



West Coast Sailors

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SAN FRANCISCO, CALIFORNIA

Friday, November 23, 2001

Bush's MarAd nominee backs strong U.S. merchant marine

Captain William G. Schubert, President Bush's nominee for Maritime Administrator, told a Senate panel this month that "the task of rebuilding the U.S. merchant marine is a mission; it's in my blood."

In a confirmation hearing before the Commerce, Science and Transportation Committee on November 15, Schubert said, "A strong maritime industry is essential to our national defense in time of war or declared emergency. The Maritime Administration is the promotional agency for the U.S. maritime industry. I am committed to managing the Agency's staff and resources in a way that provides the best value to the government and industry."

Schubert voiced strong support for the Jones Act, the Title XI Ship Loan Guarantee Program and the Maritime Security Program (MSP). Regarding MSP, Schubert said, "I will strive to achieve a consensus among the stakeholders for a renewal of the Maritime Security Act sufficient to meet our national security requirements."

During the hearing, Senator John Breaux (D-LA) stated that the next maritime administrator must eschew empty talk and take bold, decisive action.

Schubert replied by saying, "I

want to remind you that the motto of the Merchant Marine Academy is *acta non verba*—deeds, not words. I have tried to live my entire 27-year career in the maritime industry with that in mind."

Senator Breaux also put Schubert on notice that Congress expected him to be a strong advocate for Title XI in the face of a White House that wants to eliminate it.

"This is going to happen on your watch. It's going to be tough, because you're going to be in the middle," Breaux told Schubert. "You have a Congress that supports this, and an administration that doesn't. You work with the administration, but you also have to follow the laws of Congress. Congress has hinted very strongly that the Title XI program is going to be supported."

"I would be a strong advocate of the industry, that includes labor and all the stakeholders. I will make the best arguments that I can," Schubert replied. But when pressed, he said he would "respectfully" support the administration's position.

"My question to you is, if the President says, 'Captain, what do you think about the Title XI program?' Are you going to be a yes-person?" Breaux asked. Schubert said he would not, and noted that Title XI historically had a default rate of 3 percent compared with default rates for small-business programs of 12-13 percent.

Breaux said that there is a role for the government in supporting a U.S. maritime industry. While the U.S. may support free enterprise, the maritime industry has to compete in a world where ocean carriers work closely with their governments, in some cases, the government owns the carrier. "It's a very un-level competitive field our industry must face as we ply the oceans of the world," Breaux said.

The Commerce Committee is expected to approve Captain Schubert's candidacy, and the Senate could rule on his confirmation shortly after the Thanksgiving recess.

Legislation to aid U.S.-flag fleet introduced in the House

In a move to liberate the U.S. Merchant Marine from restrictive and damaging federal tax and regulatory burdens, Congressman James L. Oberstar (D-MN) introduced on November 8, H.R. 3262, the Merchant Marine Cost Parity Act of 2001.

In his remarks for the Congressional Record, Representative Oberstar detailed the erosion of the U.S.-flag fleet, and placed the blame for that decline on the shoulders of unfair government policies that cripple the Merchant Marine's competitiveness.

"By 1951 there were 1,238 privately owned U.S.-flag vessels sailing on the oceans of the world," Oberstar, the Ranking Member on the House Transportation and Infrastructure Committee, said. "Unfortunately, it has been all down hill from there. Today, there are 94 U.S.-flag vessels in the U.S. foreign trade."

"The question is: Why has this happened? The answer: The higher cost of operating a vessel under the U.S.-flag due to various federal requirements."

Specifically the bill, co-sponsored by Transportation and Infrastructure Committee Chairman Don Young (R-AK), identifies four areas where hindering government policies place the American merchant fleet at a distinct competitive disadvantage vis-à-vis foreign ships.

First, the legislation would charge U.S.-flag vessels with a flat tonnage tax, instead of the income tax now in place. Oberstar contends this flat rate would attract more ships to the American fleet, thereby reducing operating costs without costing the U.S. Treasury a large amount of revenue.

Additionally, Oberstar's legislation grants tax exempt status to U.S. mariners working at sea on American ships. Currently, U.S. citizens employed overseas are not required to pay tax on the first \$80,000 of income. However, this does not apply to merchant mariners. The bill would change that.

The Merchant Marine Cost

Parity Act also exempts U.S. vessels from unique and exacting Coast Guard design standards. As long as a ship is in accordance with International Maritime Organization (IMO) parameters, it can participate in trade. Oberstar believes this will reduce costs and allow greater competitiveness with foreign-flag vessels not subject to Coast Guard rules.

The final provision of the bill reduces insurance costs by allowing the shipowner and union to agree to a mutually agreeable policy that covers all necessary contingencies. The bill allows the U.S. Transportation Secretary to establish a minimum amount of coverage required so policies adequately cover mariners injured or killed while on the job. Oberstar hopes that easing stringent insurance requirements and costs will increase the ability of American ships to compete with foreign-flag vessels.

"For more than 100 years, the United States Government has placed financial burdens on the U.S.-flag vessel shipowner that has driven these vessels from our

shores," Oberstar said. "I cannot accept the United States Government continuing to allow the decline of our fleet until there are no privately owned U.S.-flag vessels engaged in our foreign trade."

"The United States must develop a long-term and integrated strategy that will adequately address all of the cost issues that drive capital investment away from the U.S.-flag shipping industry. I believe that H.R. 3262 can provide the foundation for that strategy."

The Minnesota lawmaker based his bill on a British model that triggered a 40% increase in the UK merchant fleet over an 18-month period.

"With the help of the Administration, maritime industry, and labor, we can ensure that Old Glory is raised on the sterns of hundreds more U.S.-flag vessels," he said.

The bill was referred to the House Transportation and Infrastructure and Ways and Means Committees.

Source: American Maritime Congress Washington Letter

Foreign-flag vessels targeted in new port security measure

While the Port, Maritime and Rail Security Act of 2001 (see the October *West Coast Sailors* and this issue's President's Report on Page 10) remains under consideration by the Senate, Commerce, Science and Transportation Committee, new legislation was introduced that targets lax security standards in foreign-flag vessels, expands the sea marshal program and establishes a network of sea pilots to monitor ports and sealanes for suspicious activity.

On October 30, Senator John Kerry (D-MA) introduced the Port Threat and Security Act (S.1587) cosponsored by Senators Ernest Hollings (D-SC) and John Breaux (D-LA).

In remarks on the Senate floor, Kerry stated that his legislation is intended to supplement the Port, Maritime and Rail Security Act (S.1214) "by improving our ability to detect and prevent maritime

See New Port Security Billcontinued on Page 5

Medical benefit increases for Sailors' Union pensioners

SUP pensioners received good news this month when it was announced that the yearly medical allowance was boosted from \$2,000 to \$3,500. This improved benefit will also, for the first time, permit dependents of pensioners to use the annual fund for medical bills. The increase will help to defray rising medical costs.

For full details, see the President's report on Page 10.



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SUP Quarterly Finance Committee Report

SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED September 30, 2001

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on October 9, 2001, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

General Fund	\$1,055,694.03*
Political Fund	\$2,265.42
Strike Fund	\$1,293,730.99
Total Cash and Investments 2nd Qtr 2001	\$2,351,690.44

*\$3,334.00 held for Wall of Honor not included
\$16,600.00 paid 2/4/00 to AMMV for memorial

GENERAL FUND

Income:	
Dues, Initiation, Assessments	\$87,845.50
Interest	27,490.53
Donations - <i>West Coast Sailors</i>	1,480.00
Tanker & Joint Committee, Hiring Hall	92,601.00
Advertising & Promotion	725.86
Miscellaneous Reimbursements, Fines	518.56
Reimbursed Administrative Expenses	22,123.55
Reimbursed Field Expense	1,552.46
Contributions - General Fund	835.00
Total Income:	\$235,172.46

Expenses:

Auto & Travel	\$2,447.84
Rent	11,515.55
Postage, Printing & Office	4,367.55
Telephone & Telegraph	4,819.11
<i>West Coast Sailors</i> Publishing Expense	4,306.47
Per Capita	8,366.50
Salaries & Payroll Taxes	165,051.15
Office Workers Pension	5,240.97
Insurance	8,843.90
Field Expense	1,779.10
Committee & Neg., Conference & Conv.	5,488.89
Contribution	1,625.00
Investment Expense	1,432.72
Officials' Pension	548.55
Flowers	189.55
Advertising & Promotion	4,244.06
Legal & Accounting	5,887.00

Subscription	1,166.57
Total Expense:	\$237,320.48

BUILDING CORPORATION

Income:	
Assessments	\$2,272.00
Interest & Principle on Mortgage Notes	6,235.62
Rents	114,443.97
Total Income:	\$122,951.59

Expense:

Building Services & Utilities	\$21,964.81
Repairs & Maintenance	946.10
Salaries & Payroll Taxes	14,973.30
Pension	134.55
Legal Expense	33,639.58
Committee & Negotiations	473.37
Insurance	20,166.50
Total Expense:	\$92,298.21

POLITICAL FUND

Income:	
Contributions	\$2,470.00
Interest	2.29
Total Income	\$2,472.29

Expense:

Contributions	\$3,250.00
Total Expense:	\$3,250.00

Net Income

1st Quarter	\$47,653.37
2nd Quarter	4,148.89
Year to date	\$79,529.91

/s/Danny Gonzales /s/Arthur Thanash
/s/Denis Howard /s/Louis Frazier
/s/Paul Calais

ACTION BY THE MEMBERSHIP November 13, 2001. 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.

Final Departures

Roland F. Young, Book No. 0203. Born in North Dakota in 1926. Joined SUP in 1945. Died in Reno, Nevada, September 19, 2001. (Pensioner)

Stanley H. Flindt, Book No. 2147. Born in California in 1929. Joined SUP in 1945. Died in Alameda, California, October 9, 2001. (Pensioner)

Moncre Floyd Everett, Book No. 1689. Born in Michigan in 1926. Joined SUP in 1944. Died in Lakeport, California, October 4, 2001. (Pensioner)

Charles Wayne Knott, Book No. 3078. Born in Washington in 1927. Joined SUP in 1947. Died in California, October 15, 2001. (Pensioner)

Earl Bonnie Myers, Book No. 6386. Born in Texas in 1929. Joined SUP in 1946. Died in San Lorenzo, California, September 24, 2001. (Pensioner)

William R. Gogerty, Book No. 2660. Born in North Dakota in 1922. Joined SUP in 1943. Died in San Pablo, California, October 12, 2001. (Pensioner)

William E. Holladay, Book No. 5773. Born in Oklahoma in 1926. Joined SUP in 1945. Died in Oklahoma, October 12, 2001. (Pensioner)

Robert Navarro, Book No. 2385. Born in California in 1927. Joined SUP in 1948. Died in San Ramon, California, October 23, 2001. (Pensioner)

Hagop Surmeian, Book No. 7452. Born in Rhode Island in 1922. Joined SUP in 1950. Died in Pawtucket, Rhode Island, September 17, 2001. (Pensioner)

Marlyn D. Stewart, Book No. 7135. Born in Iowa in 1927. Joined SUP in 1945. Died in San Pedro, California, November 4, 2001. (Pensioner)

Eustratius Jordanides, Book No. 4177. Born in Connecticut in 1927. Joined SUP in 1945. Died in Florida, October 26, 2001. (Pensioner)

Donald G. Brown, Book No. 5716. Born in Washington in 1933. Joined SUP in 1958. Died in Nevada, August 28, 2001.

