



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, September 22, 2000

Workers rally against floating sweatshops on Capitol Hill

On September 19, hundreds of trade unionists rallied on the steps of the U.S. Capitol to blast the rotten flag-of-convenience system that exploits thousands of mariners globally.

AFL-CIO President John Sweeney, the presidents of several U.S. maritime unions, officers from the London-based International Transport Workers' Federation and rank-and-file trade unionists were joined by members of Congress at the podium in denouncing the flag-of-convenience system and calling for its abolition.

Addressing the rally were Senator Ron Wyden (D-OR), and representatives Neil Abercrombie (D-HI), Brian Baird (D-WA), David Bonior (D-MI), William Clay (D-MO), Eliot Engel (D-NY), Peter DeFazio (D-OR), Jerry Kleczka (D-WI), Lynn Rivers (D-MI), and Chris Smith (R-NJ).

A press release issued by ITF entitled "Don't Let Them Tread On The U.S. Flag" stated: "While taking millions of Americans on a cruise every year, flag-of-convenience passenger ships are taking the U.S. flag for a ride every day. Billions of dollars are generated for shipowners on the U.S. dime, but our country reaps nothing in return because these

cruise ships are shielding themselves from U.S. taxes by flying a phony flag. Ship registration in third world countries like Liberia and Burma allow corporations to circumvent safety and environmental laws, and put Americans on the fast track for disaster at sea.

As the American Maritime Congress' *Washington Letter* of September 22, reported: Senator Wyden's comments were succinct: "I come today with just one message. It is time to make sure we protect this country from the pernicious practice of FOC. Nothing is more important to Congress in these last few days of the session." Congressman Bonior reinforced this view, noting: "Much of the Capitol here was built by slave labor. That kind of exploitation isn't allowed in America anymore, but it is taking place on the high seas. These ships are a menace to public safety and an assault on human rights. Today we say: No more." Rep. Clay described the FOC practice as an

See Rally on Capitol Hill

continued on page 15

Maritime Trades Dept. submits report to international panel on flag-of-convenience system

The Maritime Trades Department (MTD), AFL-CIO last month submitted a comprehensive report on the International Commission on Shipping (ICONS), an independent commission established to inquire into and report on means of combating substandard shipping world-wide.

The MTD's report entitled "Crisis at Sea" covers the nature of the corrupt flag-of-convenience system and its impact on seafarers globally.

Last month, the *West Coast Sailors* reported on the Maritime Union of Australia and International Transport Workers' submission to the commission.

"Crisis at Sea" is printed in full in this issue beginning on page 10.

Unions, ports, travel organizations urge Congress to back U.S. cruiseship bill

American ships, American jobs

The Sailors' Union of the Pacific, Marine Firemen's Union, Masters, Mates & Pilots, Marine Engineers Beneficial Association, and the International Longshore Warehouse Union, have joined with a broad-based group of maritime, port, travel and tourism organizations in urging members of the U.S. Senate to support the United States Cruise Vessel Act (S.1510).

The bill which would revitalize the U.S.-flag cruiseship industry while keeping the Passenger Services Act intact is currently cosponsored by Senators John McLain (R-AZ), Barbara Boxer (D-CA), Conrad Burns (R-MT), Paul Coverdell (R-GA), Dianne Feinstein (D-CA), Kay Bailey Hutchison (R-TX), Barbara Mikulski (D-MD), Frank Murkowski (R-AK), Paul Sarbanes (D-MD) and Strom Thurmond (R-SC).

A letter sent to members of the Senate on September 18, stated:

"As representatives of a coalition of maritime, port and travel and tourism organizations, we are writing to reaffirm our strong support for S.1510, the United States Cruise Vessel Act, as amended in the Committee on Commerce, Science and Transportation and reported on June 15, 2000, and to ask that you cosponsor this innovative, no-cost initiative. Its enactment will give American ports, American travel and tourism businesses, American ship construction and repair yards, and American seafaring and longshore workers an unprecedented opportunity to share in the enormous economic benefits that result from United States cruise vessel operations. It is, according to the Committee, "a compromise which would stimulate the domestic cruise market while, at the same time, ensure maximum benefit for the U.S. maritime industry."

As reported, S.1510 will allow American companies to temporarily operate foreign built United States-flag cruise vessels between American ports if — and only if — the company first has a contract with an American shipyard to build replacement cruise vessels. According to the Committee (S.Rpt. 106-396), "This will allow new companies to enter the domestic market with existing vessels and immediately increase the size of the U.S. commercial fleet, thus providing new jobs for American mariners. Further, by requiring operators to build new vessels in the United States, the bill would create much-needed work for U.S. shipyards..."

Equally important, the Committee's action offers new business opportunities for American ports, especially smaller and

under-utilized ports which do not presently enjoy significant cruise vessel operations, and new employment opportunities for their longshore and other shoreside workers. It does so by giving vacation and business travelers new cruising options and itineraries that do not include foreign ports. The Committee noted in its Report that "for many years, numerous port, travel, tourism and business associations ... have touted the economic benefits of U.S. port visits by modern cruise ships. These groups have lobbied for changes in the law that would stimulate growth in the industry..."

We would also note that the Committee has acted to ensure that the temporary waiver authority to allow certain foreign built cruise vessels to operate between U.S. ports does not adversely affect existing United States cruise vessel construction projects. It did so by limiting the duration of the waiver authority, requiring U.S.-built replacement cruise vessels to be delivered according to a specific time schedule, stripping foreign built cruise vessels of their right to operate in the domestic trade after the delivery of U.S. built cruise ships, and giving the Secretary of Transportation the right to prohibit a foreign built cruise vessel from operating on a domestic itinerary that adversely affects the business of a U.S.-built cruise vessel. Finally, the Committee's legislation requires all companies seeking to operate cruise vessels under this legislation to meet the same requirements that apply to the Maritime Administration's Title XI loan guarantee program which determines whether the company has the "expertise and financial strength" to meet the goals and objectives of the United States Cruise Vessel Act.

Notwithstanding the short time remaining in the 106th Congress, we feel very strongly that Congress can and should act now to give American companies, American workers and American ports the opportunity to prove that Americans can build and operate large modern, efficient and attractive cruise vessels. We and the other members of our coalition again ask for your help by cosponsoring S.1510, as reported, and by working with us to achieve the enactment of the United States Cruise Vessel Act this year.

Thank you for your prompt attention to our request.

Sincerely,
 American Association of Port Authorities
 American Bus Association
 American Hotel and Motel Association
 American Maritime Congress
 Association of Retail Travel Agents
 Cascade General Inc., Portland, Oregon
 Cruising America Coalition
 Goldbelt, Inc., Juneau, Alaska
 International Longshore and Warehouse Union
 International Organization of Masters, Mates & Pilots
 Marine Engineers' Beneficial Association
 Marine Firemen's Union Maritime Institute for Research and Industrial Development
 Mayflower Ocean Lines, Plantation, Florida
 National Association of Cruise Only Agencies
 Voyager Holdings, Inc., Alexandria, Virginia
 Sailors' Union of the Pacific"

See page 7 for other supporters of S.1510



Second class postage paid at San Francisco, CA (USPS 675-180)

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Melvin Armon	20.00
William Berry	50.00
Paul Herriott	25.00
Charles Irvin	50.00
Herb James	100.00
John Makaiwi	70.00
Martin Mortensen	40.00
Michael Nielsen	40.00
Ricky Pangan	35.00
Clifford Shea	20.00
William Whoriskey	50.00

Political Fund

Jeffrey Armon	50.00
William Berry, in memory of Ron Wampler and Tom Atnip	50.00
Dave Connolly	25.00
John Drolla	30.00
Douglas Gibson	7.00
Richard Goen	20.00
Angel Gotible	30.00
Vernon Haik	20.00
Paul Herriott	25.00
Michael Henneberry, in memory of Red Henneberry	20.00
Phil Howell	50.00
Michael Jastrebski	50.00
Knud Jensen	20.00
Michael Lee	50.00
Gunnar Lundeborg	25.00
Gabe McDonald	50.00
Mike McLavy	50.00
Martin Mortensen	40.00
Terrance O'Neill	25.00
Ricky Pangan	35.00
Sal Rauf	50.00
Randy Runyan	20.00
Clifford Shea	20.00
Augusto Silva	25.00
William Whoriskey	25.00

Wall of Honor

(San Pedro Merchant Marine Memorial)

Dave Connolly	50.00
Paul Herriott	25.00

West Coast Sailors

James Fernandes	25.00
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Paul Herriott	25.00
Sedek Idris	20.00
Charles Irvin	50.00
Belfred Lomba	100.00
Rolando Mendoza	25.00
Oskar Moe	25.00
Martin Mortensen	31.00
Donald Pennington	25.00
John Perez	20.00
Joe Piscopo	30.00
Tony Radochonski	25.00
Clifford Shea	20.00
Francis Smith	30.00
William Whoriskey	25.00

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
Alfred Kerns	Book #3167
Kaj E. Kristensen	Book #3120
Gunnar Larsen	Book #3516
Peter Paul Liptay	Book #3725
Frank Parks	Book #3798
John Perez	Book #3810
Charles Rafael	Book #3141
Kai Sorensen	Book #7479
William Tice	Book #3239

Cargo preference laws needed for a strong U.S.-flag merchant fleet

In continuing the series of articles examining the maritime policy initiatives recommended by the Working Group on Maritime Policy, this month's emphasizes strengthening cargo preference.

The report, "Maritime Policy Initiatives 2000," was produced by the Working Group on Maritime Policy, consisting of Vice Admiral Albert J. Herberger, USN (ret.), and representatives of major U.S.-flag ocean carriers, maritime labor unions and maritime associations. These articles were originally published in the American Maritime Congress' *Washington Report*.

"The diminishing volume of preference cargo makes it more important than ever that federal agencies, both military and civilian, comply with the letter and spirit of cargo preference laws," the report said.

The report examines the state of the U.S.-flag maritime industry, and recommends policy steps to ensure that the United States continues to benefit from a viable U.S.-flag commercial fleet and a maritime employment base.

Under U.S. cargo preference laws, all or a portion of certain government-impelled cargoes must be carried by U.S.-flag vessels. This helps ensure the continued viability of the U.S.-flag international fleet by reserving a base of cargoes.

The Maritime Administration, through the Department of Transportation, is responsible for enforcement of the cargo preference laws, the report said. However, there is no systematic process in place to assess what cargoes are subject to cargo preference under existing Department of Defense procurement monitoring systems.

"As a result, the Maritime Administration and the U.S.-flag maritime industry are not always aware of preference cargo opportunities and these cargoes often end up moving on a foreign-flag vessels."

When issues of compliance arise, MarAd and the U.S.-flag maritime industry must rely on the goodwill and cooperation of the shipper agencies and the Department of Defense, the report continued.

A problem is the inherent tension between a federal contracting officer's desire to reduce transportation costs, and the goal of the U.S.-flag merchant marine to stay in business under the U.S. flag — "a short-term impetus for economy versus a long-term need for a strong and reliable U.S.-flag fleet and the personnel resources it generates."

With the overall volume of preference cargo decreasing, in part because the Armed Forces have pulled back from overseas bases, the continued viability of the U.S.-flag fleet in the international trades requires a renewed commitment to cargo preference as an important national policy, the report said.

The report stated that cargo preference should be strengthened further by fostering the relationship between the U.S.-flag maritime industry and the government, with the active engagement of the U.S. Transportation Command (USTRANSCOM) and its components; improving cooperation between procurement and transportation officials to foster changes within the government procurement system, consistent with the goals of cargo preference; ensuring that uniform standards are applied to all shipper and sponsoring agencies to implement cargo preference requirements and forming a permanent cargo preference working group with full government and industry representation.

The working group proposed by the report would review and recommend actions to maintain and strengthen cargo preference through a team effort led by U.S.-TRANSCOM and the Maritime Administration. The report recommended that the working group address such areas as developing a comprehensive information and monitoring system to track preference cargoes strengthening USTRANSCOM authority to provide greater oversight and guidance, and establishing a MarAd liaison office with government shipper agencies.

Final Departures

Alvin K. Traugher, Book No. 1856. Born in Hawaii in 1918. Joined SUP in 1937. Died in California, August 11, 2000. (Pensioner)

James W. Houston, Book No. 4760. Born in Ohio in 1923. Joined SUP in 1943. Died in Mt. Vernon, Washington, August 18, 2000. (Pensioner)

Lawrence T. Charlton, Book No. 3465. Born in Alabama in 1917. Joined

SUP in 1943. Died in Washington, September 2, 2000. (Pensioner)

Robert Lee Reynolds, Book No. 2646. Born in California in 1925. Joined SUP in 1944. Died in San Pablo, California, September 2, 2000. (Pensioner)

Dolphin D. Burns, Book No. 5591. Born in Oregon in 1924. Joined SUP in 1947. Died in Granbury, Texas, July 17, 2000. (Pensioner)

VA Congressman Bateman dies

Representative Herbert Bateman (R-VA) died in his sleep of an apparent heart attack this month. He was 72.

