues. Ship Representative ballots for this vessel have been mailed and the election is underway.

S/R Galena Bay

Ship continues on ANS trade between

Valdez and Anacortes. Ship Representative Levy Ponce on board and communicates regularly with Union. No major beefs reported.

S/R Hinchinbrook

The CAIP steel survey on the *Hinchinbrook* was completed at Port Angeles, WA, on Thursday, May 8. The vessel arrived at Cape Flattery on April 30 and departed Friday, May 9. Ship Representative Danny Jones rejoined the vessel from paid leave on May 5 and reported that everything is finally back to normal after senior officer rotations.

S/R Long Beach

Ship visited by Executive Board Officer on May 17, at the Valero Dock, Benicia, CA. Joe Graca is back from PVL and is ably fulfilling his responsibilities as Ship Representative. The vessel continues to split ANS loads between southern California and the S.F. Bay Area. Joe says thanks to Jeff Harris, Dan McBride and Greg Raredon for filling in as Temporary Ship Representative. The ESU Board thanks them also.

S/R Mediterranean

Mallory Thomas is filling in for Ship Representative Frank O'Malia. The vessel experienced a delay of about 17 hours at its last port of call due to a failed segregated ballast flood valve. The vessel continues in the Persian Gulf-Far East trade.

S/R Puget Sound

The *Puget Sound* has completed her shipyard project at Cascade General Shipyard in Portland, OR, on May 8 and departed the Columbia River Bar on May 9. Ship Representative Michael Harrison remained aboard throughout the repair period and handled several issues at the shipboard level. He is to be commended for a job well done.

S/R Wilmington

The S/R Wilmington was visited at the ExxonMobil dock in Baytown, Texas on May 7. Odley Banks filling in as Temporary Ship Representative. Everything going well. No beefs.



A retirement dinner to honor Dennis Simoneau and Ricardo Padilla was held in Houston at Nino's restaurant. Pictured on the front row from left to right: Ricardo Padilla, Deborah Moe, Dennis Simoneau, Blake Moe, Arturo Padilla, and Mark Wertheimer. Back row from left to right: Kharon Delaney, John Straley and Charlie Pollard. Helen Murray also attended the dinner but is not pictured. Photo taken by Tim Delaney.

Election underway

For Ship Representative *Columbia Bay* and Constitutional amendment

Ballots and campaign statements for the election of a Ship Representative for the *SeaRiver Columbia Bay* and a proposed Constitutional Amendment were mailed to the membership in early May. On the official ballot, all candidates are listed in alphabetical order. The candidates are: Adam Anderson, Rudy Benavides and Thor Floreen. The voting period will start on May 15, 2003 and will conclude on July 14, 2003 when the ballots are due at the American Arbitration Association office in New York. Following notification to the ESU Baytown office on July 15, 2003, the results will be promptly announced to the membership.

In differing elections that have been held in the past two years, the membership is still experiencing a high degree of voter apathy. The voter turnout for whatever reason remains notoriously low. Those members who for whatever reason choose not to vote undermines the democratic process that is essential to the success of the Union to present itself as a unified organization. The Executive Board asks for the membership's help in reversing this situation. Please become involved and support your Union by taking the time to vote. Let us strive to have 100% participation and send a message of confidence and solidarity that we know exists within our fraternal organization.

The ESU thanks all the candidates involved for their support and willingness to serve the membership. Their willingness to serve speaks volumes about their dedication, loyalty, and tireless efforts in the pursuit of serving the membership and furthering the goals of the ESU.

For working people: "Homeland Insecurity"

The 107th Congress is over — a Congress that did little to promote security for working people in the face of a relentless assault by big business, a gigantic budget deficit and a recession dragging on into its third year.

During 2002, the second session of the 107th Congress failed completely to pass any meaningful legislation to address the corporate crime wave. Instead, lawmakers staged hearings and press conferences denouncing the culprits but leaving them with little fear of prosecution. Millions of ordinary stockholders and pensioners have yet to find any Congressional will to prosecute corporate lawbreakers and swindlers and win restitution of the stolen billions.

Instead of legislation preventing plant closures, Congress passed the job-killing "fast track" scheme. Rather than address the needs of working people and

the millions of unemployed, Congress rushed to create a massive new security agency as well as handing war-making authority over to President Bush. Legislation to confront the big-money flood of political campaign money did make it through Congress, but is already endangered by a blizzard of lawsuits launched primarily by big business.

For all the talk of "Homeland Security," working people are demonstrably less secure at the end of this Congress than at the beginning. The November 2002 elections also reinforced the political stagnation in Washington, D.C.

The 108th Congress now convenes with a slim but complete Republican majority under the complete control of big business, and a dwindling minority of Democrats unwilling to confront the corporate hold on our national political system. These are, unfortunately, times of homeland insecurity.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Vice President John Straley
Secretary/Treasurer Leo DeCastro
Recording Secretary Thomas Thompson III

Deck Trustee Patrick Campbell
Engine Trustee William Ackley
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		
Jun 9-13	Jul 28-Aug 1	Sep 8-12	Oct 20-24
Jun 23-27	Aug 11-15	Sep 22-26	Nov 3-7
Jul 14-18	Aug 25-29	Oct 6-10	Nov 17-21

Small Arms Training (MSC approved)

Jun 30-Jul 2	Sep 29-Oct 1	Nov 17-19
Aug 25-27	Nov 3-5	Dec 15-17

LMSR Vessel Training (MSC approved)

June 17-27	Aug 12-22	Oct 21-31
July 22-Aug 1	Sep 16-26	

Survival Craft (Lifeboatman)

Jun 3-6	Aug 19-22	Oct 28-31	Dec 16-19
Jul 29-Aug 1	Sep 30-Oct 3	Nov 18-21	

Training Information and Enrollment

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Lovesick passenger lands in the bucket

Last month a 20-year-old woman who wanted to leave a cruise ship to return to her boyfriend in California spent a night in a federal detention charged with threatening to kill everyone aboard the ship to cut the cruise short, authorities said.