Social Security benefits increase 2.6% next year

Social Security recipients will get a 2.6% cost-of-living increase in 2002 according to the Social Security Administration. This year's raise was 3.6%.

The increase is automatic and is tied to changes in the Consumer Price Index, one of the government's chief indicators of inflation.

Commenting on the increase, John Rother, legislation and public policy director for the American Association of

Retired Persons (AARP), stated that next year's raise "will seem to most people very small, particularly given the health care cost increases they are facing."

The government also announced that monthly Medicare Part B will increase by \$4.00 per month next year to \$54.00, an 8% increase.

Medicare Part B costs are paid for SUP pensioners and their spouses by the SUP Welfare Plan.

Screen Actors Guild expels scabs

The Screen Actors Guild (SAG) has expelled three members who scabbed during the Union's six month strike against the advertising industry last year.

The three were identified by the Union as Southern California area members Gerry Donato and Mario Cecchini and New York area member Robert Kalomeer.

Each was expelled after an internal union trial meeting.

SAG spokesman Greg Krizman said, "Our membership has been firm in its resolve to provide member benefits only to those who stood in solidarity with the guild during the strike."

**Attend your
Union meetings!**

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2001/02:

	Hdq.	Branch
December	10	17
January	14	22*
February	11	19*
March	11	18
April	8	15
May	13	20
June	10	17
July	8	15
August	12	19
September	9	16
October	15*	21
November	12*	18
December	9	16

*Tuesday

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SUP balloting begins next month

By secret mail-ballot, all eligible members of the Sailors' Union of the Pacific will elect officers for the 2002-2004 term and decide on proposed amendments of the Union's Constitution and Shipping Rules.

The two-month election period begins on December 1, 2001, and concludes on January 31, 2002, with the ballots tallied on February 1, 2002.

Sequoia Voting Systems (formerly Sequoia Pacific Systems) was selected by the membership as Impartial Balloting Agent and will be responsible for the entire election process.

Fourteen SUP members have been certified as eligible candidates, by the membership, to run for office. All positions are contested, except the Branch Agent's job at Seattle, Wilmington and Honolulu: President/Secretary-Treasurer, Vice President/Assistant Secretary, San Francisco Business Agent, five trustees of the SUP Building Corporation and four delegates to the SIUNA Convention.

Charleston 5 win: victory and vindication

The case of the Charleston 5 that has galvanized the labor movement has been won. On November 8, South Carolina prosecutors dropped felony rioting charges after the five defendants pleaded no contest to misdemeanor charges and fined \$100. The plea of no contest was not an admission of guilt.

The longshoremen, known as the Charleston 5, were charged with inciting to riot following a January 20, 2000 protest. When 150 members of ILA locals 1422 and 1771, picketed a marine terminal using nonunion labor to discharge a Danish ship, they were attacked by 600 Charleston, South Carolina riot police. The union locals were fined \$1.5 million and the five longshoremen placed under house arrest while awaiting trial which was scheduled to begin the week of November 12.

The dismissal of the original felony charges, imposed by South Carolina Attorney General Charles Condon, removed the possibility the five would receive harsh and unjust prison sentences.

The groundwork for the please and freedom was laid when Condon, a candidate for governor, withdrew from the case after the Union filed suit charging him with conflict of interest.

The AFL-CIO and its affiliated Unions, including the SUP, along with civil rights and community groups have rallied, marched and supported the worker's cause for almost two years.

Local 1422 President Ken Riley called the settlement a tremendous victory and gave the credit to the unrelenting pressure of the labor movement.

Los Angeles Harbor security zone

On October 24, the Coast Guard established three temporary security zones—one in the waters surrounding the Coast Guard Base-ISC San Pedro at Reservation Point in Los Angeles Harbor, the second one in the waters surrounding the Los Angeles Harbor and the third zone is in waters adjacent to the Diablo Canyon Nuclear Power Plant in Avila Beach, CA. These actions are necessary to ensure public safety and prevent sabotage or terrorist acts against the public and commercial structures and individuals near or in these structures. These security zones will prohibit all persons and vessels from entering, transiting through or anchoring within the security zones unless authorized by the Captain of the Port or his designated representative.

U.S. fears container nuclear bomb

The U.S. government believes a packaged nuclear bomb smuggled via a container into the United States and then detonated by remote control while en route by rail into the U.S. heartland is "still very much a threat," a leading U.S. security expert says. American Science and Engineering CEO Ralph Sheridan, who has participated at high-level policy and development strategies in Washington since the terrorist attacks, says the government has identified U.S. customs loopholes. Underscoring growing government fears about maritime safety, U.S. Transportation Secretary Norman Mineta last month spoke of security concerns about the 17M marine containers handled annually via U.S. ports. "With very few exceptions we cannot track [an inbound] specific container once it leaves the seaport," Mineta said. American Science and Engineering sells x-ray detection and imaging inspection systems.

House economic stimulus rewards wealthy

IBM Corporation stands to reap a \$1.4 billion windfall and 13 other big corporations more than \$100 million each in tax breaks under a so-called economic stimulus plan that squeaked through the House of Representatives a near party-line (216-214) vote October 24. But the nation's workers, who are bearing the brunt of the economic fallout from the September 11 terrorist attacks, will receive virtually no guaranteed help.

More than six weeks after the attacks, House Republicans showered nearly 90 percent of a \$100 billion stimulus package on tax breaks for corporations and the wealthy. AFL-CIO President John Sweeney called the Republican-led package a "total disgrace" and a "shameless approach" to economic stimulus that is full of "twisted priorities." The bill's backers claim it sets aside \$12 billion for unemployment insurance and health care subsidies. But the money is in the form

of block grants to the states—with no requirement that states actually spending the money on those program.

The families of more than half-a-million workers who are losing their jobs in the attacks' aftermath need immediate help to pay rent, buy groceries and afford health insurance. But under the terms of the bill, it's the wealthiest who receive the biggest breaks, an average of \$27,000 for the top one percent.

The AFL-CIO has proposed a stimulus package that includes extended unemployment benefits to an expanded pool of workers, health care assistance, job retraining, help for struggling states and cities and other investments that will spark economic recovery. The Senate is expected to take up its version of a stimulus package soon, and the AFL-CIO and others will be working to shape a package of stimulus and relief that puts workers and their families first.

USNS Gordon in Norfolk, VA



Posing for the camera in the USNS Gordon from left is Al Lillibridge, Randy Runyan, Martin Dempsey, Lambert Brown and SUP Representative Jack Stasko, in Norfolk Virginia, on October 15. Photo by Dave Connolly.

Suspected terrorist discovered in container

Italian authorities revealed last month that they had arrested a suspected hijacker discovered in a cargo container furnished with a bed, toilet, lap-top computer, and two cell phones at the southern port of Gioia Tavoro.

The container holding Amid Farid Rizk, 43, was bound for Canada aboard an Antigua-flagged vessel arriving from Port Said.

In Rizk's possession was a Canadian passport as well as airport maps, airport security passes for Canada and a certificate identifying him as an airline mechanic according to a story published in the *Montreal Gazette* on October 26.

According to this report, Italian newspapers said police believe Rizk is connected to Osama bin Laden's Al-Qaeda terrorist network, and that he was preparing for an airline hijacking.

Coast Guard maintains security hotline

1-800-424-8802 is the number the Coast Guard is asking the maritime industry to call to report suspected and actual terrorist incidents. The Coast Guard's National Response Center is the sole federal point of contact for reporting oil and chemical spills and is now being used as the central point of contact for reporting suspected and actual terrorist incidents. This hotline established during the summer of 1997 by a Memorandum of Agreement between the Coast Guard's National Response Center and the Defense Department's Soldier and

Biological Chemical Command (SBCCOM) has served as a central point for reporting all oil, chemical, radiological, etiological and biological discharges anywhere in the United States. The hotline is manned 24 hours a day, 365 days a year. Duty officers will take reports of actual or potential domestic terrorism and link emergency calls with SBCCOM for technical advice on dealing with weapons of mass destruction and with the Federal Bureau of Investigation to initiate the federal response actions.

House-Senate Conference agree on ship loan funding

A House and Senate Conference Committee agreed on November 9, to fund the Title XI Ship Loan Guarantee Program for \$33 million for fiscal year 2002.

"Thirty-three million dollars is a big win considering that the Bush Administration sought to eliminate the program," said Allen Walker, president of the Shipbuilders Council of America. "We'd obviously hoped for more funding but it

appears law enforcement, security and anti-terrorism funding took precedence over Title XI in this particular bill."

Title XI has helped finance more than \$5 billion in Shipbuilding projects over the past decade. An additional \$5 billion in Title XI projects, including such projects as double-hull tank vessels, high-speed ferries and liner vessels are pending approval by the Maritime Administration.

ChevronTexaco becomes official

Last month Chevron and Texaco stockholders separately voted to approve the proposed merger between the companies and to adopt the new name: ChevronTexaco.

Chevron's votes were cast at a special stockholder meeting in Houston on October 9, and were 99 percent in favor of the merger and 68 percent in favor of the name change. Texaco's shareholder meeting counted over 98 percent of share voted in favor of the merger, also held in Houston. Under the new terms of the merger,

Texaco stockholders will receive 0.77 shares of ChevronTexaco stock for each Texaco share they own.

"We are pleased with today's vote and we thank our stockholders for their support," said Chevron chief executive Dave O'Reilly. Glenn Tilton, boss of Texaco, said, "We are very pleased with the outcome of this vote and wish to thank our stockholders for the confidence they have expressed in our plans to merge with Chevron." The final vote concludes the deal, first announced in October 2000.

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Steve Cushman	10.00
John Drolla	50.00
Leo Endries	50.00
Danny Gonzales	100.00
Ernesto Legarte	10.00
Chuck Smith	50.00
John Svane	40.00
William Whoriskey	50.00

West Coast Sailors

Lee Cherry	20.00
Tony Fague	20.00
James Graham	10.00
John Gugich	10.00
Herman Hallman	50.00
Richard Kingsbury	25.00
Norman Kurtz	20.00
Jose Lopez	20.00
Harry Watts	10.00
William Whoriskey	25.00
Jack Wood	50.00

Dues-Paying Pensioners

Archie Aki	Book #3791
John Battles	Book #5512
Roy R. Camerio	Book #4577
Richard Cummings	Book #4666
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Alfred Kerns	Book #3167
Kaj E. Kristensen	Book #3120
Gunnar Larsen	Book #3516
Peter Paul Liptay	Book #3725
Joseph Napier	Book #2299
Frank Parks	Book #3798
John Perez	Book #3810
Charles Rafael	Book #3141
Ralph Senter	Book #7323
Kai Sorensen	Book #7479
William Tice	Book #3239
Charles H. Wall	Book #3420

Wall of Honor

(San Pedro Merchant
Marine Memorial)

Vince O'Halloran	100.00
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Political Fund

Jose Angeles	20.00
Rogelio Berioso	10.00
Brian Burns	10.00
Richard Crowell	20.00
William DeBenedictis	40.00
Jay Dillon	20.00
Michael Dirksen	20.00
Joseph Eckert	10.00
Leo Endries	50.00
Jeff Evanhus	16.00
Tony Fague	50.00
Michael Fox	20.00
Edgardo Franco	10.00
Lynn Gador	10.00
Robert Garcia	10.00
Thomas James	10.00
Craig Kerwick	5.00
Richard Kingsbury	25.00
Hannu Kurppa	25.00
Norman Kurtz	20.00
Ernesto LeGarte	10.00
Jose Lopez	10.00
Gunnar Lundeberg	25.00
Gary McDevitt	20.00
Mike McLavy	50.00
Carlos Medina	25.00
Rodolfo Menchaca	100.00
Don O'Halloran	20.00
Vince O'Halloran	100.00
Miguel Palacios	40.00
Mark Pfaff	70.00
Thomas Phillips	10.00
George Roberts	20.00
Mitch Roseveare	20.00
Jeremiah Rozell	10.00
Ted Soderberg	20.00
Mike Soper	20.00
Richard Stinson	20.00
Jack Swain	20.00
Robert Taylor	100.00
Frank Walsh	30.00
Grant Wegger	30.00
William Whoriskey	25.00
Jack Wood	50.00

Ciao to the Italian fleet without tonnage tax system

The 2002-2004 budget proposed to the Italian parliament, by Silvio Berlusconi's government, does not include the renewal of the existing 80 percent relief of social security costs for the crew of Italian ships and has destroyed any hope for the introduction of a tonnage tax system.