Congressman Bateman was chairman of the Oversight Panel on the Merchant Marine of the House Armed Services Committee. He also served on the House Transportation and Infrastructure Committee. He was planning to retire at the end of his term.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2000:

	Hdq.	Branch
October	10*	16
November	13	20
December	11	18

*Tuesday

Important Addresses and Telephone Numbers

SIU Pacific District
Pension & Supplemental Benefit Funds
1422 Market Street
San Francisco CA 94102

Telephone Numbers:

Main	(415) 437-6832
Pension	(415) 437-6889
Supplemental Benefits	(415) 437-6870
Accounting	(415) 437-6850
Administrative	(415) 437-6899
Fax Number	(415) 437-1533

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

Chevron to buy Phillips?

Reuters News Service on September 10, reported on a story originally published in the Britain's *Sunday Times* that San Francisco based Chevron was in negotiations to purchase Phillips Petroleum Company of Bartlesville, Oklahoma.

Both Chevron and Phillips declined to comment on the report.

According to Reuters "the companies will make a decision on the merits of the merger by the end of the year." The combination would be worth approximate \$78 billion.

If Chevron were to buy Phillips, it would be the latest in a series of takeovers in the

oil industry including BP AMOCO purchase of Atlanta Richfield (ARCO) and Exxon's purchase of Mobil Oil.

In the BP AMOCO purchase of ARCO, ARCO's Alaska oil fields and U.S.-flag tanker fleet were sold to Phillips. Phillips in turn established a subsidiary, Polar Tankers, to handle its marine operations.

Chevron's U.S.-flag fleet is operated by SUP-contracted Chevron Shipping Company.

Earlier this year Chevron and Phillips agreed to combine their respective chemical businesses into a joint venture called Chevron Phillips Chemical Company.

Matson Intermodal expands on the West Coast

Matson Intermodal System has acquired Paragon Transportation Group, according to a news release on July 31. Paragon Transportation Group is a diversified transportation services marketing company specializing in intermodal rail and over-the-road services. The company has a high level of expertise and market share in the shipment of California wines, canned foods, dried fruits, nuts, scrap metals, clothing, chemicals and paper products. The new entity, Matson Intermodal-Paragon, Inc., is now a wholly-owned subsidiary of Matson intermodal System.

The addition of Paragon, with the principal office located in Dublin, California, will "contribute greatly to Matson Intermodal's continued growth, strength and presence in the domestic intermodal market," said Ronald J. Forest, president and CEO, Matson Intermodal.

Matson Intermodal is a subsidiary of Matson Navigation Company which is a subsidiary of Alexander & Baldwin, Inc. of Honolulu.

Foreign cruise vessels cited for Alaska pollution

Last month, seven cruise companies have been cited for pumping excessive smoke into Alaska's atmosphere. The state's Environmental Conservation Department found that 11 cruiseships violated the state's environmental standards when they were berthed at Juneau between mid-July and mid-August. Those cruise companies are the Princess Cruises, Norwegian Cruise Line, Holland America Line, World Explorer, Crystal Cruises, Celebrity Cruises and Carnival Cruise Line.

The state's monitory of smoke emissions is being funded by \$250,000 of a \$3.5m deal agreed with Royal Caribbean last January to settle water pollution charges which date back to 1994 and 1995. The five-year monitoring program has started in Juneau but will be expanded to other ports.

"By the time the summer is out we will have gone to three other Alaskan ports apart from Juneau," said Mike Conway, of the state environment department.

Two weeks earlier the U.S. Environmental Protection Agency cited two of the companies for smokestack violations which it alleges happened last summer. The agency has proposed fining Princess Cruises \$110,000 for violations in Seward and Norwegian Cruise Lines \$55,000 for an incident in Juneau.

"Polluting the very environment from which these companies profit is completely unacceptable to Alaskans," said Marcia Combes, Director of EPA's Alaska Office.

Alaska has become one of the most popular cruising areas over the past decade, tripling passengers.

House passes resolution honoring U.S. merchant mariners — Lane Victory cited

The U.S. House of Representatives on September 13, overwhelmingly passed a resolution honoring the service and sacrifice during period of war by members of the United States Merchant Marine.

The resolution states:

Whereas throughout the history of the United States, the United States Merchant Marine has served the Nation during the periods of war;

Whereas vessels of the United States merchant marine fleet, such as the *S.S. Lane Victory*, provided critical logistical support to the Armed Forces by carrying equipment, supplies, and personnel necessary to maintain war efforts;

Whereas numerous members of the United States merchant marine have died to secure peace and freedom; and

Whereas at a time when the people of the United States are recognizing the contributions of the Armed Forces and civilian personnel to the national security, it is appropriate to recognize the service of the United States merchant marine: Now, therefore,

Be it resolved by the House of Representatives, that the Congress:

- 1) Honors the service and sacrifice during periods of war by members of the United States merchant marine;
- 2) Recognizes the critical role played by vessels of the United States merchant marine fleet, such as the *S.S. Lane Victory*, in transporting equipment, supplies, and personnel necessary to support war efforts; and
- 3) Encourages: A) the American people, through appropriate ceremonies and activities, to recognize and commemorate the service and sacrifices of the United States merchant marine; and B) all government agencies to take appropriate steps to commemorate the United States merchant marine.

House Concurrent Resolution 327 was introduced on May 16 by Congressman Steve Kuykendall (R-CA). The House vote was 418 Yes, 0 No, with 15 members absent and not voting. The resolution was referred to the Senate Judiciary Committee for action.

Keel laid for Polar Discovery

The third Millennium Class Jones Act tanker

Polar Tankers, Inc. has announced that Litton/Avondale Industries, Inc. of New Orleans, LA, has laid the keel of the *M/V Polar Discovery*, the third Millennium class tanker being built to carry crude oil from Alaska to the U.S. West Coast. She will be delivered in late 2002.

The *Discovery's* tanks will hold over one million barrels of cargo at full capacity and 125,000 deadweight ton of cargo for Puget Sound, WA. The *Polar Discovery* will be equipped with the latest electronics to ensure safe and efficient operation.

The other two ships are the *Polar Endeavour* (the first of the tankers to enter the Alaska trade in early 2001) and the *Polar Resolution*. All three tankers are 272.69 M long by 46.2 M wide by 26.3

M deep (894.7 ft. x 151.6 ft. x 86.29 ft.), built with double hulls, double independent engine rooms, twin propellers, and twin rudders.

The Millennium Class tankers are the first new crude oil carriers being built specifically for the Alaskan trade in compliance with the Oil Pollution Act of 1990.

"We're building these tankers because Phillips has a strong commitment to the state of Alaska and to our valued customers and stakeholders in our U.S. West Coast/Hawaii ports of call," said John Hennon, president of Polar Tankers.

Polar Tankers, based in Long Beach, CA, is the shipping unit of Phillips Alaska, Inc., a wholly owned subsidiary of Phillips Petroleum Company.

ITF targets flag-of-convenience cruiseships in Florida

This month the International Transport Workers' Federation (ITF) demonstrated its commitment to improving conditions in the burgeoning cruiseship industry with the official opening of a campaign office in Port Canaveral, Florida on September 20.

Since the 1980s cruise shipping has grown at an average 9.6 percent per year, racing ahead of other maritime sectors. Port Canaveral is the world's third leading port for this trade, handling 1.35 million passengers per year.

However, the gains have been one-sided: most vessels fly flags-of-convenience which allow unscrupulous operators to pay crews a pittance while demanding they work up to 12 hours a day, seven days a week.

The new office commenced partial operations in June this year, and even before its official opening has already been visited by nearly 1000 seafarers. Jim Given, ITF Cruise Campaign Coordinator, explained the kind of problems they have reported: "Things are worse than we thought. Long hours, low wages, abuse, poor food and little time off are just the tip of the iceberg.

One Romanian woman working for a major U.S.-owned, but flag-of-conve-

nience cruise line, visited us. She had been a few minutes late for a staff meeting that wasn't even part of her work hours. To punish her she had been made to load crates and boxes weighing up to 40 pounds for several hours. She had been hired as a bartender and only weighed 90 pounds. What brought it home to us was that when she rolled up her shirtsleeves her arms were covered with bruises from the crates." He added: "In another case a waitress told us that not only do she and her colleagues have to pay for their uniforms at inflated prices, but that they even have to buy pens for taking orders with from the company."

In London Stephen Cotton, Secretary of the ITF's Special Seafarers Section, commented: "This is an exciting moment for us. With the opening of this office the ITF takes its fight to the heart of the cruise ship sector, the fastest growing area in the maritime industry."

The ITF is opposed to the flag-of-convenience system, which allows ships to be registered in countries other than that of ownership, and which is directly implicated in the operation of unsafe ships, illegal —activities and exploitation of

crews. For as long as the system is allowed to continue, the organization will attempt to curb its abuses by ensuring that crews are covered by agreements on working hours, wages and conditions.

Matson to increase fuel surcharge

In a press release dated September 15, Matson Navigation Company reported it is raising its fuel surcharge by one percent in its Hawaii and Guam services, effective October 15. This will bring the total fuel surcharge to 4.25 percent. The fuel surcharge was filed with the Surface Transportation Board on September 15.

"We continue to feel the impact of this unprecedented climb of fuel prices — which are approaching the peak levels that occurred during the Persian Gulf War of 1990-1991. While the high cost of fuel has an adverse impact on many businesses, as well as consumers, transportation companies are especially hard hit. We will continue to monitor fuel costs and adjust the surcharge accordingly," said Paul E. Stevens, senior vice president, Marketing.

West Coast Sailors

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Gunnar Lundeborg,
President/Secretary-Treasurer
Teresa Anibale, Editor

BRANCH OFFICES

Seattle, WA 98134
1253 Sixth Ave S, Ste A (206) 467-7944
FAX: (206) 467-8119
Wilmington, CA 90744
533 N. Marine Ave. (310) 835-6617
FAX: (310) 835-9367
Honolulu, HI 96813
707 Alakea St. (808) 533-2777
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WELFARE OFFICE

(415) 778-5490

PENSION PLAN OFFICE

(415) 437-6889

A Message From Texas Union Members

He has been our governor for almost six years.

Here's what George W. Bush has done for Texas working families.

“If the economy is so good, why do I have to work so hard just to keep up?”



David Carrasco
Tire Builder
USWA Local 746



Eugene Graham
Correctional Officer
AFSCME Local 3807

“The fact is, George Bush doesn't like union members any more than he likes unions.”

Right to Work

- Gov. George Bush believes union workers undermine the economy, and brags that Texas is a right-to-work state with low unionization of the workforce. (*Tulsa World*, 2/17/99; www.tded.state.tx.us/TXOverview)
- Gov. Bush vetoed a dues checkoff bill for municipal workers because he thought it might undermine Texas's right-to-work laws. (SB 823, 1995 Texas Legislative Session)

Union-Busting

- Gov. Bush has tried to eliminate or privatize thousands of union jobs in Texas. (*Houston Chronicle*, 10/10/99; *The Dallas Morning News*, 4/20/97)
- Gov. Bush supports “paycheck deception” gimmicks that would silence the voice of working families. (Iowa GOP Debate, Des Moines, 12/13/99)
- Despite an expanding prison population, Texas correctional workers haven't had a real raise since Bush became governor. Their pay ranks 46th in the country. (*San Antonio Express-News*, 1/20/00)

Now he wants to do for the rest of the country what he's done for Texas.

VOTE. You're more powerful than you think.

Provided by your union and the AFL-CIO.
For more information, visit our website at www.aflcio.org or www.workingfamilies.com.



Teamsters get positive ruling in Diamond

Walnut strike

Striking Teamster Union members might see a possible break in the decade-long strike against Diamond Walnut due to a recent ruling by the National Labor Relations board.

The NLRB said a judge should hold hearings this fall into whether Diamond engaged in unfair labor practices by refusing to rehire striking workers.

If the judge rules in the strikers' favor, they predict it will bring millions of dollars in penalties and back pay.

Union members took a 30 percent pay cut in 1985 when times were tough for Diamond. When the 1991 contract came up, Diamond offered a ten-cent raise coupled with a bonus program.

Teamsters Local 601 called a walkout. Diamond then replaced the striking workers and Local 601 have been on strike since.

Most of the strikers have since found jobs elsewhere.

SAG and AFTRA get support from high-profile actors

As contract negotiations continue between striking members of the Screen Actors Guild (SAG) and the American Federation of Television and Radio Artists (AFTRA), high-profile actors, headed by Paul Newman and Jason Robards, launched a two-week public relations blitz to support the strikers. The unions also announced that Maverick Media, which handles radio and TV ads for Republican presidential candidate George W. Bush, finally signed an interim agreement with the unions, pledging to use only union actors in their commercials. Vice President Al Gore's media group signed this agreement in May.