Kelley Marie Ferguson made an initial appearance in federal court to hear the charges, according to the U.S. attorney for the District of Hawaii.

Ferguson of Laguna Hills in Orange County, who was traveling with family members on Royal Caribbean's *Legend of the Seas*, was charged with two counts of threatening acts of terrorism. Each count carries a maximum prison term of ten years.

The cruise ship was on a ten-day trip out of Ensenada, Mexico, when crew members found two handwritten notes on April 22 and 23. Both notes stated that if the ship docked in a U.S. port, the nearly 2,400 passengers and crew would all die.

After the second note was found, authorities diverted the ship to Oahu waters and a 120-member task force of federal, state and military personnel searched the ship and interviewed people on board. Ferguson confessed during an interview and the ship's cruise resumed on April 24.

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.

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West Coast Sailors
450 Harrison Street
San Francisco CA 94105



Welfare Notes

May 2003

SUP Money Purchase Pension Plan

All active members who participate in the SUP Money Purchase Pension Plan will soon be receiving a Summary Annual Report of the Plan. This report will be mailed to your address on file. The SUP Welfare Plan Inc. is required by law to notify all participants of the basic financial statement of the Money Purchase Plan as well as notifying you of your legal rights to additional information on the Plan.

The basic financial statement will include Plan expenses, increases in assets, and employer contributions for the fiscal year ending July 31, 2002. This letter will not contain information on your own personal Money Purchase Plan account. The annual statement with your balance and earnings for the fiscal year ending July 31, 2003 will be sent to you in October as has been past practice.

Welfare Office travels to Branch Meetings

SUP Welfare Representative Rich Reed will be in attendance at the monthly branch meetings as follows: Seattle July 21; Honolulu September 22; Wilmington October 20.

This will give active members and retired members a chance to discuss issues one-on-one with the Welfare Plan. This is an opportunity to talk about your medical and dental benefits as well as 401(k) Plan, and the Money Purchase Pension Plan. If you have questions on claims or reimbursements, please feel free to bring in receipts and any documentation you have.

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

Annual Seamen's Memorial Cruise in *Jeremiah O'Brien*



Aboard the Liberty ship *Jeremiah O'Brien*, on May 17, are SUP members, from left: Tom McGarvey, Romaine Dudley, Bruce Waygood, Rich Reed, Sonny Cooper, and Art Thanash. The wreath was cast into sea outside the Golden Gate in memory of our departed brothers.
Photo Michelle Chang

Record of SUP Shipping April 2003

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	3	0	5	2	10
Maint. Man	1	0	0	0	1
A.B. Dayworker	0	0	6	0	6
A.B.	19	7	17	17	60
O.S.	3	1	0	1	5
Standby	37	15	55	36	143
TOTALS	63	23	83	56	225



SUP President's Report

May 12, 2003

MATSON NAVIGATION COMPANY

As reported extensively in the March and April issues of the *West Coast Sailors*, the SUP and the MFOW reached agreement on April 18, subject to membership ratification, with Matson covering two vessels being constructed at Kvaerner Philadelphia Shipyard, as well as the existing fleet.

In order to gain perspective on why the SUP, MFOW and the other seagoing Unions were forced into bargaining in mid-contract, the following is a synopsis of what transpired over the last year-and-a-half.

In August 2001, Matson advised the Unions that the company was considering the purchase of two ships being built on speculation by Kvaerner for use in the Hawai'i trade. The company took the position that it needed economic concessions in order to justify investment in the vessels and proposed a reduction of 11.7% in total labor costs below the manday costs in the *R.J. Pfeiffer* plus the elimination of the radio operator's job. The SUP, MFOW and the other Unions concluded that there was no compelling economic reason or justification for concessions and therefore rejected Matson's proposal.

During bargaining last year with Matson, the company issued a press release on May 29 stating it had entered into a "definitive agreement" to buy the Kvaerner ships but did not revive its proposals for concessions at any time during those deliberations. A key issue during negotiations was the concern Matson would operate the Kvaerner ships in a double-breasted operation in Hawai'i, given the stunt the company had pulled in 1999 when it bareboat chartered the *Kainalu* and *Kaimoku* to Sea Star Line.

Matson assurances to the Unions that it was not its intent to outsource the Kvaerner ships resulted in an agreement in which the CV 2600 *Manukai*-class vessels were incorporated into the contract.

In hindsight, if we had known what this duplicitous outfit was plotting, we would have deferred signing an agreement with Matson.

On February 28, the SUP and MFOW met with Matson and were told that the ships were "not affordable" and that the company had requested Kvaerner to seek another buyer in order for Matson to time-charter the ships with lower crew costs. Captain Jack Sullivan, Director, Vessel Operations & Offshore Labor Relations, stated that costs had escalated because of the necessity of increased contributions to the MM&P Pension Plan, potential contributions to the MEBA Pension Plan and the company's failure to reach agreement with the ARA over the radio operator.

The SUP and MFOW responded to Matson, characterizing the company's scheme as Union-busting. The Unions told Matson we had a binding contract that included the Kvaerner ships and that, if the so-called cost model had changed, the company should be talking to the licensed unions and the ARA. We subsequently filed unfair labor practice charges with the National Labor Relations Board on March 12, asserting that Matson did not bargain in good faith in 2002 and was threatening to make unilateral changes to the collective bargaining agreement.

In the meantime, there were reports that the licensed Unions were offering Matson deep concessions in manday costs in order to preserve the work in the ships, and at the same time were soliciting other companies to buy the Kvaerner ships so that they could be time-chartered back to Matson to protect their jobs.

Matson insisted that all contracted Unions would have to make concessions in order for the company to change its mind and buy the Kvaerner ships.