"If the budget is approved as it is, this government will make history to have sunk the Italian fleet," said Paolo Clerici, chairman of shipowners association Confitarma.

Shipowners are angry at the news, how-

ever, remain hopeful that some of these measures could be amended before the three-year budget is voted by parliament. The total cost of the two measures for the government would be \$182 million per year.

Both a tonnage tax system and extension of the social security relief for cabotage tonnage had been promised by the center-right coalition during last spring's electoral campaign and confirmed in June by Pietro Lunardi, minister for infrastructure and transport.

Alaska fines foreign-flag cruise lines for pollution

Seven cruise lines have paid over \$400,000 in fines, and had \$175,000 more in suspended penalties, for smokestack emissions that violated Alaska air standards during the 2000 and 2001 cruise seasons. Alaska is also discussing technical issues with lines on other alleged violations this year.

Holland America and Carnival Cruise Line were among the offenders, which also included Crystal Cruises, Princess Cruises, World Explorer and Norwegian Cruise Line, according to the Department of Environmental Conservation (DEC). Royal Caribbean's Celebrity Cruises already paid \$55,000 in September in penalties for 2000 violations. DEC Commissioner Michele Brown said Princess and Crystal Cruises had "made considerable progress towards much cleaner air."

The DEC suspended some penalties for Crystal Cruises, Princess Cruises, World Explorer and Holland America on the condition that no further violations were recorded in the 2002 season. The DEC also said sampling during the 2001 also revealed "serious problems" with black water and grey water pollutants, with lines unable to discharge black water in Alaskan waters as a result.

President to sign bill to federalize airline security

President Bush signed the Aviation and Transportation Security Act into law on November 19, after it passed both Houses of Congress on November 16.

The bill requires the federal government to hire 28,000 workers to screen passengers and baggage at the nation's airports within one year.

The legislation which passed the Senate in October 100-0 had been blocked by a handful of GOP congressmen led by Majority Whip Tom Delay (R-TX) who feared the security worker would unionize.

The airline security program will be directed by the Department of Transportation.

Instead of foreigners, British mariners will crew United Kingdom defense vessels

Six RO-RO ferries that are being built for the British Defense Ministry will be permanently crewed by British merchant seamen.

The RMT (National Union of Rail, Maritime & Transport Workers) which represents unlicensed personnel and NUMAST (National Union of Marine, Aviation & Shipping Transport) Officers secured this assurance this month in negotiations with the government.

RMT national shipping officer Tony Santamenn, whose union has lobbied the government-established shipping task force for better job opportunities, said that, "It's gratifying to see our campaigning action bear some fruit."

The British government had previously agreed that four of the ferries would be crewed by U.K. nationals, but had wavered over the other two vessels which will be used commercially but subject to defense ministry recall.

The RMT successfully argued that it would be insulting for British crews to be used only when their lives were endangered in times of conflict.

When the six vessels are constructed and go into service, 180 unlicensed and licensed jobs will be created. The first vessel is expected to be in service by the end of 2002.

Support the SUP Political Fund

Crewing managers want to freeze wages of Filipino mariners

Filipino ship managers and crewing agents are calling for a moratorium on wage increases for seafarers to cushion the impact of the crisis in the country's manning industry. The Filipino Association of Mariners' Employment (FAME) will ask the country's two ITF-affiliated unions to freeze the ABs' current \$1,250 basic wage, which is due to rise to \$1,300 in January. AB salaries, the benchmark for all other increases under ITF agreements with most FAME members, will gain another \$50 each year until 2004.

FAME president Vicente Aldanese told members this month that most owners and managers' operations had slowed since the September 11 terrorist attacks because of business disruptions and losses. He said the industry could not afford to shoulder upcoming wage rises lest increased operational costs lead to closure. "The local union should stress to their ITF counterparts that the industry will be better off with the current rate than nothing at all," Aldanese pointed out.

U.N. report says Liberian registry supports African rebels

A report issued by the United Nations last week gave further credence to International Transport Workers' Federation (ITF) claims that Liberia's Flag-of-Convenience (FOC) register has been linked to the "sponsorship" of terror in Sierra Leone. ITF had called for a break with all links to Liberian-flagged shipping.

The new UN report states that the Liberian International Ship and Corporate Registry (LISCR), based in Virginia, made four payments to non-government-

tal accounts in 2000, at least two of which were used by rebels to buy arms. A state department official noted that no sanctions would be forthcoming against LISCR because the payments were halted in early 2001 after the Liberian registry realized its mistake.

Neighboring Liberia has voiced its support for rebels in Sierra Leone even though these insurgents have been tied to numerous atrocities during that country's eight-year old civil war.

New Port Security Bill continued from Page 1

terrorism and crime before it has the chance to sail into U.S. ports."

Kerry said the legislation is a result of the testimony given by the Coast Guard Commandant James Loy on October 11, to the commerce Committee. "The hearing brought to light the challenges presented to the Coast Guard in securing our maritime border from such threats. The Port Threat and Security Act is focused on giving the Coast Guard the tools and information they need to do the job right."

The full text of Senator Kerry's remarks introducing S.1587 follows:

First, we need to improve our base of information to identify bad actors throughout the maritime realm. This legislation would help us identify those nations whose vessels and vessel registration procedures pose potential threats to our national security. It would require the Secretaries of Transportation and State to prepare an annual report for the Congress that would list those nations whose vessels the Coast Guard has found would pose a risk to our ports, or that have presented our government with false, partial, or fraudulent information concerning cargo manifests, crew identity, or registration of the vessel. In addition the report would identify nations that do not exercise adequate control over their vessel registration and ownership procedures, particularly with respect to security issues. We need hard information like this if we are to force "flag of convenience" nations from providing cover to criminals and terrorists. Mr. President, this is very important as Osama bin Laden has used flags of convenience to hide his ownership in various international shipping interests. In 1998 one of bin Laden's cargo freighters unloaded supplies in Kenya for the suicide bombers who later destroyed the embassies in Kenya and Tanzania. To that end, the bill requires the Administration to report on actions they have taken, or would recommend, to close these loopholes and improve transparency and registration procedures, either through domestic or international action—including action at the International Maritime Organization.

My legislation would also establish a national Sea Marshal program to protect our ports from the potential use of vessels as weapons of terror. A Sea Marshal program was recently established in San Francisco, and is supported strongly by the maritime pilots who, like airline pilots, are on the front lines in bringing vessels into U.S. ports. Sea Marshals would be used in ports that handle materials that are hazardous or flammable in quantities that make them potential targets of attack. The Coast Guard took a number of steps including using armed Coast Guard personnel to escort a Liquid Natural Gas, LNG, tanker into Boston last evening. This was the first delivery of LNG to Boston since September 11 and a number of people were concerned about the safety of bringing LNG into the port. Prior to September 11 these vessels were escorted by Coast Guard vessels into the port but no armed guards were present on the vessel. I strongly believe that having armed personnel, such as Sea Marshals, on these high interest vessels is very important and will considerably increase security in our nation's ports, including Boston. The ability of terrorists to board a vessel and cause a deliberate release of LNG or gasoline for that matter is very real. Sea Marshals will make it much more difficult for this to happen. The Secretary of Transportation would be responsible for establishing qualifications and standards for Sea Marshals which could be comprised of Federal, State or local law enforcement officials.

This legislation also aims to make use of unarmed pilots as yet another way to combat terrorism in our ports. Nearly every vessel that enters a U.S. port is first boarded by a sea pilot to assist the crew in navigating the harbor. Many times these pilots are the first set of U.S. eyes on vessels that may be headed to our ports bearing criminals or contraband from overseas. They are our eyes and ears, but cannot be expected to be a line of physical defense, that is the job of the Sea Marshals. This legislation would require the Secretary of Transportation to use these "eyes and ears" effectively in the war on terror. The Secretary is directed to investigate discrete ways in which sea pilots can provide information to warn of a possible terrorist attack or other crime. It is important that we explore secure mechanisms to allow these pilots to contribute to our maritime domain awareness, including notifying law enforcement officials of suspicious activity on a vessel. I am

convinced there are a number of ways that these pilots could safely provide the authorities with information that can thwart illegal activities without alerting the vessel's captain or crew, or potential terrorists.

This legislation would also require the Secretary of Transportation to conduct 25 foreign port vulnerability assessments each year, and places on foreign ports the same reporting and assessment requirements we use for foreign airports. This is essential to ensure that U.S. citizens are protected from harm in foreign ports, and are informed about any risks before leaving U.S. soil. It is also absolutely necessary to use foreign ports as our first defense against threats to U.S. ports. We cannot expect to protect U.S. borders by erecting a fence only at our own ports. As one of our witnesses said, "the leading edge of our boundary for homeland defense is, in fact, foreign ports." In many instances, such defenses would be fruitless because of the sheer volume of cargo that passes through our ports daily. We need advance warning long before these vessels appear at our harbor entrances. Critical information that can help the Coast Guard identify these risks can only be collected at foreign ports where cargo and persons are first placed aboard the vessel. Despite this obvious need, we have fallen behind on our assessments of foreign ports. I firmly believe that the only way we can make U.S. ports and harbors safe is by going to the source and ensuring appropriate measures and facilities are in place to guarantee the safety of U.S. citizens visiting foreign ports as well as the safety of cargo bound for the United States.

In order to pay for these inspections this legislation authorizes the Secretary of Transportation to collect a 50 cent user fee on all cruise passengers that depart the United States for a foreign port. Quite frankly, 50 cents is a small price to pay for the peace of mind that comes with knowing that a port vulnerability assessment has been completed prior to a cruise ship with as many as 5,000 U.S. citizens as passengers, docks in a particular country. U.S. citizens should not be disembarking in ports that have not been scrutinized for security violations. One witness pointed out that in many circumstances U.S. cruise ship passengers are passing through ports that could not be assessed because they were deemed too dangerous for military personnel! This is ludicrous. I am sure those passengers had no idea of this potential danger, and we need to make sure that they are both safe and informed.