Some 135,000 SAG and AFTRA members struck the advertising industry May 1, over management demands to roll back actors' residuals for commercials.

Most non-union employees lack pensions benefits

The General Accounting Office reported August 23, that 53 percent of the employed labor force were without pension plans in 1998.

The report, *Pension Plans: Characteristics of Persons in the Labor Force Without Pension coverage*, analyzed data from the current population survey conducted by the Bureau of the Census for the Bureau of Labor Statistics.

The report found that 48 percent of retirees—17.6 million out of 36.6 million—similarly had no pension of their own or from a spouse.

About 85 percent of employees not in an employer's plan had one or more of the following characteristics: earned a relatively low income; employed part-time or part of the year; worked for a small company; or was relatively young. Of the 40 percent of all employees who earned less than \$20,000 annually, 81 percent lacked pension coverage. Similarly, of the 22 percent of all employees who worked for companies that had fewer than 25 employees, 82 percent lacked pension coverage, GAO said.

Only 27 percent of public-sector employees lacked pensions, the GAO said, noting that public employees are more likely to belong to unions. “The collective action of union members can push employers to

offer pensions if the members of the union want the coverage more than individuals in a nonunion setting,” it said.

NLRB gives OK to bargaining units to include temporary and regular workers

The National Labor Relations Board has approved placing temporary and regular workers in the same bargaining units without first getting the permission of both the employer and of any temporary agencies that qualify as joint employers.

“We find that a unit composed of employees who are jointly employed by a user employer and a supplier employer, and employees who are solely employed by the user employer, is permissible under the [National Labor Relations Act] without the consent of the employers,” the Board wrote. The ruling requires that both the temporary agency and the user employer bargain jointly with a union or unions.

British Petroleum orders tankers from San Diego yard

British Petroleum (BP) has placed an order with National Steel and Shipbuilding Company (NASSCO) for the construction of three double-hull tankers to be deployed in the Alaska-U.S. West Coast trade. The contract includes options for three additional vessels.

San Diego-based NASSCO, a subsidiary of General Dynamics, said the 185,000-deadweight ton ships will carry approximately 1.3 million barrels of oil. They will have a length of 950 feet, a beam of 165 feet and a draft of 61.5 feet.

Construction on the first tanker will begin in early 2002 with the first delivery of late 2003. Subsequent deliveries are scheduled for late 2004 and 2005.

Sailors' Union of the Pacific STCW 95 Basic Training Schedule for 2000

STCW Basic Training is comprised of several modules of training. All modules are certified by the U.S. Coast Guard and meet the requirements of 46 CFR and STCW for endorsement. Modules can be scheduled individually.

1. 8-Hour Elementary First Aid. Day one of all scheduled classes.
 2. 16-Hour Basic Firefighting. Days two and three of all scheduled classes.
 3. 4-Hour Personal Safety and Social Responsibility. First half of day four.
 4. 12-Hour Personal Survival. Last half of day four and all of day five.
- Students will be in the pool on Friday.

The courses are offered by the SUP's Andrew Furuseth School of Seamanship in conjunction with Training Resources Limited. All courses will be conducted at the SUP Training site in San Diego. For additional information on course offerings, visit the Training Resources Limited website, www.maritimetraining.cc, or contact the SUP Welfare Plan at (415) 778-5490 or the Andrew Furuseth School at (415) 546-1537, for information on enrollment, etc.

Schedule of class offerings for 2000:

September 25-29	November 6-10
October 16-20	November 27-December 1
October 30-November 3	December 11-15

Fisher struts her stuff during summer 2000

Nearly 400,000 square feet of military mobility and rapid response capability arrived at anchor off New York harbor July 5, for the city's annual International Naval Review. *USNS Fisher*, a svelte, 950-foot-long ship with two soaring, twin-pedestal, shipboard cranes, and MSC's distinctive blue-and-gold-striped stack, was featured prominently in the week-long salute to sailing vessels from around the world.

Fisher, delivered to MSC only last summer, cut an imposing profile almost equal to that of aircraft carrier *USS John F. Kennedy*, another of INR's featured ships. However, *Fisher's* compact crew of 29 mariners was in stark contrast to the carrier's crew of more than 5,000 military personnel. *Fisher's* non-combatant mission and high-tech operating systems enable the small, all-civilian crew to operate the ship.

USNS Fisher, a Large, Medium-Speed, Roll-on/Roll-off ship, or LMSR, is among 13 such ships delivered to the Navy since 1996. *Fisher's* six huge levels of cargo-carrying space, interior ramps and on-board cranes make her ideally suited to transport heavy armored tanks, trucks and other equipment to U.S. troops deployed to crisis areas around the world. *Fisher* is normally kept in reduced operating status in Baltimore, MD, ready to be loaded and fully crewed as needed.

USNS Fisher's stay in New York was topped off by the visit of one of the ship's two namesakes, philanthropist Elizabeth Fisher. She is the widow of the other namesake, prominent New York City building Zackary Fisher, who died last year. Both Fishers devoted their lives to improving the quality of lift for U.S. military personnel.

Commander of Military Sealift Command, Vice Adm. Gordon S. Holder, USN, was on board to welcome Mrs. Fisher and more than 100 distinguished

guests, including Fisher family members: Navy Under Secretary, the Honorable Jerry M. Hultin; Adm. Robert J. Natter, USN, Commander in Chief, U.S. Atlantic Fleet; Coast Guard Commandant Adm. James L. Loy, USCG; members of Congress; local government officials; and members of the Intrepid Museum Foundation — overseers of New York City's Intrepid Museum, a historic aircraft carrier transformed into a museum by the Fishers.

Under Secretary Hultin paid tribute to Elizabeth Fisher and her husband for their outstanding patriotism, generosity to and support of U.S. forces — including scholarships and the establishment of 26 Fisher Houses, temporary homes close to military hospitals for families of hospitalized service men and women.

USNS Fisher is no newcomer to the limelight. Less than two weeks prior to *Fisher's* debut in New York's INR, the ship starred in a joint military exercise, Exercise Roving Sands 00, while at anchor off Little Creek, VA. More than 100 NATO ambassadors and senior defense officials road a launch out to the ship to get a first-hand look at joint logistics over the shore, or JLOTS.

Carefully moored lighterage floating alongside the ship served as a platform from which heavy armored combat equipment was craned and driven aboard ship. Roving Sands helped demonstrate the value of JLOTS for the deployment of heavy armored combat equipment to primitive or war-torn ports overseas. NATO guests were impressed by *Fisher's* vast cargo-carrying capacity and the flawless choreography of the JLOTS operation.

Fisher arrived at her new berth in Baltimore in mid July, ready to maintain a slightly lower profile following her back-to-back events in Virginia and New York.

Source: Sealift

USNS Seay participates in military exercise



From left to right: Able Seaman Izzy Idris, SUP Vice President Dave Connolly, Bosun Mic McHenry, and Director of the Andrew Furuseth School of Seamanship Jack Mannering, aboard the *USNS Seay* in Operation JLOTS 2000 off Camp Pendleton, CA.

On September 13-17, 2000, SUP-contracted *USNS Seay* (T-AKR 302) participated in a large defense transport exercise off Camp Pendleton, California. Called Exercise Joint-Logistics-Over-The-Shore (JLOTS) 2000, the operation involved more than 1000 personnel, three other ships of the U.S. Ready Reserve and a flotilla of support and landing craft.

Fighting thick fog and a steep seven-foot swell, the deck gang on the anchored *Seay* deployed the ramp and causeway on time and without incident. Bosun Mick McHenry said, "It's the first time we did it in ugly weather, but the gang came through." The roll of the ship greatly affected the handling characteristics of the cranes, as well as the swing of the loads, and the adverse conditions put the gang's training and expertise to the test. During the course of the operation, McHenry and the gang were summoned repeatedly to assist the Army stevedores in the handling of problem cargo and to unravel snarled rigging and lashing.

The *Seay* deployed all of her designated

equipment, including ordnance, vehicles, and helicopters. The ship uses cranes to off-load containers, and rolling stock is driven out a large sideport and ramp onto a floating causeway. The causeway in this operation was rigged for use as a loading platform for landing craft. In this way, the ship can then be used as a means of deploying joint forces into a primitive area of operations with undeveloped or damaged ports. At press time, the three other ships in the exercise, (the *Cape Mohican*, the *Cape Chesapeake*, and the *Grand Canyon State*) were unable to off-load equipment because of the weather.

Acting Maritime Administrator John Graykowski said that "The best way to prepare to meet emergency sealift needs is by practicing in peacetime what you will be expected to perform in a crisis." But more than peacetime practice, Operation JLOTS 2000 demonstrated in graphic fashion that even in difficult conditions, highly-trained SUP sailors can maximize the support capability of the Navy's newest ships, the LMSR's.

Australian Senate applauds seafarers

Calls for government to promote Aussie shipping

The Australian Senate last month passed a resolution applauding Australian ships and Australian seafarers for their role during the deployment of Interfet forces in East Timor, acknowledging the role Australian merchant shipping plays in peacetime and calling on the government to promote Australian flag shipping.

The resolution (reproduced in full below) contrasts starkly with the government's policy of favoring cheap, substandard foreign shipping at the peril of the national flag fleet. The federal government has refused recommendations by the industry, the unions and its own appointed shipping reform group to provide fiscal support to Australian shipping industry. Instead it has opened up the domestic transport industry to guest workers, exposing the Australian coast to pollution.

World shipping is dominated by flag-of-convenience vessels registered in tax havens like Panama and Liberia, where they are not required to meet international safety or labor standards. Many of these ships are, according to submissions to an international inquiry, crewed by poorly

trained or fraudulently certified crew from Third World countries (International Commission on Shipping, ICONS). Ex-

ploitation of labor and tax avoidance enables these ships to offer cut rate freight rates, which are driving Australian ships out of business. Seven Australian flag ships have been lost in the last 18 months.

In recognition of the importance of maintaining an Australian fleet, the Australian Labor Party National Conference, this month, adopted a policy of supporting national flag shipping. The Senate resolution is as follows:

That the Senate:

(a) Recognizes and applauds the role that was played in supporting the Interfet force deployment in East Timor by Australian civilian ships;

(b) Welcomes the letter dated October 15, 1999, that was sent to the Maritime Union of Australia by Commander Peter Cosgrove, suggesting that, without the help of Australian civilian ships, the deployed forces' logistics build-up would have been severely hampered;

(c) Acknowledges that the role of Australian civilian ships in East Timor continues the significant and enormous role that the Australian Merchant Navy has historically played in the ever increasing peacetime carriage of trade, both internationally and domestically;

(d) Recognize that this role has not been without enormous cost, particularly in the Merchant Navy's service in two world wars, where one in every eight seafarers lost their lives and many more disappeared unrecorded in the ships of many nations;

(e) Applauds the International Maritime Organization's support and recognition of maritime workers and merchant shipping, including Australian coastal shipping through the celebrations of Maritime Day on September 24 and believes that World Maritime Day be regarded as a day of maritime pride and history; and

(f) Requests that the Government promote the flying of the Australian flag rather than flags of convenience.

The ALP resolution is as follows:

This Conference notes the economic and strategic importance of maintaining a vibrant, efficient and safe domestic shipping industry for island nations such as Australia.

The valuable defense and national interest contribution of the Australian shipping industry was recognized by Major General Cosgrove in formal thanks for the support given to Interfet Forces during the East Timor crisis.

This Conference reaffirms our support for the cabotage provisions of the Navigation Act and condemns the Howard Government for abuse of the Single and Continuing Voyage Permit provisions of the Navigation Act to disadvantage and undermine the Australian shipping industry.

This attack on the shipping industry has disastrous effects on defense, environment, immigration and the national security of Australia. The replacement shipping companies and workforces have no allegiance to Australia, pay no tax and are effectively guest labor in the Australian domestic transport sector.

This Conference calls on a Federal Labor Government to involve all affected industry participants in the development of measures for best commercial practice in the international industry designed to promote a modern, efficient and safe Australian and international fleet. In developing these measures, regard shall be given to the need for support comparable with that available to international shipping.

Conference also acknowledges the contribution of the Australian merchant marine to the security and defence of Australia and notes that this contribution will now officially be celebrated on International Maritime Day, September 24.