The SUP and MFOW insisted that the collective bargaining agreement negotiated in 2002 was binding on the company, with Matson refuting the claim saying it did not own or yet operate the Kvaerner ships so that the relevant section of the agreement (Section 3 of the General Rules) was not applicable. The Unions de-

manded, and the company agreed, to an expedited arbitration on this issue.

Prior to the April 8 arbitration, the Unions met with Matson in an attempt to reach a compromise. The limited "assistance" offered by the SUP and MFOW was dismissed out-of-hand by the company as "not enough".

The arbitrator issued his ruling on April 14, and in a misguided, final and binding decision agreed with Matson that since the company did not own the Kvaerner ships, the vessels were not covered by the Union agreements.

With the stench of the arbitrator's ruling still pungent, the SUP and MFOW met with Matson on April 16, 17 and 18.

At these meetings, Matson demanded that the SUP and MFOW had to accept an economic package to convince the company and the Board of Directors of Alexander & Baldwin to buy the Kvaerner ships. The goal or benchmark the company set was the SIU-AGLIWD/NMU standard freightship agreement.

The Sailors and the Firemen rejected this contention and proposal, as it was clear to us the company's maneuver was an attempt to extort concessions—as it had successfully accomplished with the licensed Unions.

However, on April 17 it was confirmed by several reliable sources on both the East and West Coasts that Keystone Shipping, Interocean Uglund Management Corp. (IUM) and Marine Transport Lines (MTL) were prepared to buy the Kvaerner ships and time-charter them back to Matson. Those companies have collective bargaining agreements with the SIU-AGLIWD/NMU.

With that information, coupled with information gleaned from our ongoing investigation of the company's shenanigans, it became clear that Matson's scheme was not a bluff. Having taken the company to the brink, it was a choice to either walk off the end of the pier and accept the demise of Matson as an employer or to bargain for our survival. The only reasonable and logical option was to bargain.

As bargaining proceeded, the company proposed draconian cuts for both the SUP and MFOW.

For the SUP specifically, Matson demanded that total labor costs (a combination of wages, overtime, supplemental benefits, welfare contributions, etc.) for the Kvaerner ships—based on a deck gang of six sailors— not exceed \$1,974 per day. That number is what Matson claimed it costs for an SIU-AGLIWD/NMU crew. As a comparison the company said the total labor costs for an SUP gang in the *R.J. Pfeiffer* are \$2,449 per day—a difference of \$475 per day.

The company was adamant that the target cost of \$1,974 had to be met. The SUP, (represented by Vice President Dave Connolly, Business Agent Bill Berger, SUP/MFOW attorney Sandy Nathan and your secretary) keeping in mind that a gun was pointed at our head, rejected Matson's bottom-line and instead bargained the following "assistance" which was ultimately accepted by the company and is subject to membership ratification:

CV 2600 Manukai-class Vessels

Term of Agreement: July 1, 2003 through June 30, 2013.

Wages:

- Wage freeze in 2003 and 2004
- 3.25% increase in wage and wage-related items on July 1, 2005
- 3.25% increase in wage and wage-related items on July 1, 2006
- 3.25% increase in wage and wage-related items on July 1, 2007
- The parties will meet to negotiate increases in wages and wage-related items and fringe benefits (SUP Welfare Plan, Pension, SUP 401k Plan, SUP Money Purchase Plan, Training and Joint Employment Committee) for the remainder of the Agreement from July 1, 2008 through June 30, 2013. In the event the parties fail to reach agreement by June 15, 2008, the issue will be submitted to arbitration under Section

10 of the General Rules. The Union shall have the option of selecting either regular interest arbitration or baseball arbitration which will be selected prior to June 15, 2008.

- Bosun's wages and Supplemental Benefit

The bosun's wages and supplemental benefit shall be reduced by a total of \$500 per month on the CV2600 vessels. This is for the first year (2003) of the agreement.

- New built vessel wages

A third new built vessel, if it is included in the fleet in the future, shall have terms and conditions of employment equal to the other CV2600 vessels.

- All other terms and conditions of the 2002-2005 agreement shall remain status-quo.

Holidays:

The parties agree that the following holidays will be observed at sea and in port:

New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Lincoln's Birthday, Veterans' Day, Thanksgiving Day, Christmas Day.

(This was the same holiday schedule demanded by Matson and agreed to by MM&P and MEBA.) Kamehameha Day and Columbus Day are not included.

Existing Matson Vessels

(Chief Gadao, Ewa, Kauai, Lihue, Lurline, Mahimahi, Maui, Manoa, Manulani, Matsonia, Mokihana, R.J. Pfeiffer)

Term of Agreement: Extend the expiration date of the current agreement from June 30, 2005 to June 30, 2008. (This coincides with the expiration of the ILWU/PMA agreement.)

Wages:

- July 1, 2003: 3% increase in wages and wage-related items (The 2002-2005 agreement called for a 3.25% increase).

- July 1, 2004: 3% increase in wages and wage-related items (The 2002-2005 agreement called for a 3.25% increase).

• The parties will meet to negotiate increases in wages and wage-related items and fringe benefits (SUP Welfare Plan, Pension, SUP 401k Plan, SUP Money Purchase Plan, Training and Joint Employment Committee) for the remainder of the Agreement from July 1, 2005 through June 30, 2008. In the event the parties fail to reach agreement by June 15, 2005, the issue will be submitted to arbitration under Section 10 of the General Rules. The Union shall have the option of selecting either regular interest arbitration or baseball arbitration which will be selected prior to June 15, 2005.

Manning:

Effective July 1, 2003, one AB shall be removed by attrition from the unlicensed deck department on C8 Class vessels (*Chief Gadao, Ewa, Lihue*) reducing the manning from seven to six.

All other terms and conditions of the 2002-2005 agreement shall remain status-quo.