Lastly, this legislation would allow the President to prohibit any vessel, U.S. flagged or foreign, from entering the United States if the vessel has embarked passengers or cargo from foreign ports that do not have adequate security measures as determined by the Secretary of Transportation. Recently inspectors in Italy checking a container bound for Canada discovered a member of the al-Qaida terrorist organization hiding in a shipping container equipped with a bed and makeshift bathroom. The suspect, an Egyptian in a business suit, had with him a Canadian passport, a laptop computer, two cell phones, airport maps, security passes for airports in three countries and a certificate proclaiming him an airplane mechanic. We cannot allow any country to have such poor security such that terrorists can stow away in a shipping container. I would like to remind everyone that a similar provision exists in the airline industry and I see no reason why the President should not have the power to suspend commerce from a port with inadequate security, just like he can now do with international airports.

I believe that these provisions, when combined with the strong port security program of S.1214, will ensure that the United States has the tools, the information, and the personnel to guard against waterborne threats to our nation and our citizens.

SUP gang keeps Lurline "ship shape"



Robert "Bobby" Burns flying high in the bosun's chair chipping on the Lurline's funnel last month. Photo submitted by Dan McDonald.



Mike Freng repairing the lifeboat gravity davits for annual inspection. Photo submitted by Dan McDonald.

Matson Navigation Company name new COO

Raymond L. Smith has joined Matson Navigation Company, Inc. (Matson), this month, as chief operating officer (COO) in San Francisco. Smith is responsible for all marketing and operations activities, as well as safety, quality and environmental affairs. He reports to Matson President and Chief Executive Officer (CEO) C. Bradley Mulholland.

Smith has served as CEO of Fritz Companies, United States Fleet Leasing and Ampent. His most recent position was CEO of Ampent in San Francisco, a high-tech start-up company focused on financial supply chain

management. As the company's leader, Smith was responsible for all business development, systems software design, and investor relationships.

"Ray Smith's experience makes him a particularly valuable addition to Matson's executive team," Mulholland said. "Equally important, he shares our values relative to the importance of professional and motivated employees and a strong commitment to customer service and efficient, cost effective operations. I am confident that he will make significant contributions in helping Matson further develop and grow our business."

ESU Office Assignments

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

ESU NEWS

NOVEMBER 2001

Official Publication of the Exxon Seamen's Union

Union files ULP against SeaRiver

On November 14, 2001, the Union filed an unfair labor practice against the Company with the Labor Board in San Francisco, CA. The Union charged the Company has changed the terms and conditions of employment for the Maintenance Seamen rating by requiring training in excess of what is required for certification by the United States Coast Guard. More specifically telling new hire employees that they must complete SeaRiver's Navigation, Watchstanding, Assessment and Proficiency Checklist (NWAP) within their first two seatours or face possible termination.

This issue is one where the Company is telling the Union one thing but telling the employee another. The Union made a formal request for information from the Company regarding the NWAP program and what new employees are being told about the program. New employees have told the ESU that SeaRiver instructors tell them the NWAP booklet must be completed within their first two tours, on their own time (outside normal work hours with no overtime) and if not completed within the first year they could be fired from the Company.

The Company's response to the Union's request was there is no defined time limit

to complete the booklet but their expectation is that employees will complete the program within their first two assignments. The Company did say in their letter that it is a "personal responsibility and choice," which would seem to indicate the program is voluntary. However, the final statement of the letter uses SeaRiver's heavy-handed tactics of "its our way or the highway" mentality. "Finally, each new employee is hired as a probationary employee. When determining whether employment will continue beyond one year, consideration is given as to whether or not an employee has achieved the desired STCW certification."

The Company says the employee has a choice but recently it was reported to the ESU that unlicensed employees on the *S/R American Progress* were told something totally different by the Captain of the vessel.

The Union made an attempt to address this issue during the 1999 wage reopener by proposing that Maintenance Seamen with the desired (not required) STCW would receive additional compensation. The Company response to our proposal was a ridiculous 1% offer for the Maintenance Seamen and nothing for the rest of the entire unlicensed group. This issue is just another example of the Company trying to get something for nothing.

Recent retirements, resignations and passings

In the past few months there have been numerous ESU members who have decided to retire from SeaRiver or who have otherwise left the company. Two ABs, Jose Aurelio and Lee Airriess have decided to retire and no less than five other members have left for various other reasons.

AB Jose Aurelio retired effective October 15 after nearly 23 years of Company service. A retirement certificate of appreciation was presented to him at a small ceremony held in honor of the occasion in his hometown of Pensacola, Florida. In attendance at the ceremony were his fellow ESU members and Pensacola natives Tom Thompson, Gerard Nelson and Mike Doyle. Jose plans on, among other things, to operate a small grocery store in Pensacola.

AB Lee Airriess decided to take early retirement in late October due to an unfortunate illness in the family, which will require his ongoing attention. Before joining Exxon Shipping Company in 1987 he had previous retirement qualifying service with Exxon Exploration Company. Lee will be remembered for his long time service to the ESU as ship's representative on the *S/R Baton Rouge* and more recently aboard the *S/R Baytown*. Lee has had plans to start his own small business and has been contemplating accepting employment with the Washington State Ferry System, which would keep him closer to his home in Anacortes, Washington.

AB Stuart Smith resigned from SeaRiver in late October to accept a Third Mate's position onboard a tankship op-

erated by American Heavy Lift Inc., a company with strong ties to the Masters Mates and Pilots. Stu earned his mate's license earlier this year and received an excellent evaluation while stepping up onboard the *S/R Hinchinbrook* this summer. He told the ESU that he joined the MM&P and left the company due to SeaRiver's failure to promote him in-house. His plight along with the extremely poor administration of the EREP program highlight the almost total lack of opportunity made available to Able Seamen at SeaRiver. We wish Stuart well in his new career.

James Williams a QMED who on several occasions had stepped up to Pumpman, resigned to return to college to study Computer Science. AB Darrel Ferguson who came over from Mobil in the *American Progress* acquisition and long time Maintenance Seaman Nadeem Ayaz both left in late September. Neither Darrel nor Nadeem gave the ESU a reason for their departure. AB Jay Moritz also resigned from the Company on October 31, due to personal reasons. We wish them well with their future endeavors.

And finally, it was with great sadness that we learned of the passing of AB Irving "Buddy" Touchstone on September 21, after a battle with cancer. Buddy was a fine man who was liked and respected by everyone who knew him. Many of our members remember Buddy from his days with Mobil and with Sabine before that. The ESU extends its deepest condolences to his family and all his friends. He will be sadly missed.

Ship reports

S/R American Progress

Don Koczon acting Ship's Rep. Problems with new employees being told they have to complete STCW booklets, even though it is not required for the rating by USCG. ULP has been filed by the Union in San Francisco.

S/R Baytown

Ship visited at Valero dock in Benicia on November 12. Rowan Mallet relieved Lee Airriess as Ship Representative. No major problems once the mail was finally located.

S/R Benicia

ESU Board officer boarded the vessel at the Valero dock in Benicia, CA on November 18, 2001. Jeff Straley relieved Joe Graca as Ship Rep.; no major beefs.

S/R Charleston

The *Charleston* made its first call to the BP/AMOCO gasoline dock in Texas City where ESU Board officer visited on Nov. 8th. One member reported major hassle at New Orleans Coast Guard REC when getting his STCW. Ship affairs running smoothly.

S/R Galena Bay

AB Lonnie Bloomquist did super job as fill-in Ship Rep. Soon to be Deck Trustee Pat Campbell now taking over; no trouble reported.

S/R Hinchinbrook

The ship made another trip to Hawaii recently where some crew were relieved. Former *S/R Galveston* Ship Representative Mark Myser onboard reports no major beefs.

S/R Long Beach

Vessel visited at Valero in Benicia, CA on November 4. Rudy Benavides filling in as Temporary Ship Representative and reports no beefs.

S/R Mediterranean

The *Mediterranean* is to make her first call to Japan in mid-November. She is still loading in Middle Eastern ports. Ship's Rep. John Detwiler is onboard and he has reported no major beefs.

S/R Puget Sound

The vessel continues in the Valdez to Anacortes trade. Everything running smoothly. Ship Rep Michael Harrison aboard.

S/R Wilmington

The *Wilmington* returned to Baton Rouge in mid November for the first time in quite a while. Still visiting Baytown as well where she was visited on November 18. Johnny Navarro is now back onboard and he reports no major problems.

Court says \$5 Billion too high

On November 11, 2001, the 9th Circuit Court of Appeals ordered a reduction of the 5.3 billion jury verdict award against Exxon following the Exxon Valdez oil spill. The three-judge panel agreed there could be punitive damages but it agreed with Exxon's argument that the award was too high and sent the case back to the trial court for adjustment.

In vacating the \$5 billion award the panel applied a yardstick established by the U.S. Supreme Court that punitive damage awards should use a ratio relative to the actual damages. The judges thought a ratio in the neighborhood of 4-1 would be in line. The ratio applied to the Exxon punitive damages award was

more than 17-1. Using the court of appeal's number, it would appear the verdict could be reduced to an amount of somewhere between \$1.2 billion and \$2 billion.

Whatever the amount, the award would be shared by the 34,000 fisherman, 4,000 Native Alaskans, and several thousand other state residents who claimed they were financially damaged by the spill. ExxonMobil has said it spent more than \$2 billion on cleaning up the spill and does not deserve further punishment.

Ultimately, this case may end up before the U.S. Supreme Court, which means it may be a long time before we know the final outcome.

Remember to VOTE!

As of November 14, 2001 the elections office of the American Arbitration Association has received a total of 115 ballots for the election of ESU Officers. The total number of eligible voters for this election is 279! As of the 14th less than 41% of the voting pool has cast a ballot.

You still have time to exercise your right as an ESU member, the deadline is December 13, 2001 at 5:00 p.m. Should you need an extra ballot, please see your Ship Representative, ESU Board officer or contact either Union office. PLEASE VOTE!

BCBS Medical Premiums increase again

Modest increase to employee

On November 9, members of the ESU Executive Board and legal counsel Ms. Sharon Groth, met with company and BCBS representatives to review and consider Blue Cross and Blue Shield medical and dental insurance issues. The ESU Board has been concerned about the adverse direction of our benefit plans and consequently employed the services of insurance consultant John Micale to attend this meeting in an advisor capacity. Mr. Micale, from the Houston area, proved very knowledgeable about industry trends and offered insight and advice to ensure our members are receiving the best deal possible from BCBS.

Once again skyrocketing medical inflation will cause our Blue Cross Blue Shield Health Plan rates to increase on January 1, 2002. Overall, claims experience was below forecast but still above the prior year's claims experience. Consequently, we did not have a good enough year to hold down increasing premiums.

Between 1995-1996 claims experience was below projected premiums and our plan accumulated surplus monies that can and have been used to offset the employee out-of-pocket contribution. During 2001, we used surplus reserves (estimated at \$260,000) to hold down the employee contribution and we will again use surplus monies to offset the employee contribution for 2002. Hopefully, next year's claim experience will improve but if not, we may have enough reserves to help mitigate one more increase.

The principal factor for the unlicensed group not taking a big hit on the employee contribution is the "Me Too" clause of our Contract. Under Article XVII, any medical subsidy increase by the Company for the Deck and Engine Officers will likewise be granted to the unlicensed group. As it turns out, the plan that the officers are in (ExxonMobil medical plan) is facing the same obstacles that we are. Similar to our plan, the ExxonMobil plan is using a medical trend factor of around 20% to calculate rates for next year. It is our under-

standing that ExxonMobil will be increasing the Company contribution to premiums. As a result of this, SeaRiver will increase the Company contribution for the Employee by \$28.50, Employee +1 by \$82.50 and the Employee+2 or more by \$123.50 for the unlicensed employees.