Notice To Interested Parties SUP 401(k) Plan

1. Notice To: All employees who are covered by written agreements which allow for Eligible Employees of Employers to elect to make contributions in the form of Elective Deferrals.
An application is to be made to the Internal Revenue Service (IRS) for an advance determination on the qualification of the following collectively bargained plan:
2. Plan Name: SUP 401(k) Plan
3. Plan Number: 002
4. Name and Address of Applicant: Trustees of the SUP Qualified Plans Master Trust, 450 Harrison Street, San Francisco, CA 94105
5. Applicants E.I.N.: 94-3134523
6. Name and Address of Plan Administrator: Plan Administrator, SUP Retirement Plans, 450 Harrison Street, San Francisco, CA 94105
7. The application will be filed on October 6, 2000 for an advance determination as to whether the Plan meets the qualification requirements of section 401 of the Internal Revenue Code of 1986, with respect to the initial qualification of the Plan.
The application will be filed with: EP Determinations Internal Revenue Service P.O. Box 192 Covington, KY 41012-0192
8. The employees eligible to participate under the Plan are employees who are covered by written agreements which allow for Eligible Employees of Employers to elect to make contributions in the form of Elective Deferrals.
9. The Internal Revenue Service has not previously issued a determination letter with respect to the qualification of this Plan.

Rights of Interested Parties

10. You have the right to submit to EP Determinations, at the above address, either individually or jointly with other interested parties, your comments as to whether this Plan meets the qualification requirements of the Internal Revenue Code. You may instead, individually or jointly with other interested parties, request the Department of Labor to submit, on your behalf, comments to EP Determinations regarding qualification of the Plan. If the Department declines to comment on all or some of the matters you raise, you may, individually, or jointly if your request was made to the Department jointly, submit your comments on these matters directly to EP Determinations.

Requests For Comments By The Department Of Labor

11. The Department of Labor may not comment on behalf of interested parties unless requested to do so by the lesser of 10 employees or 10 percent of the employees who qualify as interested parties. The number of persons needed for the Department to comment with respect to this Plan is 10. If you request the Department to comment, your request must be in writing and must specify the matters upon which documents are requested, and must also include:

- (1) The information contained in Items 2 through 5 of this Notice; and (2) The number of persons needed for the Department to comment.

A request to the Department to comment should be addressed as follows:

Deputy Assistant Secretary Pension and Welfare Benefits Administration ATTN: 3001 Comment Request U.S. Department of Labor 200, Constitution Avenue, N.W. Washington, DC 20210.

Comments To The Internal Revenue Service

12. Comments submitted by you to EP Determinations must be in writing and received by November 20, 2000.

However, if there are matters that you request the Department of Labor to comment upon on your behalf, and the Department declines, you may submit comments on these matters to EP Determinations to be received by them within fifteen days from the time the Department notifies you that it will not comment on a particular matter, or by November 20, 2000, whichever is later, but not after December 5, 2000. A request to the Department to comment on your behalf must be received by it by October 21, 2000, if you wish to preserve your right to comment on a matter

upon which the Department declines to comment, or by October 21, 2000, if you wish to waive that right.

Additional Information

13. Detailed instructions regarding the requirements for notification of interested parties may be found in Sections 17 and 18 of IRS Revenue Procedure 2000-6. Additional information concerning this application (including, where applicable, an updated copy of the Plan and related trust; the application for determination; any additional documents dealing with the application that have been submitted to the IRS; and copies of Section 17 of Revenue Procedure 2000-6) are available from Plan Administrator, located at 450 Harrison Street, San Francisco, California 94105, during office hours for inspection and copying. (There may be a nominal charge for copying and/or mailing.) #27989v1

Summary Annual Report for the SUP Welfare Plan, Inc.

This is a summary of the Annual Report the SUP Welfare Plan, Inc., Employer Identification No. 944543666 (Plan No. 502) for the year ended July 31, 1999. The Annual Report has been filed with the Internal Revenue Service as required under the Employee Retirement Income Security Act of 1974 (ERISA).

The SUP Welfare Plan, Inc. has committed itself to pay certain claims incurred under the terms of the Plan.

Insurance

The Plan has contracts with Kaiser Foundation Health Plan, Inc.; Northern California Group 9035, Southern California Group 2125, Oregon Group 1818, Hawaii Group 4219; Healthnet of California Group 57952A; Group Health Cooperative of Puget Sound Group 4545; Pacific Health Group SU500; Health Insurance Plan of Greater New York; Blue Cross Blue Shield of Louisiana; Naismith Dental Group; Sakai Dental Group; Delta PMI Dental; Dental Health Services; Dental Care Center of Hawaii; DINA Dental and Duffy's - Myrtleale.

Basic Financial Statements

The value of the Plan assets, after subtracting liabilities of the Plan, was \$23,004,018 on July 31, 1999, compared to \$23,537,831 as of July 31, 1998, as restated. Net Assets as previously reported on July 31, 1998 have been restated to correct the Plan's previously reported balance of real estate at fair value in accordance with generally accepted accounting principles.

During the Plan Year the Plan experienced a decrease in its net assets of \$522,033. During the Plan Year the Plan had total income of \$4,119,193 including employer contributions of \$3,509,605 and net earnings from investments of \$595,899.

The disbursements were \$4,653,006. These disbursements included \$3,919,191 to participants, beneficiaries and insurance carriers for the provision of benefits, \$142,436 to affiliated plans and \$591,379 in administrative expenses.

Minimum Funding Standards

Our actuary's statement shows that enough money was contributed to keep it funded in accordance with the minimum funding standards.

Your Rights to Additional Information

You have the right, upon request, to receive a copy of the full annual report. The Plan may charge a nominal fee for the copying of this report.

To obtain a copy of the full Annual Report of the SUP Welfare Plan, Inc., write or call the office of the Plan Administrator, SUP Welfare Plan, Inc., 450 Harrison Street, Suite 202, San Francisco CA 94105, phone number (415) 778-5490.

You also have the legal protected right to examine the Annual Report at the Plan Office at 450 Harrison Street, San Francisco, CA 94105. If you have any questions about your Plan, you may contact the Plan Office or the Office of the Pension and Welfare Benefits Administration, U.S. Department of Labor, listed in the telephone directory, or the division of Technical Assistance and Inquiries, Pension and Welfare Benefits Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. The northern California regional office of the Pension and Welfare Benefits Administration is located at 71 Stevenson Street, Suite 915, P.O. Box 190250, San Francisco, CA 94119-0250.

Summary Annual Report for the SUP Money Purchase Pension Plan

This is a summary of the Annual Report the SUP Money Purchase Pension Plan, Employer Identification No. 94-3134523 (Plan No. 001) for the year ended July 31, 1999. The Annual Report has been filed with the Internal Revenue Service as required under the Employee Retirement Income Security Act of 1974 (ERISA).

Basic Financial Statements

The value of the Plan assets, after subtracting liabilities of the Plan, was \$11,323,294 on July 31, 1999, compared to \$10,553,801 as of July 31, 1998.

During the Plan Year the Plan experienced an increase in its net assets of \$769,493. During the Plan Year the Plan had total income of \$1,760,793 including employer contributions of \$1,502,333 and net earnings from investments of \$258,460.

Benefits are provided by a trust agreement. Plan Disbursements were \$991,300. These distributions included \$954,713 in benefits paid to participants and beneficiaries and \$36,587 for administrative expenses.

Minimum Funding Standards

Our actuary's statement shows that enough money was contributed to keep it funded in accordance with the minimum funding standards.

Your Rights to Additional Information

You have the right, upon request, to receive a copy of the full annual report. The Plan may charge a nominal fee for the copying of this report.

To obtain a copy of the full Annual Report of the SUP Money Purchase Pension Plan, write or call the office of the Plan Administrator, SUP Money Purchase Pension Plan, 450 Harrison Street, Suite 202, San Francisco CA 94105, phone number (415) 778-5490.

You also have the legal protected right to examine the Annual Report at the Plan Office at 450 Harrison Street, San Francisco, CA 94105. If you have any questions about your Plan, you may contact the Plan Office or the Office of the Pension and Welfare Benefits Administration, U.S. Department of Labor, listed in the telephone directory, or the division of Technical Assistance and Inquiries, Pension and Welfare Benefits Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. The northern California regional office of the Pension and Welfare Benefits Administration is located at 71 Stevenson Street, Suite 915, P.O. Box 190250, San Francisco, CA 94119-0250.

Record of SUP Shipping					
August 2000					
	Hdqg	Seattle	Wilm	Hono	Total
Bosun	5	4	3	2	14
Maint. Man	2	0	0	0	2
A.B. Dayworker	0	5	0	0	5
A.B.	32	10	17	13	72
O.S.	5	0	3	1	9
Standby	37	31	103	22	193
TOTALS	81	45	131	38	295

SUP gang in *Chevron Washington* take a blow after sea rescue



Gang in the SUP-contracted *Chevron Washington* pose for the camera after assisting in the rescue of a sailor last month off the Oregon Coast. Kneeling left to right: Rolly Mendoza, Gabe Sipin. Standing Art Pacana, Anton Seravaseiyar, Joe Campos, John McNeill, Dimos Framtzeskos, Doug Ensminger, Mike Nielsen and Ray Morales. Photo taken by Van Dantay

Graykowski recalls crucial merchant fleet role in Persian Gulf War

In a statement issued on the tenth anniversary of the start of the Persian Gulf War, Acting Maritime Administrator John E. Graykowski took the opportunity to pay tribute to the men and women of the American maritime industry who contributed so much to America's ultimate success in the conflict. Graykowski's comments were recently published by the Congressional Information Bureau.

"As Acting Administrator of the U.S. Maritime Administration, I know the value of our Ready Reserve Force (RRF) to America's national security needs. It is a critical part of the Defense Transportation System that, along with the U.S. Transportation Command and its defense components, and the commercial maritime industry, is designed to help our armed forces meet any national security crisis," said Graykowski. The Persian Gulf War was occasion for the first large-scale mobilization of the RRF to provide additional sealift support to U.S. military forces.

Graykowski cited specific merchant marine accomplishments during the course of the war in 1990. U.S.-flag ships (military and commercial) carried 79 percent of the dry cargo for America's military forces in the desert war. The RRF itself delivered 22 percent of the dry cargo and 45 percent of the ammunition in the combat theater, as well as a significant portion of food, water, fuel, trucks, armored vehicles, and other necessities in support of U.S. troops on the ground. At the end of the conflict, fully 95 percent of every ton shipped to the Gulf moved by water.

The contributions of nearly 10,000 American merchant mariners were also highlighted. Said Graykowski: "People are the strongest or weakest link in a crisis. In Desert Shield/Desert Storm, nearly 10,000 American merchant mariners serving on RRF ships, the Military Sealift Command's Afloat Prepositioning Force, and its Fast Sealift Ships, and with commercial U.S.-flag ships, proved their value. Grizzled 'salts' worked alongside ordinary seafarers, imparting the hard wisdom of seafaring. The job is not complete when the sun goes down. In port or on the seas, workdays were long, with little time left for anything but sleep ... These men and women put patriotism above safety in sailing into troubled waters. Like many of those in the Armed Forces they supported, they were subject to lethal scenarios — floating mines, chemical warfare, and missile attacks."

The sharp demand for maritime labor was not, however, without problems during the Gulf War. Graykowski noted that one reason for maritime labor shortfalls at the time—the lack of reemployment rights for merchant mariners—has since been remedied. In 1996, Congress enacted legislation ensuring that merchant seafarers enjoy the same rights as National Guardsmen and Army Reservists to return to their previous jobs following sealift service to the U.S.

By any standard, the need to crew reserve sealift ships during national emergencies reinforces the need to maintain an adequate peacetime merchant fleet and maritime workforce. As Graykowski concluded: "Those of us who have seen close up the decidedly unglamorous, yet undeniably vital, work of America's merchant marine and maritime industry performed during and after the Gulf War will never underestimate their role in a crisis ... As we relive the events of those troubled times, I hope that more and more of us will see the wisdom that this conflict offers those willing to grasp it. Sealift is absolutely essential to protect freedom and project America's interests anywhere, anytime in an imperfect world. Crewing those ships will be America's citizen merchant mariners, ready and willing to answer their nation's call as they have since 1775."