SUP WORK RULES

The following changes to the SUP Work Rules reflect the implementation on the one-man watch system. These changes are consistent with the language in the 2002-2005 collective bargaining agreement.

- 1) Amend Section 11(d)

During transocean, domestic, intercoastal and nearby foreign voyages, when the bosun and two AB's are on daywork, an AB shall be knocked off at 4:00 P.M. each day and shall relieve the watchstanding AB on the wheel for supper relief. This supper relief shall be done without the payment of overtime.

continued on Page 10

President's Report continued

2) Amend Section 18. Steering by Automatic Equipment

(b) Aboard vessels having one-man watches, the helmsman is required to stand four-hour wheel watches. While the one-man watch is in effect, the helmsman may be seated on a stool while on automatic steering, provided there is not curtailment of his view of necessary navigation equipment. While maneuvering or preparing to maneuver, off automatic steering for more than one hour, an AB/Dayworker will be called to relieve the helmsman. If an additional man is called for lookout on the bridge wing, the lookout and helmsman will exchange duties at hourly intervals. If the lookout on the two-man watch is on the bow for a period in excess of one hour, a third member of the crew shall be called out to perform the duties of a three-man watch, such as taking his turn at the wheel and standing lookout.

3) Amend Section 36. Departure—Setting Watches

(d) When a vessel is docking or undocking, all hands available shall be used.

It is agreed that two men shall be required when lowering or hauling in the pilot ladder or for other operational duties. Aboard vessels carrying two-man sea watches, the previous watch shall be used.

4) Amend Section 37. Arrival—Breaking Watches

(d) When a vessel is docking or undocking, all hands available shall be used. It is agreed that two men shall be required when lowering or hauling in the pilot ladder or for other operational duties. Aboard vessels carrying two-man sea watches, the previous watch shall be used.

5) Add Section 56. One-Man Watch Vessels

VESSELS SAILING ON TRANS-OCEAN VOYAGES (*Mahimahi, Manoa, Mokihana*)

Amend Appendix A

Appendix A to the Agreement shall be amended to provide that the bosun and two AB's shall be assigned as dayworkers on departure for trans-ocean voyages and shall work hours as described in Section 11(c) of the SUP Work Rules. On arrival from such trans-ocean voyages, the bosun and the two AB's shall revert to watchstanders.

(a) Upon departure to trans oceanic voyages from the West Coast of North America or from Asia, or from the U.S East/Gulf Coasts or from Europe, the one-man watch shall go into effect at midnight (2400 hours) on the day of departure.

On the day of arrival from trans-ocean voyages at the first port on the East or West Coast of North America or Asian port or European port, the bosun and the two AB/Dayworkers shall revert to watchstanders at 0001 hours. Port calls at Dutch Harbor and/or Guam shall not require the setting of a two-man watch. For the purposes of this section, departure shall be defined as defined by Section 36 and arrival by Section 37 of the SUP Work Rules.

(b) As replacements are required in vessels covered by this section, the dayworkers' jobs shall be called as "AB (watchstander/dayworker)" or "Boat-swain/AB (watchstander/dayworker)."

(c) Sanitary Work:

(1) Quarters, common spaces, etc.,: On trans-ocean voyages, one AB/Dayworker shall perform sanitary as per Section 17 daily. On coastwise voyages, one 8x12 AB/Watchstander shall perform sanitary daily as per past practice.

(2) Bridge sanitary: On trans-ocean voyages, one AB/Dayworker shall perform bridge sanitary after 0800 as necessary. On coastwise voyages, the 4x8 watch shall perform bridge sanitary as per past practice.

(d) Coffee time: On trans-ocean voyages, the watchstanding AB's shall have coffee on the bridge.

(e) If dayworkers on trans-ocean voyages shall be required to stand a watch or part of a watch after 1700 or before 0800 or on Saturdays, Sundays, or holidays, they shall be paid at the overtime

rate in accordance with Section 11(f). During trans-ocean voyages, when the Bosun/AB and two AB (watchstander/dayworker) are on daywork, one AB (watchstander/dayworker) shall be knocked off at 4:00 PM each day to relieve the watchstanding AB on the wheel for supper relief. This supper relief shall be done without payment of overtime. If dayworkers are required to relieve the wheel or the lookout for meal relief from below on weekends or holidays, they shall receive a one-hour minimum.

(f) All SUP Work Rules regarding the two-man watch shall be applicable to trans-ocean voyages.

(g) When a vessel(s) complement is short one or more AB watchstanders, one or more AB (watchstander/dayworker) shall be reassigned as AB watchstander for the duration of the voyage or until relieved by a replacement AB watchstander. AB (watchstander/dayworker) that are reassigned shall receive overtime pay for all watches stood on Saturdays, Sundays and holidays.

VESSELS SAILING ON DOMESTIC, INTER-COASTAL AND NEARBY FOREIGN VOYAGES (*Chief Gadao, Ewa, Kauai, Lihue, Lurline, Maui, Manulani, Matsonia, CV 260 Manukai-class vessels*)

Amend Appendix A

Appendix A to the Agreement shall be amended to provide that one AB will be assigned to each watch. All other members of the unlicensed deck department shall be assigned as dayworkers and shall work hours as described in Section 11(c) of the SUP Work Rules.

(a) The one-man watch shall be set at departure in accordance with Section 36.

(b) Watches shall be broken in accordance with Section 37.

(c) Bridge sanitary at sea shall be performed daily by an AB/Dayworker, as per Section 17.

(d) If dayworkers are required to stand a watch or part of a watch after 1700 or before 0800 or on Saturdays, Sundays, or holidays, they shall be paid at the overtime rate in accordance with Section 11(f). If dayworkers are required to relieve the wheel or the lookout for meal relief from below on weekends or holidays, they shall receive a one-hour minimum.

(e) All SUP Work Rules regarding the two-man watch shall be applicable to domestic, intercoastal and nearby foreign voyages.