There will be no change to the prescription drug coverage and the mail in prescription drug program will remain the same with no change in co-pays. We discussed switching to a prescription drug card and there are pros and cons to this feature but overall the Board believes at this time it would be better to keep things the way they are. Indeed, a prescription drug card would eliminate the hassle of dealing with BCBS for reimbursements and plan experience should improve by getting the agreed upon rates with network pharmacies, however we do believe there is a downside to this option. The prescription drug card offered to us by BCBS has a 3-tier structure for your co-payment: They are as follows: \$10.00 co-pay for generic drugs. \$15.00 co-pay for preferred brand name drugs. \$30.00 co-pay for non-preferred brand name drugs. Furthermore, the same type of payment structure would apply to maintenance medications through the mail-in prescription drug program and co-pay amounts are for a 30-day supply. If you opt for a 90-day supply you would have to make three co-payments.

We had a lot of discussion about the difference between a preferred and non-preferred medications and considering there are so many drugs on the market a physician may very well not know the difference between preferred and non-preferred. You may end up filling your prescription and pay \$30.00 for the non-preferred brand when you expected the \$15.00 medication. Considering the average cost of a prescription (we were told around \$65.00) and the current plan reimbursement level of 90%, the Board did not see a clear advantage of changing to the drug card program.

Certainly, it looks like a reduction in benefit to those employees that use the mail-in prescription program considering the co-pay is currently \$5.00. We will most likely revisit this issue again next year since prescription drugs are a significant part of the plan's claims experience and use of a drug card program could offer some cost savings and

hold down increasing premiums.

Revised monthly contributions are shown in the table below. The Company contributions reflect the current maximum amounts available under the agreement between the Company and the Exxon Seamen's Union. The Company will contribute up to the amount indicated for each participant.

BCBS Medical/Current Rates

Class of Coverage	Employee	Company	Total	
	Contribution	Transfer	Contribution	Total Rate
Employee Only	\$43.00	\$44.50	\$171.50	\$259.00
Employee +1	\$80.50	\$88.25	\$342.50	\$511.00
Employee +2 or More	\$117.00	\$91.50	\$490.50	\$699.00

New Rates Effective January 1, 2002

Class of Coverage	Employee	Company	Total	
	Contribution	Transfer	Contribution	Total Rate
Employee Only	\$50.50	\$33.25	\$200.00	\$283.75
Employee +1	\$94.50	\$39.75	\$425.00	\$559.25
Employee +2 or More	\$137.00	\$52.75	\$614.00	\$803.75

BCBS Dental plan premiums unchanged (employee contribution reduced)

On a positive note, BCBS has proposed no rate increase for the dental plan. In addition, ExxonMobil will increase the Company contribution towards the cost of premiums. Likewise, SeaRiver will increase the company contribution but since the total rates remain the same, the employee contribution will be reduced. Revised monthly contributions are shown in the table below:

BCBS Dental Current Rates

Class of Coverage	Employee	Company	Total
	Contribution	Contribution	Premium
Employee Only	\$11.50	\$15.50	\$27.00
Employee +1	\$37.50	\$19.00	\$56.50
Employee +2 or More	\$55.00	\$25.00	\$80.00

New Rates Effective January 1, 2002

Class of Coverage	Employee	Company	Total
	Contribution	Contribution	Premium
Employee Only	\$10.00	\$17.00	\$27.00
Employee +1	\$32.50	\$24.00	\$56.50
Employee +2 or More	\$45.00	\$35.00	\$80.00

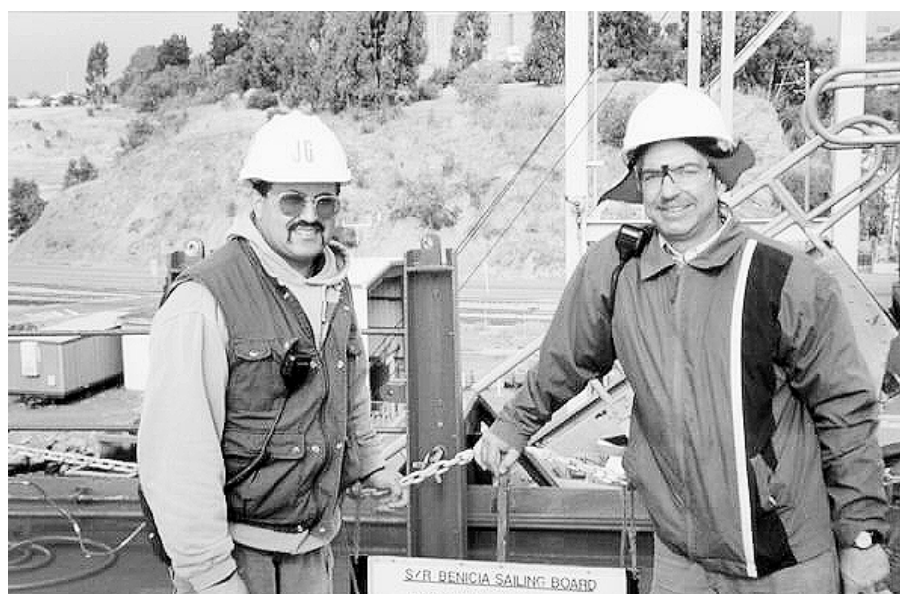
Open Enrollment for BCBS Dental Plan

The BCBS Dental plan now has an open enrollment period for unlicensed employees. This will normally occur during the pre-tax and open enrollment for the medical plan. Unlicensed seamen in the SeaRiver Ocean Fleet and their eligible dependents who are not currently enrolled in the Blue Cross Health Benefits or Dental Plans would be eligible to enroll during the open enrollment period.

Open Enrollment Extended to December 7, 2001

Since the finalized rates for renewal of the health plans were somewhat delayed, the Union requested that the open enrollment period for Pre-Tax, Medical and Dental plans be extended. If you would like to enroll and have not, the final deadline is December 7, 2001. If you haven't taken advantage of the Pre-Tax savings plan in the past, you really should start this year. At a minimum you should declare the amount of your premiums for your Medical and Dental coverage. If you are expecting additional out of pocket expenses for medical or dental services you can deduct that amount too and in essence, pay with un-taxed dollars.

S/R Benicia



Taking a moment to pause for the camera on the deck on the S/R Benicia at the Valero dock in Benicia, CA. On the left is ESU Ship Representative Joe Graca and fellow shipmate Dave Frank. Joe has served as Ship Rep. on the S/R Benicia for several years and will continue in that capacity until the ship is retired from service in 2002. The ESU would like to thank Joe for his hard work and devoted service to the Union and the membership.

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

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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President Jerry Patterson

Vice President John Straley
 Secretary/Treasurer Kevin Conroy
 Recording Secretary Thomas Thompson III
 Deck Trustee Ulrich Baur
 Engine Trustee Charlie Pollard
 Steward Trustee Gerard Nelson

Sailors' Union of the Pacific/ Training Resources Ltd

Schedule of Course Offerings for 2001

STCW 95 Basic Training

This course is mandatory under international law for those planning to continue going to sea after February 1, 2002

- Basic Fire Fighting
- Basic First Aid
- Personal Survival
- Personal Safety and Social Responsibility

Nov. 26-30	Dec. 10-14	Jan. 7-11	Jan 28.-Feb. 1
Dec. 3-7	Dec. 17-21	Jan 22-26	

LMSR Vessel Training (MSC approved)

Jan. 8-18 Additional classes for 2002 will be posted in December.

Small Arms Training (MSC approved)

Jan. 22-24 Additional classes for 2002 will be posted in December.

Survival Craft (Lifeboatman)

Nov. 26-29	Dec. 17-20	Jan. 14-17	Jan. 28-31
Dec. 10-13	Jan. 7-10	Jan. 22-25	

Training Information and Enrollment

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IMPORTANT!

Get your STCW '95

NO TRAINING, NO JOB AFTER FEB. 1, 2002

ATTENTION ALL MEMBERS

In a effort to update our records, please complete the form below and return it to:

Editor
Sailors' Union of the Pacific
450 Harrison St.
San Francisco CA 94105

You may also e-mail your address to: editor_wcs@msn.com

Last Name: _____ First Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Email Address: _____

SSN: _____

Active Member Pensioner

Welfare Notes

November 2001

Active members

The Money Purchase Pension Plan annual statement was mailed to all participants on October 31. This statement is for the fiscal year 2000/2001 which ended on July 31 2001. Any contributions after this date will appear on next year's statement. This year's statement will show the balance for your individual account as of July 31. The statement will also show the contributions placed in your individual account since the last valuation date. It will also show your share of the earnings for the fiscal year and your share of the expenses paid for the fiscal year preceding the valuation date. If you have not received your annual statement please contact the Welfare Plan office, and we can make arrangements to forward your statement. This would also be a good opportunity to make sure that the Plan Office has your correct address on file, and that you have filled out the beneficiary form for the Money Purchase Pension Plan.

Pensioners

Pensioners who incur expenses for medical, surgical, dental, prescription drug or vision care and treatment, the SUP Welfare Plan will pay a maximum benefit of up to \$3500 in any 12 month period ending on July 31. The Plan will pay for any reasonable charges for actual expenses by any Hospital or Facility. The plan also reimburses monthly Medicare Part B premiums up to the maximum benefit. This Medicare benefit may also be used to pay for a spouses Medicare payment. The payment is added to your monthly pension check and deducted from your annual allowance. If you are not now participating in this benefit you should contact the plan office as soon as possible for more information.

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

Filipino sailors registered on internet

The Philippine government's department of labor reports that it is developing an internet-based registry for unlicensed Filipino mariners.

"The registry would enable both local and international shipowners and ship managers to verify Filipino ratings' training and professional credentials round-the-clock, anywhere in the globe," labor Under Secretary Manual Imson told *Lloyd's List*.

This fraud-proof system would be complemented by a database allowing comparison between the actual certificate and "stored digitized images," Imson added.

He noted that 71,377 Filipino Able Bodied Seamen have taken the training

required under the 1995 Standards of Training, Certification and Watchkeeping (STCW) Convention. This number represents about 70% of Filipino unlicensed mariners working in vessels worldwide.

The details of the training achieved by these mariners are now being entered into the electronic registry and will soon be available on-line. The website, now under construction, can be viewed at www.tesola.org/deck-rating.

Including officers, unlicensed engine and steward department personnel, the Philippines has over 200,000 mariners making the country the largest supplier of mariners in the world.

Tanker set ablaze by Tamil Tiger suicide attack

A Tamil Tiger suicide boat struck the tanker *m/v Silk Pride* off the northern tip of Sri Lanka on October 30.

"One suicide boat hit the tanker and it is on fire," said military spokesman Brigadier Sanath Karunaratne, according to Reuters News service.

The vessel, carrying 275 tons of diesel

fuel was badly damaged. Twelve members of the crew and 13 military personnel were rescued. There were no reports of casualties. The attack came a day after a suicide bomber blew up himself and three others in Colombo at the start of the campaign for parliamentary elections scheduled for December 5.