Source: The American Maritime Congress' Washington Letter

Additional supporters of the United States Cruise Vessel Act — S.1510

Maritime Organizations

American Maritime Congress
Cascade General Inc., Portland, Oregon
International Association of Machinists & Aerospace Workers, AFL-CIO (IAM)
International Longshoremen's Association, AFL-CIO (ILA)
Seafarers' International Union of North America, AFL-CIO (SIU)

Port Associations and related organizations

California Association of Port Authorities
City of Eureka, California
City of Monterey, California
Fall River Line Pier, Massachusetts
Georgia Ports Authority
Humboldt Bay Harbor Recreation and Conservation District, California
MASSPORT, Boston, Massachusetts
North Atlantic Ports Association (Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island)
Port of Baltimore
Port of Corpus Christi Authority
Port of Galveston Port of Grays Harbor, Washington
Port of Houston Port of Kalama, Washington
Port of Los Angeles
Port of Palm Beach
Port of Philadelphia and Camden
Port of San Francisco
Port San Luis Harbor District, California
Port of Seattle
San Diego Unified Port District
San Luis Obispo Council of Governments, California
South Carolina State Ports Authority
Tampa Port Authority
Texas Port Authority

Travel and tourism related organizations and associations

American Society of Travel Agents
Baltimore Area Convention & Visitors' Bureau
California Chamber of Commerce
California Hotel and Motel Association
California Roundtable on Recreation, Parks, and Tourism
California Tourism Commission
California Trade & Commerce Agency
California Travel Industry Association
Charleston Area Convention and Visitors' Bureau
Charleston Metro Chamber of Commerce
Corpus Christi Hispanic Chamber of Commerce
Galveston Chamber of Commerce
Greater Boston Chamber of Commerce
Greater Boston Convention & Visitors' Bureau
Humboldt County Convention & Visitors' Bureau
Los Angeles Convention & Visitors' Bureau
Meeting Professionals International, Northern California Chapter
Mississippi River County Tourism Association
Monterey Peninsula Convention & Visitors' Bureau
National Association of Cruise Only Agencies
National Council of State Tourism Directors
Philadelphia Convention & Visitors' Bureau
San Diego Convention & Visitors' Bureau
San Francisco Chamber of Commerce
San Francisco Convention & Visitors' Bureau
South Carolina Department of Parks, Recreation & Tourism
Southeast Tourism Society
State of Maine Department of Economic Development
Tampa Hillsborough Convention and Visitors' Bureau
Texas Department of Economic Development
Texas Economic Development Council, Inc.
Travel South USA
United States Tour Operators Association
Western States Tourism Policy Council

Support the SUP Political Fund

ESU Office Assignments

For the month of October, Kevin Conroy will be in the Baytown office and John Straley will be in the Benicia office.

ESU NEWS

SEPTEMBER 2000

Official Publication of the Exxon Seamen's Union

Arbitration affirmed for ESU member

An arbitration hearing between the Exxon Seamen's Union and SeaRiver Maritime Inc. "Grievance #97-05 - Warning Notice Marcos Clotter" was held on June 27, 2000 at the Hilton Newark Airport Hotel in Elizabeth, New Jersey. The Arbitration was heard by Mr. Jack D. Tillem a neutral arbitrator appointed by the American Arbitration Association. Representing the Union was our attorney Mr. David Grossman Esquire, Union arbitrator, ESU President Mr. Jerry Patterson, ESU Vice President Mr. John Straley, Mr. Marcos Clotter the grievant, longtime loyal members Mr. Robert (Bob) Knight, and Mr. Robert (Bob) Ross. Representing the Company was Mr. Miguel A. Quinones-Suarez attorney for the company, Mr. Raymond T. (Ray) Loney arbitrator for the company, and Captain Russel Gregg, witness for the Company.

On September 8, 2000 the arbitrator ruled in favor of the grievant Mr. Marcos Clotter. The company had the burden to prove its case by a preponderance of evidence. The arbitrator found that Captain Gregg's entire testimony on the matter was based solely on hearsay and double hearsay and was therefore unreliable. Indeed, The arbitrator stated, "The fact of the matter is that the Captain has no direct knowledge of what happened, testifying simply on what he was told the next day, summarizing it in the warning notice." The arbitrator also pointed out the Captain's lack of certainty and the inclusiveness of the information he gleaned in his investigation of the incident. The Union will not gloat over this victory because we believe that it should have been settled on the ship. The Union made a good faith effort to settle it on board the ship. But in order for the process to work you have to have good faith on both sides. At no time did the Captain even remotely exhibit a good faith desire to resolve it on the ship. The ESU strongly suspects it wasn't his decision to make. The ESU does view this award as poetic justice though, because the very person that refused to try to settle it on the ship gave the weak testimony that impeached his credibility as a witness and ultimately doomed their case. The award read: "The Company has the burden to prove its case by a preponderance of evidence. By relying solely on the Captain's testimony it is my opinion that the Company has failed to carry that burden. Accordingly, the grievance is sustained. The Company is directed to annul the written warning dated December 5, 1997 issued to Marcos Clotter and remove it from his file." The ESU realizes that arbitrations are an expensive proposition, but no expense will be spared in the defense of our members who are singled out and discriminated against.

SeaRiver continues to hire unlicensed employees

On a positive note, the Company continues to hire additional employees for the Ocean going fleet. On September 18, 2000, 12 new unlicensed employees began their New Hire Orientation training in Vallejo, CA. This new group of employees will be available for assignment to the fleet once they have completed their training around the end of September. The Union will meet with the new group Thursday September 21, 2000 at their training facility in Vallejo.

If a new employee is sailing on your vessel in the near future, please take the time to give them operational input and make them feel welcome. Certainly this is good news for the Union since it will increase the size of our bargaining unit. The ESU has seen a constant decline in Union membership for several years due to the declining fleet size. It is refreshing to see the trend go in the other direction.

Another New Hire Orientation class is scheduled for some time around mid-October. There is no mystery to the reason for all this additional hiring. Over the next couple of months, the Company will need to crew-up new tonnage that they plan to bareboat charter.

Position on working for inland fleet while on paid leave

The ESU has received numerous inquiries regarding our position on this issue. We are restating our position as it originally appeared in the June Ship Representative letter:

"The Union does not support or condone this practice of going into another bargaining unit to work while burning your hard earned paid leave. The ESU Board certainly takes exception to temporary employees working within our bargaining unit. The company has proposed this in the past as a way to mitigate long sea tours. The Union took strong opposition to this suggestion then, and we do not want to open the door to future problems.

The company has a way of turning what appears to be a benign situation into a nightmare for the Union. Please realize that anyone accepting such assignment would not be protected by the ESU while on that particular assignment. You would be working outside the bargaining unit. Also, these assignments may potentially impact your benefits.

Although we recognize the need to increase pay for the unlicensed group, working while on paid leave for another group diminishes the Union's ability should we decide to bargain for additional paid leave. Obviously, the Company needs to hire permanent employees for this division of SeaRiver but are having difficulties finding qualified personnel. Or perhaps this is a way to save money by not paying the benefits (normally 34% of pay) a regular employee would receive. Monies that are not being passed along to anyone that will work there on a temporary assignment.

The Company needs to realize there are reasons for their inability to recruit qualified employees, and certainly appropriate pay is a primary factor".

Wage negotiations

Management continues to stymie negotiations. It has been just over two months since the cessation of wage negotiations and we are still at a stalemate. SeaRiver management would have you believe that the union is responsible for the stalled negotiations. Indeed, they have brought their propaganda machinery out of mothballs and have it up and running, regurgitating misinformation to the fleet, or anyone else that will listen to them. But this management has a problem, and that problem is credibility. They manage not by conviction, but by calculation and deceit, an endless onslaught of attacking our bargaining agreement and then failing to respond to our grievances. Another of their favorite ploys is to try to turn one group of employees against the other.

This management will go to any length to divert attention away from their greedy wrong-headed attitude of failing to bargain in good faith with the ESU. Good faith bargaining from both sides is essential in order to reach an agreement that is fair and reasonable. The fact remains that we made a good faith effort and moved three (3) percentage points from our first proposal, while the company made no effort at all and moved only 3/4 of one (1) percent.

In two days time, the Union and the Company exchanged a total of five proposals. Throughout the process, the Company made no significant movement. Their idea of good faith bargaining was to repackage their proposal without increasing its worth.

The Union has learned from various sources that at the senior officers conference held in Houston, Texas from September 11 to the 15th that the company again misrepresented the facts concerning the state of the wage negotiations. The company inaccurately stated that we never responded to their last offer. Nothing could be further from the truth. In fact, that very day, July 13, 2000, we sent a letter via certified mail to Mr. Ed Cahill, which stated, "The Exxon Seamen's Union bargaining committee remains steadfast in our resolve to negotiate a just wage increase for our members in 2000. We are ready at any time to reconvene negotiations should you have any additional wage offers for our consideration."

We ask SeaRiver management to take the high road, to conduct themselves in a decent manner. To restore the character and dignity that was once the cornerstone of this company. We ask them to restore the confidence and trust of their employees by returning to the table with a serious offer. One that reflects the value of their employees and recognizes that their contributions are a primary factor in the on-going success of SeaRiver Maritime.

We thank our members for their continued support. The sanctions that we have implemented are only the opening salvo. We are exploring, and will use all options available to secure a fair and equitable wage increase. Our members have a strong and unrelenting attitude in the face of adversity. We are confident that our ideals, our courage, and our ingenuity will ensure our success.

Ship reports

S/R American Progress

On the Valdez to Anacortes run. No news yet on when it may return to Gulf Coast service. Skip Williams filling in as ESU Representative on a temporary basis. No outstanding issues. Good job Skip.

S/R Baytown

On the Valdez to Anacortes run. No beefs. In and out of Todd Shipyard, Seattle, for a minor repair.

S/R Benicia

On the Valdez to San Francisco run. Joe Graca Ship Representative has informed the Union of continuing payroll problems involving some of the former Mobil employees that are presently crewmembers aboard the S/R Benicia. The situation is deplorable and the Company needs to correct it.

S/R Charleston

On the Gulf Coast to East Gulf run. Temporary Ship Representative Bob Knight is looking into the I.D. card issue. Otherwise everything is routine.

S/R Galveston

San Francisco lightering service. Jeff Straley Temporary Ship Representative reports all is well aboard the Galveston.

S/R Long Beach

At Cascade General Shipyard Portland, Oregon for the Biennial USGC inspection. Ship Representative Jack Patterson reports that everything is progressing well after an issue involving mail was resolved. He also stated that the crew did a great job cleaning the ship for the yard. Tentative ETD 10/9/00.

S/R Mediterranean

Headed through the Suez Canal for a Biennial USGC inspection and repairs in Singapore. Frank Kamasz filling in as Temporary Ship Representative.

S/R North Slope

On the Valdez to San Francisco run. Sean Hughes Ship Representative reports all in order at this time.

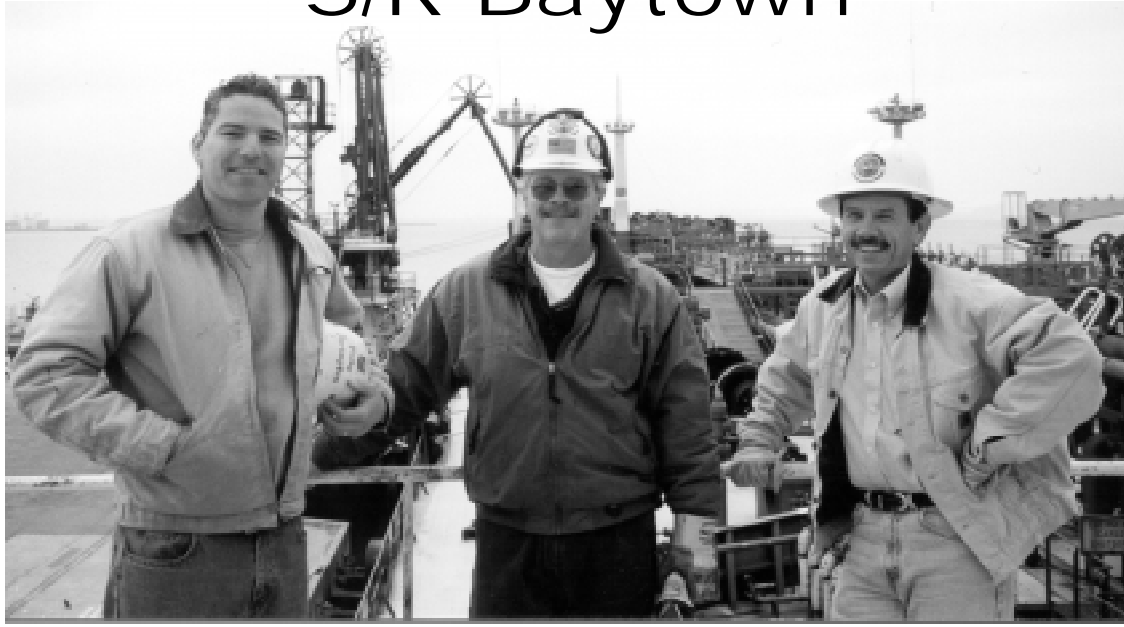
S/R Wilmington

On the Gulf Coast to East Gulf run. Temporary Ship Representative Bob Ross reports everything progressing smoothly on the "Willy."

The ESU thanks all the Ship Representatives and all the volunteer's that fill in on a temporary basis.

ESU NEWS

S/R Baytown



From left to right: SUP Vice President Dave Connolly, Ship Representative and SUP member Lee Airess, and ESU Secretary/Treasurer and SUP member Kevin Conroy, on the deck of the S/R Baytown at Richmond Long Wharf.

Company finally responds to Union grievances

Finally, after months of delays, the ESU offices have received responses from the Company to several outstanding grievances.

According to the ESU agreement, the Company has thirty (30) days to respond in writing at the third and fourth steps of the grievance procedure. Most of these grievances were months overdue with some approaching five months in arrears. This lack of interest and blatant contract violation by the Company towards good faith claims by the Union members is further evidence that SeaRiver has little respect for our contract or the membership. The Union's only recourse was to pressure the Company to respond by filing an Unfair Labor Practice with the Labor Board.