(f) When a vessel(s) compliment is short one or more AB watchstanders, one or more AB dayworkers shall be reassigned as AB watchstander for the duration of the voyage or until relieved by a replacement AB watchstander. AB dayworkers that are reassigned shall receive overtime pay for all watches stood on Saturdays, Sundays and holidays.

IMPLEMENTATION AGREEMENT

In order to implement the one-man watch system, the Union and the company agreed to the following procedures:

ONE-MAN WATCH

1) VESSELS SAILING TO THE FAR EAST (*Mahimahi, Manoa, Mokihana*)

(a) Effective July 1, 2003, the provisions of the one-man watch will be started at midnight (2400 hours) on the day of departure from port (West Coast or Far East) on the next trans-oceanic voyage.

(b) Sailors with the most seniority aboard the vessel shall have first choice if they want to be dayworkers trans-Pacific.

(c) If no sailors express an interest in being dayworkers trans-Pacific, the two sailors with the least seniority aboard the vessel shall be designated as dayworkers.

(d) Once it is determined who the dayworkers are, it is also necessary to determine which watch they will stand on coastwise voyages when a two-man watch is in effect.

For example: If it is decided that the 8x12 AB is going to be a dayworker (along with a bosun) for

trans-Pacific voyages, an AB from the 12x4 watch will have to switch to the 8x12. When a two-man watch is in effect, coastwise, the dayworker will then stand the 12x4.

(e) Once the dayworkers are designated, they shall maintain that designation until their employment is completed aboard the vessel.

2) VESSELS SAILING ON DOMESTIC, INTER-COASTAL AND NEARBY FOREIGN VOYAGES (*Chief Gadao, Ewa, Kauai, Lihue, Lurline, Maui, Manulani, Matsonia, R.J. Pfeiffer*)

(a) Effective July 1, 2003, the provisions of the one-man will be started at midnight (2400 hours) on the day of departure from a West or East Coast port.

(b) Sailors with the most seniority aboard the vessel shall have first choice if they want to be dayworkers trans-Pacific.

(c) If no sailors express an interest in being dayworkers trans-Pacific, the two sailors with the least seniority aboard the vessel shall be designated as dayworkers.

(d) Once the dayworkers are designated, they shall maintain that designation until their employment is completed aboard the vessel.

(e) The Ordinary Seamen in the *Kauai, Lurline, Manulani, Matsonia, and Maui* shall be watchstanders.

While the SUP and MFOW were coerced and extorted into making concessions by the corporate pirates of Matson, the company was unsuccessful in realizing its total labor costs goals as we met them less than halfway.

As painful as the changes to the agreement are, what was achieved in this rotten process was the retention of the work in Matson vessels now and in the future. The alternative was not an option for the membership and their families. By ratifying this agreement, the membership will also have the opportunity to fight another day.

Recommend membership ratification of the Matson agreements.

As of today's meeting the MFOW, MM&P and MEBA have also ratified. The status of the ARA is unknown, while the SIU-A&G Marine Cooks are expected to ratify.

IMMINENT DANGER ZONE

With Operation Iraq Freedom ongoing, the Defense Department has expanded the "imminent danger zone" and has increased the pay for transiting the zone.

The zone now includes the Mediterranean Sea east of 30 degrees East Longitude, the Arabian Sea north of 10 degrees North Latitude and west of 68 degrees East Longitude, the Red Sea (including the Suez Canal), the Gulf of Aden, the Gulf of Oman, and the Persian Gulf.

Prior to April 11, mariners transiting these waters (except for the Mediterranean) were paid \$150 a month in "imminent danger pay." The amount is now \$225 per month retroactive to October 1, 2002—including the eastern Mediterranean.

The Union has also been informed that the government is prepared to declare a "war zone" which would result in mariners receiving a 100% bonus on base wages. As of today's meeting, neither the geographical scope nor the dates of the yet-to-be-declared "war zone" will encompass has been announced.

READY RESERVE FLEET

Effective April 28, there was a 3% increase in wages, overtime, supplemental benefits, etc. in all Ready Reserve vessels operated by Patriot Contract Services for the Maritime Administration.

BURGESS v. SUP

On April 8, judges from the United States Court of Appeals for the Ninth Circuit convening in Pasadena, California, heard oral arguments in Wayne Burgess' appeal of his case against the SUP. What Burgess was

President's Report continued

attempting to do was to overturn U.S. District Court Judge George H. King's February 28, 2002 ruling against Burgess and to allow Burgess to amend his original complaint against the Union.

In a ruling dated April 22, Circuit Judges Pregerson, Tashima and Clinton denied Burgess' appeal by affirming Judge King's original decision in favor of the Union.

However, this costly saga isn't over yet. The SUP was notified on May 6, by Union attorney Glenn Rothner of the law firm of Rothner, Segall & Greenstone, that Burgess is in the process of petitioning the Ninth Circuit for a rehearing.

In addition, Burgess has filed two charges against the SUP with the National Labor Relations Board in Los Angeles.

The first charge was filed on February 28 and was reported on in the March *West Coast Sailors*. The latest charge was filed on April 10 alleging that the SUP "published and distributed articles to members" of the Union, and "harassed" Burgess "in the presence of members" of the Union, "in order to incite them to harass and assault" Burgess "in retaliation for his Union activity."

The Union denies these charges and has retained Mr. Rothner to defend its interests.

EXXON SEAMEN'S UNION

At the invitation of Exxon Seamen's Union (ESU) President Jerry Patterson, Vice President Dave Connolly and your secretary attended the ESU Ship's Representative Conference on April 24 and 25 in Houston, Texas.

The annual conference brings together the officers of the ESU and the elected Ship's Representatives (delegates) in the SeaRiver maritime fleet issues of importance to the ESU membership. Due to its structure, the ESU does not hold monthly meetings ashore, like the SUP, hence the need for an annual conference.