Record of SUP Shipping October 2001

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	3	2	4	0	9
Maint. Man	3	0	0	0	3
A.B. Dayworker	0	0	4	0	4
A.B.	26	10	12	5	53
O.S.	0	1	3	1	5
Standby	27	20	92	13	152
TOTALS	59	33	115	19	226

SAN FRANCISCO BAR PILOTS

Pier 9 East End
 San Francisco, CA 94111
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October 29, 2001

Mr. Gunnar Lundberg
 President/Secretary-Treasurer
 Sailors Union of the Pacific
 450 Harrison Street
 San Francisco CA 94105

RE: Pilot Vessels Boat Crews and USCG Sea Marshals Program

Dear Gunnar:

Less than five days after the tragic occurrences of September 11, 2001, the San Francisco Bar Pilots embarked on the U.S. Coast Guard's pilot Sea Marshal program. The Sea Marshal program, an integral part of our nation's homeland defense, has as its primary goal the protection of the safety of navigation from terrorist attack.

I feel that the cooperation evident between the pilots, dispatchers and boat crews has been vital to the successful start of this program. Together we have smoothly integrated the new procedures and training required to safely transfer these young and, for the most part, inexperienced Sea Marshals at sea. Without exception and without complaint, the chief dispatcher, dock foreman, dispatchers, chief boat operators, boat operators, run boat operators, cooks and AB utility crew persons have helped to develop this program into what has become the model for the major ports throughout the United States.

I hope you feel the pride in these SFBP employees and SUP members that I do.

Very truly yours,
 Peter McIsaac
 President and Port Agent

Matson's profit dips in third quarter.

Alexander & Baldwin announced last month that profits from its subsidiary, Matson Navigation Company decreased \$1.8 million in the third quarter of this year compared to the third quarter of 2000. Operating profit for 2001 was \$24.2 million while third quarter results for 2000 was \$26.1 million.

According to a company news release, the decrease resulted primarily from lower Hawaii and Guam cargo volume; higher than expected transition costs for terminal improvements costs at San Island; and lower contributions from investments in a shipping operation in Puerto Rico and a stevedoring joint venture. These decreases were offset in part by the benefits of space charter revenues, the sale of a small subsidiary and slightly higher container yields. Third quarter 2001 container volume in the Hawaii service was four percent lower than in the

2000 third quarter and its automobile volume was 11 percent lower.

In the first nine months of 2001, ocean transportation operating profit was \$60.4 million. This was a decrease of \$13.5 million or 18 percent from \$73.9 million in the first nine months of 2000. Matson's Hawaii Service container volume was two percent lower and its automobile volume was three percent lower.

Overall Alexander & Baldwin third quarter operating profits fell 19 percent due to the slumping U.S. and Japanese economies. The firm warned that the fourth quarter would be "difficult" as tourism in Hawaii suffers in the aftermath of September 11.

Alexander & Baldwin also said that it was unlikely that 2002, results would match this year's results, at least for the first two or three quarters.

Guam challenges ocean freight rates

The Surface Transportation Board (STB) denied a motion by Matson and Sealand to dismiss a complaint by the government of Guam challenging the rates charged by carriers in the U.S.-Guam trade.

The government of Guam challenged the rates, in effect since 1996, as being too high. The lines asked the Surface Transportation Board to dismiss the complaint on the grounds that Guam was challenging the overall revenues earned by the carriers rather than challenging specific rates for specific shippers.

The board rejected the lines' request, stating that the government of Guam should "at least be offered a chance to present its case."

Also, the carriers asked the board to dismiss the complaint because the lines are allowed under a "zone of reasonableness" ruling to raise their rates up to 7.5 percent a year. But Matson spokesman, Jeff Hull, said the carrier has not raised its rates since entering the Guam trade in 1996.

The Surface Transportation Board stated that the zone of reasonableness requirement applies to rate increases, but does not protect the carriers from being challenged on their base rates.

Vice President's Report

November 2001

USCG's limited deferment of STCW certification in the near coastal domestic trades

At the Ship Operations Cooperative Program conference in Norfolk, Virginia, the USCG announced that it is temporarily deferring enforcement of possession of the STCW 95 certificate in the near-coastal, domestic trades until February 1, 2003. This means that although Basic Safety Training is still required by mariners employed in that trade, actual possession of the Coast Guard document is put off for a year. The deferment does not apply to ships on international voyages. Nor does it apply to vessels engaged in the domestic Hawaii trades because such vessels depart the 200-mile near coastal limits. We are still researching its application to the LMSRs and the RRF. The reason for this limited deferment is to allow the Coast Guard to prioritize the processing of STCW applications for mariners working in the international trades over those in the domestic trades. Mariners that are employed, or intend to be employed in the international trades, and who do not yet have their STCW 95 certificate, may apply for expedited service from the Coast Guard. The Union will assist members in obtaining a letter from the vessel owners or operators to receive the expedited service. On February 1, 2002 all U.S. mariners that apply for an upgrade or renewal of an existing credential, or the issuance of a new credential, must have Basic Safety Training and will be issued an STCW 95 certificate.

Andrew Furuseth School of Seamanship

Besides training for STCW, the Andrew Furuseth School of Seamanship has in the past two months tested a marlinspike instruction program at Headquarters. The program includes video, print, and hands-on demonstration of splicing, knots, hitches, whippings, rigging, etc. Rank-and-file professionals Frank Portanier, Sonny Cooper, and Romaine Dudley, have donated their considerable expertise. Now the program will be expanded on the same volunteer basis to the Branches. Anyone interested either as an instructor or a student should contact their Branch Agent. Once a list of interested members is generated, the Agents will announce the time and place of instruction. The School will supply all the necessary materials. I encourage every member to participate—either to hone the skills that comprise the fundamentals of your trade, or to pass them on to less experienced members. Marlinspike competence is the foundation of good seamanship, and skill in seamanship is the foundation of the Union.

LMSR Gangway Watch

On November 6, the Union received word that all LMSRs would be reduced to deep ROS and that a separate 24-hour watch would be called for security duties. After a series of e-mails and telephone conversations, the Company eventually agreed to the Union's position to maintain status quo operations in the LMSRs. Although the Union would have experienced a small net gain in jobs, the potential financial impact on our members was serious. We objected, projected the negative impact, proposed alternatives, and ultimately prevailed. Despite this victory, however, it is clear that the Union cannot dictate the activation status of these ships to either the Company or the MSC, and it is certain that some LMSRs will eventually be relegated to deep ROS as in the RRF.

Chevron Mississippi

Made this ship on her last call at the Richmond Long Wharf. She sailed on November 15, 2001 for the Panama Canal and the breakers in Brownsville, Texas. The "Dark Star" was a fine ship that provided gainful employment for our members for 29 years. She was forced out of operation by the requirements of the Oil Pollution Act of 1990. Mike Fox, bosun; Thor Erikson, delegate. No beefs.

Dave Connolly

Sailors take a blow in USNS Yano

From the left: OS Joel Schor, SUP Representative Jack Stasko, AB Steve Swinton, AB Martin Shields, AB Anthony Colla, and Bosun Paul Gatewood. Photo by Dave Connolly, while the Large Medium Speed Roll-On/Roll-Off (LMSR) vessel was in Norfolk.



SUP President's Report

November 13, 2001

PORT MARITIME SECURITY LEGISLATION

The October issue of the *West Coast Sailors* carried a front-page article on pending port maritime security legislation. In the intervening month, the bill in question, the Port and Maritime Security Act of 2001 (S.1214), has gone through several changes—including its name—S.1214 is now the Port, Maritime and Rail Security Act of 2001.

S.1214 still contains provisions that provide for criminal background checks for maritime workers in "security sensitive" jobs. Whether the stipulated background checks apply to mariners is open to interpretation. A reading of the draft legislation seems to indicate that it does. However, counsel for the Senate, Commerce, Science and Transportation Committee indicates that is not the intent. The bill, as of this date, is still in committee and being reviewed by the Secretary of Transportation.

Given the tenor of the times, post-September 11, no one can argue against the necessity of increased security, but does it mean that American workers have to forfeit their jobs and civil liberties for minor criminal activity they committed in the past and for which they have since been rehabilitated?

Your secretary joined with representatives of the ILWU in expressing those concerns to Senator Barbara Boxer (D-CA) on October 25, along with ILWU International President Jim Spinoza, Coast Committeemen Ray Ortiz, Jr. and Joe Wenzl, Local 10 President Henry Graham and Secretary-Treasurer Clarence Thomas, IBU San Francisco Regional Director Marina Secchitano and ILWU North Coast District Council Legislative Representative Lawrence Thibeaux, met with John Ormsby, Senator Boxer's field representative in San Francisco.

For seagoing maritime labor, Mr. Ormsby was advised that mariners were already subject to extensive background checks by the Coast Guard, particularly those employed or seeking employment in government vessels (Ready Reserve Fleet and LMSRs) and that further checks were not necessary.

As for port maritime workers and for seagoing marine workers in general, the SUP concurred with the proposals advanced by the ILWU, that: 1) The bill should provide that background checks must specifically determine that an individual with a criminal record presently poses a security risk before disqualification from any work. Such determination should be based on consideration of the nature of the past crime, the penalty, any mitigating factors, and the evidence of rehabilitation; 2) The bill should provide for an appeals process to allow full consideration of the above criteria before any disqualification is imposed; 3) The bill should provide that any disqualified worker may work for the covered employer in non-secure areas; 4) The bill should provide for reasonable security clearance requirements for all truck drivers and vendors who have access to marine terminals to enhance the security of the cargo, the marine terminal and the vessel. These individuals are typically unsupervised and poorly documented; 5) The bill should require security clearance requirements for all vessels, their owners, operators and crew before being allowed to enter a U.S. port — particularly flag-of-convenience vessels. Presently these vessels operate under secrecy and without any meaningful regulations by the scheme of flying the flag of a country that lacks any oversight; and 6) The bill should require that cargo be fully documented and subject to on-site inspection, for cause or at random, at the marine terminal before allowed entry.

Mr. Ormsby stated that he would forward our position to Senator Boxer and Secretary Mineta.

Will keep a weather-eye on this legislation and on similar legislation pending consideration by the House through local and national sources.

IMPROVED PENSIONER MEDICAL BENEFIT

As reported last month, the Internal Revenue Service, after a ten-month review, rejected the proposal by the Union Trustees (Dave Connolly and your secretary) of the SUP Welfare Plan to convert the \$13 million derived from the sale of the Plan-owned parking lot adjacent to Headquarters into a monthly cash housing benefit for eligible SUP pensioners. The proposal was initiated in 1998 by then Trustees Duane Hewitt and your secretary.

Given the legal restrictions imposed by the IRS, the Union Trustees, with input from retired and active members, evaluated the options available that would immediately benefit current SUP pensioners and those who will retire in the future.

The proposal formulated by the Union Trustees and ultimately accepted by the Employer Trustees (Dennis Herrera for ASM and Tom Percival for Matson) on November 9, is to significantly increase the existing yearly pensioner medical allowance.

The specifics of this improved benefit are as follows:

1) The annual pensioner medical allowance shall increase from \$2,000 to \$3,500 retroactive to August 1, 2001 (the beginning date of the Plan year).

2) The annual pensioner medical allowance can be used by pensioners and their legal dependents (spouse, minor children, etc.).

3) Recipients of the improved benefit shall include the following:

- All retired SUP members who are receiving a regular or disability pension;

- All retired SUP members who are receiving a mandatory deferred vested pension;

- All retired SUP members who are receiving a Chevron pension and were dues-paying members while so employed and had some covered employment from participating employers in the SUP Welfare Plan. Their benefit is limited to \$1500 per year;

- All future retirees in any of the three preceding categories who are now active SUP members, and who qualify under the five-year vesting rule as of the end of the fiscal year 1999 (July 31, 2000) which coincides with the sale of the lot.