Incidentally, the Union finds it interesting that we received nine grievance responses, all of which were written on the same day (August 15). It would appear if this many responses could have been written in one day, then why did it take Labor Relations nearly five months to find a free day to respond. Surely, Labor Relations could have found one day to respond timely in prior months. Only two grievances out of eleven offered a potential resolution from the Company.

We expect to pursue the denied grievance to the next step of the grievance procedure.

Payroll problem update

On Monday, September 11, SeaRiver management communicated to the ESU that the continuing payroll problems experienced by former Mobil employees should begin to clear up starting with the September 15, 2000 payroll. It was indicated that the affected individuals should see their correct CSB reflected on the pay voucher for September 15, and the remainder of the problems, (receiving the correct pay for their rating) will be reflected on their September 30, 2000 voucher. We will be monitoring the situation very closely to insure that this problem is finally corrected.

S/R American Progress Ship Representative election underway

Ballots to elect a Ship Representative for the S/R American Progress have been mailed to the membership. This special election is required by the ESU Constitution and By-laws and the term will last until a general election can be held next year. After that, the term will last for a normal three-year period.

To be eligible to vote in this election, a member must be in good standing for at least three months before the voting period begins.

The candidates for this position are:

William L. (Bill) Ackley
Stephen P. (Steve) Wilson

The voting period commenced on September 15, and will end on November 13, 2000 at 5:00 P.M.. The results will be announced on November 14. Please be sure to exercise your right as an ESU member and VOTE!

New Travel Supervisor

Travel has a new Supervisor her name is Ms. Tina Cobb

New Mail Room Supervisor

The mailroom has a new Supervisor her name is Ms. Sharon G. Watts

Assignments

It has been brought to the attention of the Union that Fleet Manning is sending out notices of assignment (yellow cards) that are incorrectly dated, and in many cases requesting our members to call in as much as eight days early.

We have contract language that explains exactly how assignments will be handled. Article VI paragraph 3 B. on page 22 of our bargaining agreement states that an employee shall not be required to telephone for an assignment earlier than four (4) days prior to the scheduled end of paid leave (excluding weekends and holidays). It also states that an employee shall be required to phone the office only one time prior to the end of a paid leave period. In several instances the notice was postmarked after the date they were supposed to call in.

If you incur any problems in this regard please do not hesitate to call either union office.

Exxon class action retirement litigation update

Ms. Sharon Groth an Attorney for the Gulf Coast Industrial Workers Union (Exxon) participated in a mediation process in Dallas, Texas on September 15, 2000, regarding this on-going litigation. Although Ms. Groth is not a direct party to the litigation she was invited in the capacity of adviser to the union. This was only a step in the process before the case goes to trial. It was an important step however, because the possibility existed that a settlement could be reached at this juncture.

On Monday, Ms. Groth communicated to the ESU that a settlement was not reached. Our understanding was that Exxon did offer to settle on people that were stepped up to a higher position, without considering the issue of overtime. As expected this was unacceptable to the plaintiffs.

The next step in this process is a ruling on a motion for summary judgment that was filed by Exxon. We will keep you informed as these events unfold.

Washington State regulations repealed

Effective September 2, 2000, vital parts of chapter 317-21 of the Washington Administrative Code (WAC) were repealed by the courts. Prior to this effective date, Washington State had suspended enforcement of all of chapter 317-21, including the rules for tank barges on June 12, 2000. The basis for the Supreme Courts decision was that state regulations on crew training, English-language proficiency, navigation-watch requirements and accident reporting affected operations outside Washington waters and therefore were superseded by federal rules.

The court's ruling essentially ends a 10-year legal dispute between the state and Intertanko, which represents 305 independent shippers operating about 2,000 oil tankers around the globe. Intertanko sued, arguing that only the federal government has authority to regulate ships that routinely enter ports around the world.

Washington State is now encouraging vessel operators and owners to sign up for their new non-regulatory, Voluntary BAP (Best Achievable Protection) Program for Tank vessels. The Union had extensive discussions and negotiations with the Company before Washington State enacted WAC 317-21. The Company initially wanted to extend random drug and alcohol testing to all Unlicensed personnel even though many employees were not sailing in Washington State waters. The Union took exception and through negotiations with the ESU, the company revised their position to include employees that sailed on ships that traded in Washington State waters.

On September 12, 2000, the ESU sent the Company a letter (copy mailed to all ship representatives) to insist SeaRiver immediately cease enforcing these regulations against ESU members. More specifically, but not limited to, is the random drug and alcohol testing for the Steward Department. The Company and the Union signed an agreement on August 17, 1991, which excludes the Steward Department from random testing. Further, the Company should cease random alcohol testing for all unlicensed employees since random alcohol testing is not allowed under our current agreement and not required by federal law.

We are evaluating the effects of the elimination of these regulations in other areas such as departmental work rules. If you are currently sailing in Washington State waters and if you believe the Company is requiring you to comply with Washington State regulations under their new voluntary program, please notify either union office immediately so we can take the appropriate action. The Union has not agreed to Washington State's Voluntary BAP program and requiring unlicensed employees to participate would be in violation of our agreement.

I.D. cards

We Spoke with Mr. Doug Brotherton, and he assured us that by the end of October all the ships in the fleet would be equipped to handle this task. The method is to take the picture of an individual on the ship, send it to Houston, and they mail out the ID to where the person is located. The *SeaRiver Charleston* and the *SeaRiver Wilmington* is supposed to have this in place already. The Union is awaiting input from those two ships regarding the number of ID's actually issued.

Change in service award claims

Due to the Exxon Mobil merger, the method for claiming a service award has changed. The ExxonMobil forms that are being sent out requires that they have to be sent to a supervisor at SeaRiver and then forwarded to the recipient. It has been re-

quested that when a decision has been made on the selection of the award, you should call Ms. Diane Neff at 1-800-819-0886 and inform her of your selection. Please ensure that she acknowledges your selection request either by phone, e-mail or letter.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

701 W. Sterling Ave.
Baytown, TX 77520
1(800) 213-7236
Fax (281) 422-0710
E-Mail: esubay@msn.com

P.O. Box 792
Benicia, CA 94510
1(800) 729-3101
Fax (707) 746-7859
E-Mail: esuben@msn.com

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

Crisis at Sea: Flags-of-convenience:

A Maritime Trades Department Report

We live in a time of great change, one marked by remarkable technological advances and by the rapid movement of capital, goods, services and people. Even so, oceanborne transportation remains the most efficient and cost-effective method of transporting goods and products on a mass scale; at last count, 90 percent of the world's trade was transported by sea.

Given the maritime industry's importance, policymakers around the globe have a vested interest in ensuring that it remains fundamentally sound. Unfortunately, the proliferation of flag-of-convenience (FOC) registries has created a structural crisis that is manifesting itself in numerous ways:

- A future shortage of suitably skilled mariners;
- An aging world fleet;
- A dramatic long-term increase in the number of accidents and lives lost at sea;
- Serious and chronic human rights abuses; and
- The inability or unwillingness of some flag states to implement vitally important international standards.

As one reporter recently noted, the FOC system has created "a worldwide fleet of derelict hulks rusting in ports around the globe, manned by sailors left to rot at sea while shipowners squabble over ... fines and port fees, or simply (file) bankruptcy."

In short, what we have is a crisis at sea,—an environmental crisis, a safety crisis, and, most importantly, a humanitarian crisis. It is the decided view of the Maritime Trades Department, AFL-CIO (MTD) that the international maritime community must take action to deal with this problem.

What is a Flag of Convenience?

In order to address the problems facing the international maritime industry, it is important to have some understanding of the FOC system.

Throughout most of the post-World War II era, nationality was the key factor in determining if a registry was an FOC. Most important was the relationship between the vessel owner and the flag of registry. If the nationality is not identical, the ITF is very clear in its treatment. "Where the beneficial ownership and control of a vessel are found to be elsewhere than in the country of the flag the vessel is flying, the vessel is considered to be flying under a flag of convenience. In other words, no genuine link exists between the nationality of the flag a ship flies and the country of its owner."

With the fall of the Soviet Union and the recent rise of hybrid registries which incorporate aspects of both traditional and FOC registries, defining an FOC or a substandard registry has become more difficult. Even so, several criteria for classifying an FOC registry remain constant:

- The country allows non-citizens to own and control vessels;
- Access to and transfer from the registry is unconstrained;
- Taxes on shipping income are low or non-existent;
- The country of registry does not need the shipping tonnage for its own purposes, but is keen to earn the tonnage fees;
- Manning by non-nationals is freely permitted; and
- The country lacks the power or willingness to impose national or international regulations on its vessel owners.

Of course, nontraditional, runaway flags have been part of the international maritime industry for as long as there have been traditional registries. But the very nature of the system underwent a dramatic transformation after the end of World War II.

Before then, most shipping companies that documented their vessels under runaway registries did so because they wanted to transfer to a neutral flag in order to avoid wartime requisitioning of their vessels or escape the neutrality laws of their own country. For example, when Congress enacted the Neutrality Act of 1939, many owners of U.S.-flagged tankers took advantage of existing loopholes in international law so that they could continue proscribed trade with England. After World War II, however, there was a different impetus for reflagging. Instead of looking

to runaway registries as a temporary expedient to cope with unusual international situations, an increasing number of shipping companies realized that they could be used as a long-term mechanism to avoid paying taxes and evade any kind of health, safety, environmental and labor regulation.

In time, far-reaching changes in information and communications technology and transportation would allow many companies in the industrialized world to relocate their operations to low-wage and low-regulation nations. But for the first three decades after the end of World War II, this phenomena was confined to the maritime industry, which, by its very nature, was portable.

A bad situation that is growing worse

The crisis in the maritime industry is, being propelled by the growth and proliferation of substandard, runaway registries. The situation, already bad, is growing worse.

In 1998, the world merchant fleet set a new record tonnage: 532 million gross tonnage (mgt.), an increase of 9.7 mgt. over 1997. This increase was almost entirely due to an increase in FOC-registered vessels. In 1980, there were 11 runaway registries; today, there are 27.

Deaths and injuries in the international maritime industry are higher than they need be because of a pervasive lack of accountability inherent in the FOC system. Workers are routinely denied overtime and back pay, or left stranded in foreign ports. Moreover, unsafe shipboard conditions and inadequate maintenance and training procedures have created an epidemic of environmental disasters, many of which could have been prevented had some kind of meaningful enforcement mechanism been in place.

Consider the statistics. According to a recent study released by the International Transport Workers' Federation (ITF), at least five crews are abandoned by shipowners each month, with FOC registries having the worst record among flag states.

The figures actually are worse because many incidents go unreported. But between July 1995 and December 1998, at least 70 ships registered under the Panamanian flag were abandoned. The Maltese registry alone accounted for 20 such cases. Belize, Cyprus, Honduras, St. Vincent and Liberia each had five or more. In total, the ITF received notification of 199 such cases involving 3,500 individual seafarers.

Earlier this year, the Tampa Tribune ran a series of scathing articles on the plight of Lithuanian and Russian mariners who were stuck aboard the Golden Star, a 490-foot Panamanian-flagged vessel.

The Golden Star had limped into the port of Tampa in September 1998 after sustaining damages from a hurricane. Seventeen months later, the vessel was still there, and so was the crew.

Describing the conditions aboard the unrepaired vessel in a February 27, 2000 article, reporter Elizabeth Bettendorf wrote that the Golden Star "has become (the crew's) prison. They share it with cockroaches and sweltering heat." It had been six months since they last received any pay.

Horrendous as this story was, at least it had a happy ending. Thanks to the outcry caused by Bettendorf's account, the mariners received their back pay and were flown home. Many others are not so fortunate. Between 1990 and 1999, in the bulk trades alone, 99 carriers sank on the high seas with an ensuing loss of 645 lives. The numbers are so high because, at its heart the FOC system is based on fear and intimidation.

For example, Filipino mariners, who make up about 20 percent of the world's maritime labor force, are black-listed if they report unsafe conditions or press for back pay. No matter how deplorable or life-threatening a situation may be, a Filipino mariner will have his name and photograph circulated among manning agents if he makes any kind of complaint.

Accidents involving FOC vessels have become so common that the U.S. Coast Guard has been forced to target certain high-risk registries for special attention. Many European nations also have adjusted their port procedures to deal with the problem.

Despite these and other positive developments, most port states aren't doing enough to ensure that the vessels entering into their territorial waters are meeting local or international standards. Moreover, without a comprehensive restructuring of the international system, the accidents, injuries, deaths, labor abuses, unsafe conditions and environmental damage will continue to mount.