Vice President Connolly and your secretary discussed with the attendees issues that affect all of maritime labor including the importance of the Jones Act, cargo preference laws, the Matson situation, and the efforts to reauthorize the Maritime Security Program. In addition, we emphasized the necessity of engaging in political action in order to support members of Congress that are pro-maritime.

The ESU affiliated with the SUP in July 1999.

ILWU CONVENTION

At the invitation of James Spinosa, President of the International Longshore and Warehouse Union, attended that Union's 32nd Biennial Convention in San Francisco during the week of April 28.

On behalf of the membership of the SUP, extended greetings to the delegates and reiterated the bond of solidarity that exists between both Unions.

SUP ELECTION INFORMATION

The biennial election of SUP officers and referenda on proposed amendments to the SUP Constitution and Shipping Rules will commence on December 1, 2003, and will conclude on January 31, 2004.

Although nominations for elective office will not occur until September, the membership is reminded that in accordance with Article XXVII of the SUP Constitution, proposed Constitution and Shipping Rule changes must be submitted, in writing, to any Headquarters or Branch meeting by June.

Resolutions submitted will be referred to a Committee on Constitution

lected at the June coastwise meetings. The Committee, as per the Constitution, will consist of three members from Headquarters and one member elected at the Seattle, Wilmington and Honolulu Branch meetings.

HOLIDAYS

All SUP halls will be closed on Monday, May 26, in observance of Memorial Day, a holiday under all SUP contracts.

All halls will also be closed on Wednesday, June 11, in observance of Kamehameha Day. In accordance with the Matson agreement, it is a paid holiday for all vessels at sea or in port, the paint and rigging gang, and casual standbys employed on that date.

ACTION TAKEN

M/S to accept the President's recommendation to ratify the new Matson agreement. Carried unanimously.

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

Gunnar Lundeberg

Vice President's Report

May 2003

Editor's Note: SUP Vice President Dave Connolly spoke at the Maritime Day ceremonies in San Pedro on May 22, the following are his remarks:

Maritime Day

It's great celebrating maritime day. But I think it's premature. We need to ask ourselves a question first. The question is deceptively simple: "Is the United States a maritime nation?" Obviously, we need an answer to that question before we pop the champagne.

The question is not new. Over a hundred years ago, a navy captain named Alfred T. Mahan asked it in his famous book *The Influence of Sea Power on History*. "Is the United States a maritime nation?" Well, we are not land-locked: we are an island nation. We have oceans on three sides and inland seas on the other. We are the world's greatest trading nation, we have more than a hundred ports, including like this port some of the largest in the world, and the vast majority of this country's manufactured goods and raw commodities enter and depart by ship. We have laws on the books saying that all of the nation's domestic commerce and a significant portion of its international commerce shall be carried by U.S.-flag ships. And every time there is a war American merchant mariner are called on to supply our troops overseas. Despite these things, we still cannot answer Captain Mahan's question. I cannot stand here today and tell you conclusively that we are a maritime nation.

Why?

If we were a maritime nation the U.S. government would espouse and enforce a unified, cohesive and understandable national maritime policy. If we were a maritime nation the rotten ships of the rotten flag-of-convenience system, which cripple our industry and enable a free-ranging global exploitation of seamen, would be abolished from calling at our ports.

If we were truly a maritime nation, we would comply with the Merchant Marine Act of 1936, which says the domestic commerce and a significant portion of the international commerce would travel in U.S.-flag ships.

What does significant mean?

We know that presently U.S. flag ships carry only 3% of our international trade. Is three percent significant?

In the Maritime Security Program the government supports the existence of 47 ships in the international trades. If it were only 6%—there would be 94 U.S. flag ships. If significant was only 9% of the nation's international commerce there'd be 141 ships in MSP. But we believe significant under the law means 50% or

greater. Can you imagine it? There'd be hundreds and hundreds of U.S.-flag ships in the international trades. If we were a maritime nation we'd enforce this law.

Instead, Congress is now considering legislation that will relax the citizenship requirements for participation in the MSP, making it easier for foreign companies to participate in taxpayer supported shipping, making it easier for the U.S. maritime policy to be dominated by other maritime nations.

Captain Mahan's question hangs out there, unanswered. We sure should be a maritime nation, but we don't act like it. We have the trade, we have the ports, we have the history of service in war, and we have the vestiges of the necessary maritime infrastructure, but the nation as a whole acts as if it doesn't care.

Now, of course, that's not completely true. In Washington D.C. today they're pinning medals on the chests of merchant mariners and I acknowledge the fitting and appropriate recognition of yet another stellar wartime contribution from the U.S. merchant marine. In this latest conflict, mariners not only volunteered to go into a war zone on unarmed ships, they also volunteered to take anthrax and smallpox inoculations to protect them against the possible use of biological weapons. They were under constant threat of terrorist attack. They worked around-the-clock cargo watches, unloading the largest military supply ships ever built faster than their designers said was possible. They were an elemental part of the logistical chain that created such swift victory, and they are being recognized today. But if we were a maritime nation they would not be forgotten when all the Army's gear is back home. If we were a great maritime nation, extreme care would be taken to ensure their continuing employment and training in peacetime. Instead, the lessons of the past suggest that we will be left to our own devices, (those devices are our Unions) fighting for existence, until new service and recognition in the next conflict.

If we were a maritime nation the maritime law of the land would be a help and not a hindrance to American seamen—it would permit rather than restrict the traditional sector migration of seamen amongst the trades. If we were a maritime nation there'd be routine federal assistance for entry-level seamen to meet rigorous new training standards. If we were a maritime nation we'd stop exporting our maritime jobs to countries who rent out their flags in exchange for silence, secrecy, and lax regulation.