4) Pensioners receiving less than a full pension benefit (20 years) shall receive a prorated amount of the total annual pensioner medical allowance;

5) The monies derived from the sale of the parking lot shall be segregated in a Special Fund within the SUP Welfare Plan. The Special Fund shall be used exclusively to provide additional medical benefits for pensioners;

6) The Special Fund shall be reviewed annually by the Trustees for experience; and

7) That any administrative costs associated with the Special Fund be paid out of the Special Fund.

In light of rising medical costs, the improved benefit will provide needed economic relief to the vast majority of pensioners and their dependents. Pensioners should note that in addition to paying for Medicare premiums, the SUP Welfare Plan will reimburse bills submitted for medical plan premiums, prescription drugs, dental work, glasses, etc. from the pensioner medical allowance for pensioners and dependents.

Because it improves an existing benefit, the increased yearly pensioner medical allowance is not subject to IRS review or approval.

The SUP Welfare Plan will notify eligible pensioners of the improved benefit by mid-December.

MATSON NAVIGATION COMPANY

Matson announced on November 7 that in response to the recent economic downturn which has hit Hawaii particularly hard, the company will reduce its fleet serving the Islands from eight to seven vessels in early December.

In response to an inquiry by the Union as to which vessel was slated for lay-up, Tom Percival, Manager Labor Relations and Vessels Operations, stated, "At this point it is still undecided. Marketing will make the original call based on the anticipated cargo package/stream

and the equipment required to carry that package. The cargo stream in December will be the deciding factor."

SAN FRANCISCO BAR PILOTS

Shortly after the events of September 11, the U.S. Coast Guard initiated a first-in-the-nation pilot Sea Marshal program for vessels transiting the Golden Gate. To ensure safe navigation and to protect the general public from terrorist attack, armed Sea Marshals board inbound and outbound ships along with the Bar Pilot.

As the Sea Marshals board or depart vessels from the station boats *California* and *San Francisco* eleven miles outside the Golden Gate, it has greatly increased the workload for the steward/cooks in these vessels.

Accordingly after discussions with Captain Peter McIsaac, Port Agent of the San Francisco Bar Pilots, signed the following addendum to the collective bargaining agreement on November 6, subject to membership approval.

Section 2. Watches and Hours of Work

B. Steward/Cook

Add: (4) When the steward/cook is required to serve meals to personnel that are not Sailors' Union of the Pacific employees, San Francisco Bar Pilots or pilot trainees, they shall be compensated as follows:

- One (1) hour overtime per meal for every two or three additional meals served.

- Two (2) hours overtime per meal for every four or five additional meals served.

- Three (3) hours overtime per meal for every six or seven additional meals served.

- Additional meals over seven shall be compensated in accordance with the above formula.

It is understood that any meals served outside of regularly scheduled hours as defined in B.(2) shall be paid at the overtime rate.

Recommend membership approval.

SUP MONEY PURCHASE PENSION PLAN

The 11th annual valuation statements of the SUP Money Purchase Pension Plan were mailed on November 2, to the address of record of participants.

Valuation statements include a participant's account balance as of July 31, 2000; contributions received from August 1, 2000 to July 31, 2001; interest income; total account balance as of July 31, 2001; and a summary of employment during the Plan year.

If a participant does not receive a statement in a timely manner, or has questions regarding it, contact Rich McClaskey, SUP Money Purchase Pension Plan Administrator, 450 Harrison Street, San Francisco, CA 94105; telephone (415) 778-5490.

As of July 31, 2001, the value of the Plan was \$15,134,018. Since July 31, 2000, the Plan received \$1,806,166 in contributions and \$1,582,844 in investment income (net of management fees) while disbursing \$785,532.70 in benefits. Plan administrative expenses were \$131,267.

The SUP Money Purchase Pension Plan's assets are managed by the San Francisco investment firm of Dodge & Cox under guidelines established by the Plan Trustees. The fixed income assets of the Plan are conservatively invested in high-quality U.S. government securities with an average rating of AAA.

Internal Revenue Services Form 5500, prepared by the Plan's independent auditors, Thomas Havey, LLP, will be available by December 31, 2001. Plan participants have the legal right to examine or request a copy of this report from the Plan office.

The SUP Money Purchase Pension Plan was established as a result of bargaining with American President Lines and Matson Navigation Company in 1990 and went into effect in 1991. Companies currently making contributions to the Plan are American Ship Management (ASM), which assumed APL's collective bargaining agreements on November 12, 1997, Matson and Foss Maritime Company.

SUP Presidents Reportcontinued

For all ASM and Matson (except for the *ITB Moku Pahu*) offshore and standby jobs except Ordinary Seaman, the contribution rate is \$25 per day worked. The O.S. rate is \$18.51. The *Moku Pahu* rate is \$19.93 for bosun and \$15.28 for AB's. These rates were funded, by membership action, by allocating wage increases to the Plan from 1990 through 1997 a history of which is documented in Section 54 (SUP Work Rules) of the ASM and Matson offshore and intercoastal agreements.

The negotiated contribution rate for employment in Patriot Contract Services (a division of ASM) LMSR vessels is \$17.00 per day for the bosun and the ABs, and \$14.00 per day for Ordinary Seamen. Prior to July 23, 2001, the rate was \$13.00 per day for all deck ratings and prior to July 23, 2000, it was \$10 per day.

The contribution rate for those employed in Ready Reserve Fleet vessels managed by Patriot is \$13.00 per day.

For Foss the contribution rate is \$47.51 per month for steady employees and \$3.53 per day for casuals.

It must be noted that SUP officials or employees of the Union are not participants in the SUP Money Purchase Pension Plan, except for those who worked for contributing employers prior to going to work for the Union.

BURGESS v. SUP

As reported in August, Wayne Burgess filed a complaint against the Union with the United States District Court for the Central District of California, Western Division (Los Angeles) alleging that he was "unjustly and unfairly expelled" as Wilmington Branch Agent based on the internal Union charges that were brought against him by Duane Nash.

In September, Glenn Rothner of the Pasadena, California law firm of Rothner, Segall & Greenstone retained by the Union to defend the Union in this suit filed a response to Burgess' complaint with Judge George H. King of the District Court. The SUP's position is that Burgess' claims are frivolous, unreasonable and groundless; and accordingly, the Union should recover all costs and attorney's fees incurred and that Judge King should dismiss the case.

Since that time Mr. Rothner has met with Burgess' attorney, Duke L. Peters, and have agreed to explore the possibility of submitting certain issues for resolution to the Judge as a "short-cut" to a full trial, based on the transcript of the Union trial held at the Wilmington Branch on September 5, 2000, along with evidence in the form of affidavits or discovery responses. As part of this process, Mr. Rothner will take the deposition of Burgess on November 19, and Mr. Duke will take the deposition of Brother Nash and your secretary the following day in Pasadena.

If the "short-cut" approach is unsuccessful, a trial is tentatively set for October 6, 2002.

LYNN v. SUP

In a letter dated October 23, the National Labor Relations Board (NLRB) notified the SUP that it has dismissed the charges of Ariana Lynn.

Lynn filed charges on June 12, with the NLRB alleging that the Union breached its duty of fair representation by failing to pursue grievances over her termination as O.S. from the *USNS Shugart* and *USNS Seay*. Lynn also filed charges with the NLRB against Patriot Contract Services which operates the *Shugart* and *Seay* for the Military Sealift Command, alleging that the company violated her rights by terminating her because she was the delegate in the *Shugart*. On the same day, Lynn filed charges with the U.S. Equal Employment Opportunity Commission (EEOC) alleging that, due to her contention that she was not fairly represented, she had been discriminated against because of her sex in violation of Title VII of the Civil Rights Act of 1964.

As reported in September, the EEOC dismissed Lynn's charges on August 21.

In the NLRB decision, written to Lynn, with a copy sent to the Union, Region 32 (Oakland) Regional Director James Scott, stated in part that in regard to her termination from the *Shugart*, the "evidence revealed that you were not terminated because of your duties as a Union delegate, but rather because you missed a security watch. When the captain asked you why you

missed the watch, you argued with the captain and told him you did not have to stand the watch and there was nothing he could do about it. Similarly, there is no evidence that your termination from the *Seay* was because of your Union activities on the *Shugart*. Rather the evidence reveals that you were terminated because the Employer received complaints that you were confronting and harassing coworkers and supervisors, including a complaint that you stopped an elevator and verbally assaulted your immediate supervisor [the bosun] therein. Also, during the investigation you claimed that the Employer discriminatorily assigned you to clean sailors' rooms, a task that you claim has never been performed. Contrary to your assertions, the collective bargaining agreement between the Union and the Employer contains specific provisions calling for the cleaning of sailors' quarters. Also, there is no evidence that this assignment was in any way related to your activities as a delegate on the *Shugart* or because of any other Union or protected concerted activities."

"In your charge against the Union, you allege that the Union failed to pursue grievances over your termination from the *Shugart* and *Seay* in violation of Section 8(b)(1)(A) of the Act. With regard to your termination from the *Shugart*, the evidence revealed that the Union investigated the matter and under the circumstances considered your placement on another Employer-operated ship, the *Yano*, an effective and sufficient remedy. Similarly, the Union investigated your termination from the *Seay* and decided not to pursue your grievance because it found that the Employer had a substantial justification for your termination, i.e. threatening your supervisor [the bosun] in the elevator. ...Further, there is no evidence that the Union's decision not to pursue your grievance was arbitrary or based on any unlawful motivation. Thus, I find no merit to these allegations."

The letter from Regional Director Scott also reveals that Lynn claimed "that the Union submitted to the Region a fraudulent transcript of the Trial Committee hearing that convened on August 27, 2001 in order to falsify its response to the instant unfair labor practice charges. More specifically, you claim that the transcript does not match your own recording of what was said and, therefore, the Union must have altered the transcript it sent to the Region. There is no evidence that the Union made any changes fraudulently or otherwise to the certified transcript. Rather, it appears that the "changes" you reference are merely errors made by the report agency are within the normal range of errors regularly found in court certified transcripts, i.e., the word "admit" instead of "submit." In addition, none of the errors appear material to the outcome of any issues involved in the instant charges. Moreover, you should note that the Trial Committee hearing and the Unions' denial of your applications for training involve internal Union matters over which the Board has no jurisdiction."

The membership should be aware that at the August 13 Headquarters meeting Lynn filed charges against six members, a Trial Committee was elected and a hearing on the charges was held at Headquarters on August 27, 2001 in accordance with the SUP Constitution. It should be noted that during the trial it was apparent to the Committee and the observers present, that Lynn was tape recording the proceedings. Halfway through the hearing, Lynn walked out stating, "I am dropping the charges. I have that right." The Trial Committee, however, continued the hearing and ultimately ruled that Lynn's charges had no merit.

The Union was notified on November 9, that Lynn requested and was granted an extension to file an appeal of the decision with the NLRB in Washington, D.C.

SUP ELECTION

Balloting for the biennial election of the Union officers and referenda on proposed amendments to the SUP Constitution and Shipping Rules, will begin on December 1, and will conclude on January 31, 2002. The ballots will be counted and the election held on February 1, 2002.