Individual nations can make a real difference, but this is a problem that must be addressed by the entire international community. The United States has a strong port state control program. However, the budget for the Coast Guard, the agency charged with marine safety and environmental protection, is being stretched thin among its many varied missions. Ship compliance and safety have to compete for funds with drug intervention, military support, humanitarian relief and conservation. The situation is exacerbated by the fact that merchant vessels generally spend only limited periods in port; even under the best of circumstances, it is difficult for officials to check all vessels to ensure total compliance.

Besides tackling the symptoms on the ground, the international community needs to get at the root cause, which is that the FOC system was created for the specific purpose of allowing shipowners to avoid taxes and escape any kind of meaningful regulatory oversight. The situation has been allowed to fester because the maritime industry is, in many respects, out of the public eye. Indeed, it is important to remember that much of the damage that the FOC system is inflicting upon the world community is happening outside any nation's territorial waters, far from any oversight. According to a Jan. 3 1999 article in *The New York Times*:

"The dumping of oil and other wastes by cruise ships, which can create lasting pollution problems in oceans and coastal areas, is more common than previously known. And it reveals an influential industry that has assembled an international lobbying force to plead its case..."

"(Concern) is deepening that the industry's explosive growth is posing new threats to the environment, from the popular Caribbean to the pristine coastline of Alaska ...

"All major cruise ship owners ... sail their ships under (runaway) flags. By registering with so-called foreign flags in exchange for substantial fees, the owners avoid American corporate taxes and can pay lower wages to foreign crews..."

"Critics say (these savings) come at the price of muddled jurisdiction and lax enforcement."

In short the FOC system has become synonymous with the exploitation of workers and the debasement of international standards. The situation is best summed up in the preface of a 1992 Australian Parliamentary Inquiry entitled "Ships of Shame":

"At the onset of the inquiry, Committee members were generally aware that there were problems associated with some ships calling at Australian ports. They were not prepared for the sickening state of affairs associated with the operation of sub-standard ships as the inquiry proceeded."

According to the report, "the Committee was told of the operation of unseaworthy ships (and) the use of poorly trained crews, crews with false qualification papers, or crews unable to communicate with each other or Australian pilots."

Moreover, there were numerous instances of "ships carrying false information, classification societies providing inaccurate information on certificates (and) flag states failing to carry out their responsibilities under international conventions."

Safety was routinely threatened by "careless commercial practices by marine insurers; inadequate, deficient and poorly maintained safety and rescue equipment; and classification societies that readily class ships rejected by more reputable societies'."

Labor and human rights abuses were rampant. Evidence was found of the following:

- Sexual abuse of young sailors;
- Crews being starved of food;
- Crew members being forced to sign dummy books indicating they had been paid much more than they actually had received;

Crisis at Sea: Flags-of-convenience: A Maritime Trades Department Report – cont 'd.

- Sailors being forced to work long overtime hours for which pay was refused;
- Crew members being denied telephone contact when family members had died;
- Sailors at being paid for several months and/or remittances not being made to their families at home;
- Sailors being denied medical attention;
- Crews being denied basic toilet and laundry materials.

Recent studies show that 80 percent of all maritime accidents are the result of human error. With conditions like these prevalent in the maritime industry, is it any wonder that death and injury rates are so high?

The Veil of Secrecy

In 1996, the *Sea Empress*, a Liberian-flagged tanker, was responsible for a catastrophic oil spill off the Welsh coast once again, a substandard FOC vessel had caused irreparable environmental damage on a widespread scale. In reporting the story, the Independent newspaper touched upon one of the most troubling aspects of today's maritime industry—the lack of any kind of accountability:

“Built in Spain, owned by a Norwegian, registered in Cyprus, managed from Glasgow, chartered by the French, crewed by the Russians, flying a Liberian flag, carrying an American cargo and pouring oil on to the Welsh coast. But who takes the blame?”

A good question. Under the present system, no one does.

Like many other FOC vessels, the *Sea Empress* was owned by what many legal authorities call a “shell” company. A large and prosperous shipping company from an advanced industrial nation, seeking to evade taxes and its country's minimum safety and labor standards, will redocument its fleet under an FOC registry. Once it does that, it often will go one step further and limit its liability by spinning off a number of one-ship companies with few assets beyond that one ship. The larger entity, of course, has de facto control over the smaller company. But proving that in court is extremely difficult.

Operating on a shoestring, the shell company doesn't have the money or inclination to invest in proper maintenance or training. Profits are siphoned into the larger entity, while the vessel in the sham company is run into the ground, or, to be more precise, into the sea. When an accident or environmental catastrophe does occur, which is all but inevitable given the conditions aboard some of these vessels, the shell company is sued for the damage. But even if it loses in court, justice isn't done. The shell company declares bankruptcy, claiming it doesn't have the money to cover the damages. The original entity does, but it is safely ensconced behind a corporate veil that refuses to be pierced.

There is a growing recognition of this problem earlier this year, participants at the Singapore Seminar on Quality Shipping agreed that transparency and the communication of information were important issues that needed to be addressed. In the byzantine world of international shipping, where progress in making substantive changes to existing procedures and structures is excruciatingly slow, this was a major victory. But unless the general public becomes aware of what is at stake—substandard vessels, inadequate training, labor abuses deaths at sea and considerable environmental damage --we'll have countless more incidents like one involving the *Sea Empress*. Last year, for example, the unspoiled beaches off the coast of Oregon were damaged and a number of near-extinct species almost wiped out in an accident involving a substandard FOC vessel, the *New Carissa*.

The veil of secrecy that pervades the FOC system is causing other problems as well. There are reports that some of the FOC-registered shell companies, are being used for money laundering purposes by international crime syndicates. Indeed, a recent list of 35 unfair tax havens that the Organization for Economic and Cooperative Development (OECD) released earlier this month contained a number of countries that double as FOC registries: Panama, Liberia, Vanuatu, the Bahamas, the Marshall Islands and others.

In drawing up the list, the OECD looked to see if there were any genuine links between the host nations and the foreign countries that had relocated under their jurisdictions. Other criteria included the following: whether or not a host nation had a minimal tax rate and if it gave foreigners breaks unavailable to its own citizens.

The existence of these unfair tax havens distorts legitimate worldwide capital and financial markets much the same way that FOC registries have distorted traditional maritime institutions and registries. Indeed, the elements for abuse are all there. Most FOC registries, including some of the largest (Panama, Liberia, Bahamas, Belize) do not require the provision of audited accounts. A number do not reveal the names of shareholders or directors. Where shareholders are named, nominees can be chosen that obscure the identity of the real owner. In this fashion, a company from an FOC jurisdiction is put into the chain between the beneficial owner and the ship. It is both easy and inexpensive for an owner to hide between a string of companies in order to obscure their identity and limit their liability.

In almost all FOC registries, there is a level of secrecy regarding shareholders which makes it very difficult to trace an owner. Even in high profile cases involving the U.S. government, it takes months or years, if ever, to get the information. In this regard, anyone who goes up against the owner of an FOC vessel in court—everyone from indigent Third World mariners who are trying to recover months of unpaid back wages to the United States government—are on equal terms: sooner or later, they will run up against a brick wall.

Even when the identity of an owner is known, tracking down information or gaining access to a neutral court is difficult. When the U.S. government filed criminal charges against Royal Caribbean for environmental damage caused by an oil discharge from the company's premier resort ship, the *Sovereign of the Seas*, the company's immediate response was that “it is immune from criminal prosecution because its ships fly foreign flags.” In the end, the U.S. government was only able to establish jurisdiction because it was able to prove that the company had made repeated willful misrepresentations to the Coast Guard.

In reporting on the case, The New York Times noted the “crucial witnesses, all foreign employees of Royal Caribbean, had left the company and either returned home or taken jobs with other cruise lines outside the United States.” The same paper, reporting on a series of sexual harassment and rape suits filed by former employees and passengers who sailed aboard FOC passenger cruise ships operating out of Florida, underscored the sum point: after a suit was filed against a company, potential witnesses had a disturbing propensity to leave the ship and fly home, well out of the jurisdictional reach of U.S. courts.

The World Maritime Community

Before World War II individual countries had the power to ensure minimum safety and labor standards. The rise of the FOC system after World War II decimated or weakened most traditional registries, at least in regards to international trade.

Though great maritime nations like England, the United States and Norway had their own particular regulatory standards and enforcement procedures, they all shared one important trait: they had genuine social and economic links with the shipping companies that were documented under their registries. As stated before, these links are absent between FOC nations and the foreign companies that rent their registries. While responsible for administering international standards under the 1982 United Nations Convention on Law of the Sea (UNCLOS), many FOC-flag states, generally speaking, have neither the will nor the resources to ensure that they are implemented. And while international maritime and labor organizations have addressed the problems of safety, marine pollution and conditions of employment, they usually don't have the power to ensure that the regulations they formulate are implemented.

Thus, generally speaking, it is up to the flag states to implement most international regulations. Unfortunately,

under the present-system, companies are free to pick and choose their own flags. Countries with no maritime heritage or infrastructure can just open their registries and put out a shingle for business. Competition is fierce. Even within the FOC system itself, more “established” registries must compete with upstarts for business.

Not surprisingly, this has led to a constant downward spiral in standards. For example, in reporting on the Royal Caribbean case mentioned earlier in this submission, The New York Times disclosed that disposing oil products in an environmentally safe manner can cost \$80,000 a year per ship. Disposing it safely in ports can cost \$300,000. The \$9 million judgement rendered against Royal Caribbean is the exception, not the rule: the case made the news because it is so uncommon for a major passenger cruise ship company to be held accountable for polluting the environment, lying to federal authorities and engaging in a systematic pattern to bypass pollution regulations. As long as FOC companies believe that they can engage in wrongful behavior and not pay any penalty for it, they will have no incentive to change.

The Royal Caribbean case underscores an observation made by the Organization for Economic Development (OECD) in a 1996 report on the international maritime industry. Its title pretty much says it all: Competitive advantages obtained by some shipowners as a result of non observance of applicable international rules and standards.” If one of the largest and most profitable FOC companies operates in this manner, what about the sham, one-ship shell companies that are set up for the sole purpose of limiting liability?

Classification Societies

Before the rise of the FOC system, most nations with large international fleets had maritime infrastructures capable of ensuring that the ships flying their flags adhered to national and international standards. Most FOC nations have never developed this resource; instead, they hand over many duties traditionally associated with the state to agents in the private sector, most notably classification societies.

This has caused a number of serious problems. The classification industry remains highly competitive and, for the most part, unregulated. As the ITF has noted, there is an inherent conflict of interest built into the situation since “a shipowner can choose a classification society, which is then empowered to issue the statutory certificates on behalf of the flag state, which the owner has also selected.”

While the International Association of Classification Societies has striven to improve standards within the industry in recent years, the results have been decidedly mixed, and, in some cases, catastrophic. Recent U.S. Coast Guard statistics show that detention rates for vessels that had received certificates from a core group of 15 “worst-case” classification societies was 16 percent, or one out of every six ships, compared with an industry average of 1.1 percent.

Safety conditions among FOC fleets will never reach acceptable levels as long as FOC shipowners can switch registries, and, by extension, classification societies at will. It also is important to remember that classification societies enjoy limited liability. Thus, if a classification society fails to provide a shipowner with a certificate of approval, it runs the risk of losing his business. On the other hand, if a ship goes down or spills oil off the coast of a heavily populated area, a classification society will not be liable for any damage, even if it approved a patently unsafe ship.

A recent catastrophe shed light on the dynamic of the process. On December 17, 1997, the Panamanian-flagged *Albion Two* set sail from Antwerp loaded with steel products and general cargo, including hazardous materials. The vessel was bound for Kingston, Jamaica, but it never reached its destination. The vessel's structure underwent catastrophic failure some 40 miles west of Ushant. There were no survivors.

The owners waited two weeks after this date to report that they had not received any communication from the vessel. In court, they contended that a lapse such as this was “not unusual.”

Crisis at Sea: Flags-of-convenience: A Maritime Trades Department Report – cont'd.

A Belgian court rejected the company's assertion that the sinking was caused by exceptional weather conditions and instead determined that "the Albion was affected by very serious corrosion problems whereas the last owners restricted the ship's maintenance to the strict minimum."

Four things stand out about the case:

- The *Albion Two* was owned by a single ship company, Oinoussis Navigation of Cyprus;
- It was flying an FOC flag (Panama);
- The owners refused to pay contractual compensation to the 14 Indonesian families represented by the ITF; instead, they insisted that the families sign "quit claims" and confirm that they would not pursue any negligence cases; and, most tellingly,
- The *Albion Two* had been inspected by a classification society the year before and passed with flying colors.

Manning Agencies

The abuse and exploitation of mariners that is rampant in the FOC is reminiscent of conditions aboard U.S.-flag vessels before the advent of the modern seamen's movement.

At one time in the United States, civilian mariners had a legal status little better than slaves. Before 1895, a seaman who "correctly" feared for his life had the right to leave a ship. Yet a seaman who feared "only physical abuse from his shipmates did not. Reflecting the prejudices of his day, one 19th century judge wrote, "Seamen, as a class, are an injudicious group often given, on shipboard, to frequent and violent quarrels... A black eye, lacerations and bruises are not too uncommon a sight."