Neither is maritime labor immune from behavior unbecoming a great maritime nation. Too eager to assert jurisdiction over already organized seamen, too greedy to establish unified control without unified vi-

sion, we have attempted to ignore the diminishing effects of self-competition. We have tried to ignore the negative effects separate and deliberately lower wage scales and separate and deliberately less restrictive work rules. The double standards have only one purpose: that one organization shall gain jurisdiction over another. But when labor competes against itself (we are reminded time and again) workers lose, and seamen turn away from the sea. If we were a great maritime nation, maritime unions in all their diversity and autonomy would present a variegated but united, consistent, and impregnable position to the employers.

But I ask you, from the lips of the dead captain, "Are we a maritime nation?"

The Sailors' Union of the Pacific is committed to the future of the United States as a great maritime nation. is optimistic about the future of this great nation and its loyal merchant marine.

Operation Iraqi Freedom

Hats off to the Union's LMSR sailors, who time and again proved the utility of maintaining a well-trained pool of dedicated sealift mariners. Compared to the first Gulf War when in a frenzy the U.S. Navy chartered every available Ro/Ro in the world, ultimately using more than 100 foreign-flagged ships, things were different this time.

Over 80% of the military's equipment moved by U.S.-flagged ships in a massive logistical enterprise that was orderly measured and continuous. These men and women have sailed into war zones in unarmed ships, under the constant threat of attack, to ensure U.S. victory in Iraq. They are the SUP's finest.

USNS Yano— L.J. Benson, bosun; Steve Martin, delegate: Clarification on watch schedule, bosun is part of the rotation.

USNS Mendonca— Don Olney bosun, William Cornelius delegate. At Diego Garcia awaiting orders. Relief will be shipped ASAP subject to flight availability.

USNS Gilliland— Joe Richwagone, bosun, Julian Torre, delegate: Enroute Diego Garcia.

USNS Pūlilaau— Mike McGrahan, bosun, Jim Kenny, delegate: In route USA after loading in Kuwait.

USNS Gordon— Sam Scott, bosun, Anthony Brantley, delegate: Numerous clarifications. Most beefs squared away.

SUP Branch Reports

Seattle

April 21, 2003

Shipped during the period: 1 Boat-swain: filled by A-card; 12 Able Seaman slots went to 3 A, 2 B, 3 C and 4 D cards. 17 standby jobs were shipped.

Registered during the period: 9 A cards for a total of 17; 11 B cards for a total of 33; 7 C cards for a total of 16.

Ships checked

APL Singapore, APL Thailand, and the APL Philippines back from the Far East with little or no trouble. We put a top notch crew on the APL China which was turned over to American Ship Management from NOL. The change over from foreign flag to U.S. flag went without a hitch. The Maui and Kauai in twice, lots of questions on the negotiations for the new Matson ships under construction.

The SUP and MFOW are doing a good job bargaining in solidarity against the company. The same cannot be said for the licensed unions where the situation is both chaotic and self destructive. The SUP and MFOW have been fortunate to have long term seasoned leadership to represent the interests of their memberships.

I attended the King County Labor Council meeting, the Puget Sound Maritime Trades meeting. Along with ILWU Local 19, I met with the USCG on Port Security issues.

I attended a meeting with Congressman Don Young, Alaska, Chairman of the House Transportation Committee. Congressman Young, a friend of maritime interests, spoke of resurrecting a much needed small vessel intercoastal trade to carry both passengers and containers between U.S. ports. These ships would be "Jones Act" vessels and would be required to carry U.S. mariners.

All of us should keep our ears to the ground in the near future and when you see or here of start-up companies looking for seaman notify your SUP agent. It is the seaman that organizes within a company and we can help guide them.

Vince O'Halloran
Branch Agent

Holiday

All halls will also be closed on Wednesday, June 11, in observance of Kamehameha Day. In accordance with the Matson agreement, it is a paid holiday for all vessels at sea or in port, the paint and rigging gang, and casual standbys employed on that date.

Vice President's Report continued

USNS Fisher— Dale Gibson, bosun, Glen Loutsenhizer, delegate: At Diego Garcia. Assistance required with topside problem.

USNS Brittin— Brian Yost, bosun, Mark Littlejohn, delegate: Enroute Kuwait.

USNS Shugart— Charlie Bulmer, Kirby Siville, delegate: At Diego Garcia.

USNS Bob Hope— John Ace, delegate: Enroute Kuwait.

USNS Seay— Noel Shau, bosun, Eric Hands, delegate: In route Kuwait.

USNS Benavidez— Under construction at Avondale. Calls for a gang around May 30.

Dave Connolly

Wilmington

April 21, 2003

During the period shipped: bosun: 3, AB: 21, AB maint.: 6, OS: 1, standby: 76. Total jobs shipped: 107.

Registrations stands as follows: A:46 B:29 C:12 D:3

Ships checked

Lurline-Carl Ziegler, delegate, APL Korea-Duke Maringer passing sheets to Dennis Sparta, Chevron Washington-Kingsley Baidoo, delegate, Chief Gadao-Dean Smith, delegate, President Kennedy (last time in), APL Philippines, Lihue-Dave Kaupiko, delegate, President Adams, President Wilson, Lurline, Mahimahi, APL China-Ray Ramirez, delegate, Chief Gadao, President Polk, Ewa-Paul Barbour, delegate, APL Thailand-Diane Ferrari, delegate, Lihue, President Truman, Lurline-Billy McAndrew, delegate, Mokihana, APL Singapore-Tony Fague, delegate, R.J. Pfeiffer-Mitch Roseveare, delegate.

On March 18, had lunch with LAPD's Labor Relations' Sergeant Maria Gonzalez and Officer Deborah Aoki. ILWU's Ole was also in attendance. March 19, we had our monthly maritime agents' lunch with six different maritime Unions represented.