In accordance with the SUP Constitution, the entire secret mail-ballot and election shall be conducted by an Impartial Balloting Agent selected by the membership at Headquarters. The Committee on Election has recommended and the membership has concurred that Sequoia Voting Systems (formerly Sequoia Pacific Systems) be selected as the Impartial Balloting Agent.

As per Article VIII of the SUP Constitution, members in good standing with Class "A" and "B" seniority may vote in all Union elections. Members with Class "C" seniority who have ninety (90) days seetime within the preceding year and have been in good standing for that year, shall be eligible to vote in all Union elections.

For the purposes of the 2002 election, members with Class "C" seniority must have paid the original initiation fee prior to February 1, 2001, and must have at least ninety (90) days seetime between February 1, 2001 and January 31, 2002, in addition to being a member in good standing for that period.

SUP members on pension are allowed to cast ballots for Union officers and proposed Constitutional Amendments except for proposed amendments of a financial nature (dues, assessments). Pensioners are not eligible to act on proposed Shipping Rule changes.

If for any reason a member in good standing does not receive his/her ballot, he/she may make a written application to Sequoia Voting Systems. The request shall include a statement that the member has neither received a ballot nor voted in the election and the address to which the ballot is to be sent. If you do not receive a ballot, write to:

Robbin A. Johnson
Manager, Non-Governmental Election Services
Sequoia Voting Systems
7677 Oakport Street, Suite 800
Oakland CA 94621

All hands are reminded to have a valid mailing address on file at Headquarters as ballots will not be mailed to a Union hall.

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There are two important proposed Constitution amendments on the ballot: a dues increase and a measure to reduce the quorum at Headquarters meeting from 50 to 30 members.

Regardless of who is elected to office, these propositions are key to the viability of this organization.

Dues: Simply stated the dues paid by the membership does not cover operation expenses. No one is going to support our Union but ourselves. Vote YES on the dues increase.

Quorum: A quorum is necessary to conduct Union business at the Headquarters meetings. Given the size of the membership, the nature of shipping and the distance many members have to travel to get to San Francisco urge that the 50-member quorum—which has been in effect for over sixty years—be reduced to a realistic 30 member quorum in accordance with the Committee on Constitution's recommendation.

Democracy is contingent upon participation. Put the "you" in your Union and be sure to vote!

HOLIDAY BENEFIT

The SUP and MFOW will again co-sponsor the 12th annual Holiday lunch for participants of the respective Union Welfare Plans and invited guests.

In San Francisco, this year's luncheon will be at SUP Headquarters from 11:30 A.M. to 3:00 P.M. on Friday, December 21.

The schedule for the Branches is as follows: Seattle: Saturday, December 15 from 11:00 A.M. to 2:00 P.M.; Wilmington: Saturday, December 15, starting at noon; Honolulu: Sunday, December 16, starting at 10:00 A.M.

As approved by the Union and Employer Trustees of both Plans, the cost of this benefit is prorated to each Plan based on the number of participants.

THANKSGIVING

All SUP halls will be closed on Thanksgiving Day, Thursday, November 22, a holiday under all SUP contracts.

ACTION TAKEN

M/S to accept the San Francisco Bar Pilot's addendum. Carried unanimously.

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

Gunnar Lundeberg

SUP Branch Reports

Seattle

October 15, 2001

Shipped the following during the period: 1 bosun, 2 ABs, 1 AB return, all filled by A cards; 1 O.S. filled by a C cards; and 20 standbys, filled by 4 A cards, 12 B cards and 4 D registrants.

Registration for the period is 8 A cards for a total of 29; 8 B cards for a total of 22; and 6 C cards for a total of 18.

Ships checked

APL Singapore and APL Korea returned from offshore voyages where SUP spray-painting gangs had been aboard. The ship's gang, the shore-side standby gang and the rigging gang all reported good money for hard work. The Maui and Kauai in with little or no trouble. Rigging loft running smoothly.

Attended the King County Labor Council meeting, the "Charleston 5 Defense Committee" meeting and have been volunteering evenings and weekends with the "Labor to Neighbor" program.

Labor to Neighbor is one union member calling another union member or household to talk about ballot issues important to labor, in general, but may not be of immediate concern to a particular craft union. Jones Act issues and Port Commissioners positions would be an example.

The Sailors' Union of the Pacific has a long and proud history of political activism and all members are invited to participate by calling your local AFL-CIO Labor Council or asking your Branch Agent how you can help. A contribution of \$100 a year to the SUP Political Fund goes a long way to help protect our livelihoods.

Vince O'Halloran
Branch Agent

Wilmington

October 15, 2001

Shipped the following during the period: 4 bosuns, 12 ABs, 5 AB maints. 1 OS and 83 standbys, for a total of 106 jobs shipped.

Registrations for the period is: 46 A members, 28 B members, 15 C members and 1 D member.

Ships checked

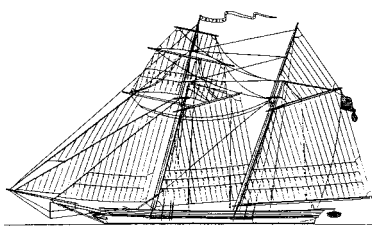
President Truman, Lihue, APL Philipines, Lurline, President Jackson, Ewa, Manoa, Manulani, President Kennedy, Mahimahi, President Adams (curtains) P.J. Pfeiffer and APL Singapore.

Attended the Los Angeles County Federal of Labor meeting September 17, the Harbor Labor Coalition on September 20, and the Veteran's Memorial on September 24.

Headquarters is keeping a file on STCW 95s. Bring them into the hall. We will fax a copy to Rich Reed at Headquarters.

Speaking of STCW, time is running out so take the week-long class now. The Coast Guard is claiming two to three weeks mail time.

Mark Hurley
Branch Agent



SUP Members:
VOTE!
It's your Union.

Honolulu

October 15, 2001

During the month of September, dispatched the following jobs: 5 ABs, and 1 OS, filled by 2 A members and 4 B members. Also shipped 29 standby jobs filled by 1 A member, 6 B members, 19 C members and 3 D registrants.

Registration for the month of September was: 2 A members, 3 B members, 4 C members and 3 D registrants. To this date, we have 11 A members, 7 B members, 11 C members and 9 D registrants, for a total of 38 registered.

Ships checked

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

At our October 15 Branch meeting, Rich Reed SUP Welfare Plan Representative, was in attendance. We had quite a large turnout and Rich was kept very busy administrating paperwork and answering questions. All the members, both active and retired were quite pleased.

On October 24, attended Hawaii Port Maritime Council meeting. Most of the talk was about the economic slow down in Hawaii. As many of you might know by now, American Hawaii cruises, the U.S.-flagged interisland vessels have filed for bankruptcy. The ships probably won't be running in the near future, a lot of unemployed seamen running around the island. Shipping is also very slow for us here in Honolulu.

The Honolulu SUP/MFOW annual Christmas party will be on Sunday, December 16, at 10:00 A.M. held at the Honolulu Hall.

Mike Duvall
Branch Agent

Norfolk Office

October 2001

September 11 was a total shock to our nation and put the whole East Coast in fear and turmoil. Even with airports shut down, with the help of all the Branch Agents, the SUP/MFOW managed to FOS two ships and get them to sea on time.

As I continue to make my weekly rounds and check ships in the area, all crew members are in high spirits and stand ready to support our troops and country. I have been asked by Patriot to be on full alert and have crews ready as orders come down.

The USNS Phililauu has made a successful voyage and is homeward bound. The USNS Shughart sailed Sonny Point, North Carolina and is eastern bound, with top SUP gang.

The Mendonca, Yano, Gordon and Gilliland are all in good shape. The USNS Seay and Fisher, in Baltimore, undergoing sea trials.

Registered for shipping 1 A, 3 B, 3 C, and 2 D members. Shipped 3 ABs, 1 B and 2 C cards.

I have two reminders to all hands: When leaving, clean your rooms and get all your documents. When you are dispatched to a job, bring all your documents otherwise you will be turned away by the captain.

Jack Stasko
SUP Representative

Attention

When mailing to the Norfolk Office, use 1058 West 39th Street Norfolk VA 23508; the P.O. Box has been cancelled.

Dispatcher's Report

Headquarters—Oct. 2001

Deck	
Bosun	3
Carpenter	0
MM	3
AB	26
OS	0
Standby	27
Total Deck Jobs Shipped	59
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.	59
Total B, C, D Shipped-All Depts. ...	13
Total Registered "A"	81
Total Registered "B"	71
Total Registered "C"	7
Total Registered "D"	9

San Francisco Business Agent

November 13, 2001

Chief Gadao - Charles Duke, delegate: No problems.

Kauai - Rich Cahill, delegate: No problems. Gang wants to thank Sparks for setting up the AM antenna so they can have radio reception of the world situation.

Mahimahi - Tony Montoya, delegate: Routine.

Manoa - James Sparks took over the sheet from Ivar Thorbjorsen who got off sick down south. A dispute remains regarding Paul Calais' restriction to ship in China.

Manulani - Jon Rose, delegate: Vessel came in to take cargo from the Matsonia. Vessel painted out like the s/s Monterey, good gang, all in good order. Questions on the Pension Plan referred to Chester Hazel.

Matsonia - Art Garrett, delegate: Vessel to go to dry dock for repairs. All in good order.

Maui - Chuck Maringer, delegate: Things are a little better on this ship, but still need improvement in communications among the sailors, and the bosun.

Mokihana - Miguel Palacios, delegate: Vessel back from the yard in China, the regular gang was glad to be back aboard.

Moku Pahu - Dave Frizzi, delegate: Disputed cargo time isn't payable. Cargo time is time spent working cargo. If the work is described in Section 4, then it is our work and only payable at the overtime rate during overtime hours. Long trip to North Korea coming up.

R.J. Pfeiffer-Duke Maringer, delegate.

San Francisco Bar Pilots - Everyone seems to have adjusted to having Sea Marshals coming and going in the Pilot's operation.

Foss Maritime - Tom Tynan and Mike Worth, delegates: The Barge 210 renovation is completed to the satisfaction of the gang.

Chevron Colorado - Jeremy Meads took the delegate job from Dave McKeithen. This ship is still on her regular run up the Columbia River.

Chevron Mississippi - Thor Erikson, delegate: OK.

Chevron Washington - Sham Elsayed, delegate: Gang complained that Rocky Ziemba didn't do a proper job of squaring away his room before he left the ship.

Chevron Dock - Rick Wilson waiting for Kingsley Baidoo to come ashore and relieve him for some time off.

Ready Reserve Fleet-Alameda - Danny Foster, delegate: Just one thing

after another on the Cape Borda. Some people don't know when they are well off; not talking about the sailors.

ASM Shore Gang - Mario Ramella, delegate: John Makaiwi got the year job thus ending the run of ten-day reliefs.

President Adams - Bert Genita, delegate: OK.

President Grant - Steve Rydberg, delegate: The report is that the officers on this one eat with their hats on...how crude.

President Jackson - John Fernandez, delegate: Gang all up in arms because Allen Gonzalez didn't do a proper job of squaring away his room before he go off. If you have any doubts about your room, get the delegate to give an independent opinion before you go down the gangway.

President Kennedy - Dan Gonzales took the delegate's job from Dave Berger who got off— time up.

President Polk - Ray Morgan, delegate: Everything smooth on this one.

President Truman - Ernest Stimach, delegate: Minor clarification on the three o'clock knock-off.

President Wilson - Diane Ferrari, delegate: No problems.

Bill Henneberry