On March 29, I accepted the Cesar Chavez award for Duane Nash who was at sea. The awards dinner was held at the Dalmatian American Club in San Pedro. Also receiving awards from the Harry Bridges Institute were Bill and Russell Meeks, Pile Drivers, Ronnie Sandate, ILWU, Pat Stanyo. UTLA, David Westerman, Pace and Antonio Trejo, Marine Fireman's Union. It was a grand night for Union Labor.

The MTD lunch meeting was held on April 17. Kelly Candelle, Trustee LA Community College District, was our guest speaker. Vote yes on Proposition AA. This will supply money to use Union labor to fix up our community colleges.

Gunnar Lundeberg and Whitey Disley will be in town for Maritime Day, May 22. We are going to dedicate the new Wall of Honor. We will have one call at 9:00. The hall will then be closed for the rest of the day as we will all be attending the ceremonies at 6th and Harbor in San Pedro.

On April 21, attended Bill McManus' wake. He was a great guy from our maritime family. Our regards and condolences go to his family and friends as well as those of Chester Hazel, Pasquale Gazillo, and Jimmy Littleton.

The Lurline's bosun, Harry Naeloe, had to jump off a stores truck so that he would not get hit by a moving gantry—which by the way did hit the stores truck. So like Harry, let's keep our eyes open and be very careful out there.

Mark Hurley, Branch Agent

Honolulu

April 21, 2003

During the month of March, dispatched the following: 3 ABs, 2 AB reliefs, 2 AB returns and 3 OS. These jobs were filled by 2 A members, 6 B members and 2 C members. Also shipped 34 standby jobs filled by 2 A members, 20 B members, 11 C members and 1 D registrant for a total of 44 jobs shipped.

During the month of March, registered 4 A members, 6 B members, 1 C member and 1 D registrant. To date, registered are: 12 A members, 8 B members, 5 C members and 1 D registrant, for a total of 26 registered.

Ships checked

Maui, Lurline, Chief Gadao, Matsonia, Kauai, Ewa, R.J. Pfeiffer and Lihue. All with few or no problems. Paint and rigging gang running smoothly with George Lua as bosun. I would like to remind all members to be attentive to expiration dates on all shipping documents.

On April 16, attended Hawai'i Ports Maritime council meeting. Most of the discussion on plans for the upcoming maritime Memorial Day activities on May 18.

On April 22, two-day old future member Manukai Weisbarth showed up at the hall. Fourth generation for this SUP family.

On May 4 and 5, President Gunnar Lundeberg was here in Honolulu on a whirlwind visit to discuss the latest Matson MOU. Together we covered the Kauai, Lurline, paint and rigging gang and also held a discussion at the Union hall. Can't underestimate the important of this MOU ratification. Matson's shenanigans are still the talk of the waterfront here in Honolulu.

The Hawai'i membership send their condolences to the family of Chester Hazel, a friend and good Union brother.

Mike Duvall, Branch Agent

San Francisco Business Agent

May 12, 2003

Visited and paid off the following ships: Chief Gadao—Dean Smith, delegate; Keith Miller, bosun: My old friend Red Bell is aboard; ship in good shape.

Kauai—Rich Cahill, delegate: No disputes.

Lihue—Dave Kaupiko, delegate: Island run; no disputes.

Mahimahi—John Gabourel, delegate: Voyage pay off; clarification tie up oil barge and deck watch.

Manoa—Lee Dancer, delegate; Bob Burns, bosun: Voyage pay off; clarification on trip off.

Maui—Chuck Maringer, delegate: No disputes, good gang.

APL Philippines—Kim Hoogendam, delegate: Voyage pay off. This C-11, along with the others, shifted to the Los Angeles-Oakland-Far East run.

Washington Voyager (ex-Chevron Washington)—Thor Erikson, bosun: Good shape; coastwise tanker.

Pilot Boats—Running smoothly at Pier 9.

Also worked in the front office during the month.

William Berger

Norfolk Office

April 2003

In the month of April, I shipped 1 bosun and 2 ABs filled by 2 B cards, 1 D, card for shipping 4 B, 2 C, 3D.

The Gordon and Seay came into Newport News for repairs and stores and voyage payoff. The Seay is clean with no problems. The captain complemented the crew on a job well done.

The Gordon had many problems. The chief engineer decided to take over the whole show. I was met at the gangway by an angry deck gang. I asked the chief mate what's going on here. He asked me to join him in the captain's office. I told the chief engineer to stay out of SUP business. The rest got messy. I called Dave Connolly to call the company which he did and got it squared away.

I also paid off the Pililaau, Yano, Gilliland: all minor problems squared away.

Also the Brittin In Charleston, SC. Bosun Chris Rogers did a excellent Job with a top SUP gang. Big thanks from the captain and chief mate for a job well done.

Let's take a moment to give these sailors a big hand. These ships are big and lots to do. As they serve there country, and supply our troops. The SUP/MFOW have always been there and always will.

I have been invited again by the Propeller Club to represent the Sailors and Firemen on Maritime Day in Norfolk.

Also I will remind them of the Baton Rouge Victory, which sank in the Saigon River, where the whole engineering gang lost there lives.

Jack Stasko
SUP Representative

New pensioner

One SUP member has joined the rank of pensioner bringing the total number of SUP members now receiving a pension to 926:

Archie Bickford, 65, Book No. 5669, joined SUP in 1960, 40 years of seetime.

Dispatcher's Report

Headquarters- April 2003

Deck	
Bosun	3
Carpenter	0
MM	1
AB	19
OS	3
Standby	37
Total Deck Jobs Shipped	63
Total Deck B, C, D Shipped	13
Engine/Steward	
QMED	0
Pumpman	0
Oiler	0
Wiper	0
Steward	0
Cook	0
Messman	0
Total E&S Jobs Shipped	0
Total E&S B, C, D Shipped	0
Total Jobs Shipped - All Depts. ...	63
Total B, C, D Shipped-All Depts. .	13
Total Registered "A"	79
Total Registered "B"	73
Total Registered "C"	13
Total Registered "D"	14