This institutionalized pattern of legal discrimination encouraged the worst kind of abuses. More than anything else, it was reinforced by the hiring system. In order to be employed on a ship, a seaman had to submit to the notorious "crimp" system, where the owners of bars and rooming houses were given liens on his future earnings.

Today, thanks to labor unions and a century of political and legal reform, mariners employed aboard U.S.-flag vessels are middle-class wage earners whose workplaces meet stringent safety standards. Routinely praised by Department of Defense officials for their professionalism and skills, they are an important national asset and treated as such.

Unfortunately, the same is not true for their FOC counterparts. If an American mariner from the 19th century were to read the 1992 Australian Parliamentary Inquiry entitled "Ships of Shame," he would find many similarities to his own situation: unsafe working conditions, unpaid wages. Mariners who are stranded in foreign ports and left to fend for themselves; workers who are fired if they dare talk to an ITF official about situations, that might prove lethal. The average working American might find these things inconceivable, but a 19th century mariner would see in them the daily fabric of his own life. And, more than anything else, he would recognize manning agencies, which play an important role in the FOC system, for what they in many instances are: linear descendants of the 19th century crimps.

In order to be employed aboard most FOC vessels, a mariner has to enroll in a manning agency. As is the case with classification societies, these organizations operate in a mostly unregulated environment outside the scope of most international law. A handful of international conventions (ILO Convention 145 and ILO Recommendation 139), however, do outline important principles: labor markets should be linked to training; manning agencies should be run effectively, seamen's income and employment opportunities should be sufficient and regular. If the industry were to adhere to these principles, the international maritime industry would be a safer, more efficient and humane place.

Like their 19th century counterparts, the crimps, today's manning agencies want an easily controlled workforce. Over the past 50 years, the MTD and its affiliated unions have supported the ITF's campaign against substandard vessels and seafarer abuse. Time and time again, in American ports, we have seen Third World conditions and oppression transferred to our shores. Inevitably, workers who try to report unfair and unsafe conditions and practices to ITF inspectors are

placed on a "watch list" No matter how justified the complaint, manning agencies will refuse to employ them.

No one document could accurately portray the countless daily incidents of abuse. Statistics, however, are enlightening. According to the ITF, of the 20,433 ships visited by its inspectors between 1996 and 1999, 9,672 had severe crew problems. During that same period, the union handled 3,273 cases of unpaid wages. Thanks to its efforts, nearly two-thirds of the cases were resolved in the workers' favor. Total amount of recovered back pay amounted to \$110,347,737.

But this is just the tip of the iceberg. During that same period, 4-8 percent of all crews expressed dissatisfaction with their situations, but were so afraid of reprisals from the company and the manning agency that they refused to file a complaint. And these were just the crews that were willing to admit that they were afraid.

The MTD believes that for obvious moral and humanitarian reasons, workers should have the right to bargain collectively to better their wages, benefits and working conditions. Under most traditional registries, that right is protected by law. But in the FOC system, that is not the case. And there's a price to be paid.

Maritime accidents and deaths will continue to soar as long as workers know that they might be fired for reporting unsafe conditions. Mariners who find themselves mistreated, underpaid or forced to work under questionable conditions will leave the industry. Workers who are treated like disposable units won't develop the kinds of skills needed to maintain a safe, efficient fleet.

In the United States, civilian mariners have access to federal and state run academies and jointly-run management-labor training programs that teach the latest techniques in vessel maintenance and operation. Properly trained, protected by a government committed to fashioning and enforcing stringent safety, labor and environmental standards, they have a chance in the industry's survival. By contrast, in the FOC system, manning agencies serve as middlemen between companies and workers, and, all too often, bad middlemen at that. Convinced that they have an endless supply of cheap labor, most FOC companies do not invest adequately in training. Crews who serve on their vessels typically do so under short-term contracts.

The consequences of these practices are just being felt. Recent International Shipping Federation surveys demonstrate that there is a shortage of suitably qualified Mariners. The average age of officers is growing. That this is a problem in the FOC sector comes as no surprise. However, over the past two decades, the FOC system has forced nations like the United Kingdom and Norway to replace their traditional registries with hybrid ones. Fearful of this long-term trend, many workers, even those trained at state run or federally financed maritime academies, leave the industry. Many eventually make fine lawyers or business executives increasingly, they don't become captains or chief engineers.

To sum up, many of the problems associated with the FOC system stem from the fact that workers are considered disposable and that existing international standards are not being implemented. Until shipowners, whether they control a vessel directly or through a series of sham, one-ship companies, come to believe that they will lose their "license to operate" if they abrogate international norms, the crisis in the maritime industry will continue. Moreover, effective sanctions must be developed for all those in the chain of responsibility—charterers, cargo owners, banks and insurers. As Section 7.8 of the FAD Code of Conduct for Responsible Fisheries states:

"Without prejudice to relevant international agreements, States should encourage banks and financial institutions not to require, as a condition of a loan or mortgage, fishing vessels or fishing support vessels to be flagged in a jurisdiction other than that of the State of beneficial ownership where such requirement would have the effect of increasing the likelihood of non-compliance with international conservation and management measures."

That suggestion should apply to all segments of the international maritime industry, not just fishing. When reviewing proposals, banks and financial institutions should take into consideration all aspects of a company's business dealings, especially its record on safety and labor relations. Right now, in most instances, a bank will approve a loan if the scrap value of a vessel is

enough to protect their financial exposure.

As the OECD recently noted:

"A fully responsible lending policy could prevent the creation of companies that operate at the bottom end of the 'safety scale.'"

International institutions and standards

In many ways, the maritime industry exists well out of the radar screen of the general public. Mention the U.S.-flag merchant marine to an average American citizen, and the person, if he or she responds at all, will often confuse it with the U.S. Navy. Conversely, many of those associated with the industry like to think of it as an entity unto itself. The FOC system thrives on this state of affairs. As long as ordinary citizens remain unaware of what is happening in the international maritime industry, they won't demand change. Business can go on as usual.

It is incumbent upon everyone in the maritime industry to shed light on what is happening to FOC mariners, and to connect their plight to the plight of millions upon millions of land-based workers in today's global economy. The MTD has strongly supported the efforts of the AFL CIO and international labor organizations to publicize the downside of globalization. Thanks to these efforts, trade and human rights are no

longer separate subject matters; increasingly, they are being linked in the public's mind.

The same process of grass roots education is beginning to happen in the maritime industry. As evidenced by the recent successful worldwide voyage of the ITF's *Global Mariner*, the general public will respond to our message if it hears it. Increasingly, newspapers across the nation are carrying stories about abandoned FOC vessels and mariners. Over the past year, there have been front page stories about sexual harassment and marine pollution aboard FOC passenger cruise ships that operate out of Florida. Slowly, the general public is beginning to understand that human rights abuses, safety lapses and environmental damage are not just happening somewhere out there on the high seas, they are happening in their own communities.

It is a slow process, but it's already taking shape. As stated before, the international maritime industry embodies the worst aspects of globalization. In one respect, however, it has had a head start. Because of the nature of the industry, and because the maritime industry was one of the first sectors of the world economy to experience the effects of globalization, there is a network of international organizations and procedures and laws already in place. The problem is that many of those international organizations, while doing fine work in promulgating rules and regulations, do not have the power to enforce them.

The international community must work on two different tracks in confronting the crisis in the maritime industry. It must strengthen organizations like the International Maritime Organization (IMO) and the International Labor Organization (ILO) by enhancing their powers to enforce existing international rules and regulations. And port states, individually and in regional associations, must begin exerting more control.

Port state control and flag state control have been sanctioned through organizations like the IMO and ILO. These and other intergovernmental bodies promote a flag state's responsibility to implementing internationally agreed upon standards and a port state's enforcement of these standards.

Thanks to this trend, port state control officials are boarding FOC vessels to enforce IMO instruments governing safety, ship management, marine pollution and the training and certification of seafarers. However, there are limits to what individual port state nations, by themselves, can accomplish. For example, ILO Convention 147, which covers the health and safety of seafarers, has not been ratified by countries representing half the world's tonnage. And even countries that have accepted this resolution and others like it often use their powers to correct and eliminate intolerable shipboard conditions sparingly, and usually only when a vessel has been detained for other defects. All too often, local authorities are afraid to act because of the potential economic consequences of reduced port calls.

Crisis at Sea: Flags-of-convenience: A Maritime Trades Department Report – cont'd.

continued

There is other good news on this front. The OECD Maritime Transport Committee has drafted a plan of action encouraging the adoption of various initiatives to combat substandard shipping. This intergovernmental proposal involves initiatives regarding P&I clubs, shipper inspection schemes, shipbrokers, ship financiers and transparency of information.

An IMO panel—the Subcommittee on Flag State Implementation (FSI Subcommittee)—is developing criteria against which the performance of a flag state's merchant fleet may be measured. Noting that the effectiveness of IMO safety and pollution prevention instruments depends upon flag state enforcement of their requirements, the subcommittee is identifying measures necessary to ensure global implementation of IMO instruments.

Furthermore, the proliferation of FOC vessels and the threat they pose to the global marine environment is being brought before the United Nation's Commission on Sustainable Development (CSD). Yet despite all the praiseworthy initiatives underway, governments, international organizations and the shipping industry itself have so far failed to eradicate substandard FOC vessels.

The proliferation of FOC vessels and other hybrid registries has reached epidemic proportions. The situation has become so dire that traditional maritime registries are endangered. Several years ago, Canada, once a major maritime nation, effectively repealed its cabotage laws and opened up its territorial waters to unsafe, substandard FOC vessels. In the United States, there is an effort by some to repeal the Jones Act. Some nations that once boasted proud maritime traditions, like Japan, the United Kingdom and Norway, have effectively transformed their international fleets into hybrid registries. This trend must be stopped, because traditional maritime registries are the most important protection against unsafe conditions in the maritime industry. In this area, the trend is not promising. Since 1980, the proportion of the world merchant fleet registered in developed nations has fallen from 51.7 percent to 25.7 percent, while the volume of tonnage registered with FOC registries has more than doubled.

In a related vein, if the world maritime community is to make headway in confronting the problems facing the industry, it must make the FOC system more accountable. FOC shipping companies should not continue to be self-regulating, nor should they be allowed to pick and choose their registries at will. There must be transparency of exchange and information. Adequate penalties must be imposed on those registries, manning agencies and classification societies that fail to meet minimum international standards.

Finally, any review of the international maritime industry must start off by acknowledging the importance of developing and maintaining a skilled and productive workforce. We have not yet reached the point what ships can sail themselves. Unfortunately, while much of the world has entered the 21st century, FOC owners seemed to be mired in the past. Conditions for many of the world's merchant mariners recall the words of Andrew Furuseth, the great American maritime labor pioneer, who once said: "You can put me in jail, but you cannot give me narrower quarters than as a seaman I have always had. You cannot give me coarser food than I have always eaten. You cannot make me lonelier than I have always been."

It is important to remember that Furuseth uttered these words shortly before enactment of the Seamen's Act of 1915, the landmark bill that established the first meaningful protections for U.S. seamen. It was enacted 112 years after the first recorded seamen's strike in America and only 20 years after Congress finally determined that U.S. mariners were not legally bound to their ships. What this suggests more than anything else is that change is possible.

FOC companies are banking that the international maritime community is so dispirited that it won't press ahead to reform the present system. While much needs to be accomplished, a great deal of progress has been made in recent decades. All that's missing is for the international community to come up with a mechanism to implement and enforce standards and regulations that, for the most part, are already in place.

In addition to civilian mariners, the MTD represents many workers employed in non-shipboard trades, but they strongly support our efforts to reform the international

maritime industry because they realize that the FOC system epitomizes all that is wrong with globalization. In many respects, the structural problems are even worse.

For example, when an American or Canadian company relocates an industrial plant to a Third World nation, at least there is some kind of connection between the government and the workers. Countries like Burma or China may not respect democratic rights, but at least the workers employed in these transplanted factories are citizens. But the merchant mariners who crew FOC vessels are, for the most part, foreigners who never even stop foot in a host FOC nation.

Moreover, if the United States, which is the richest nation in the world, is finding it difficult to allocate the necessary resources to fund the activities of the U.S. Coast Guard, then what about nations like Vanuatu, Belize and Saipan? What kind of meaningful regulatory oversight can they exert over billion dollar companies that, with a stroke of a pen, are capable of transferring their vessels to a more accommodating registry? And what about a country like Liberia, which has one of the largest fleets in the world? Torn by civil war, it barely possesses a functioning central government; its citizens are being murdered by the thousands, often by government forces. Does anyone believe that the Liberian government is interested in the welfare of the Filipino or Ukrainian mariners who crew the vessels that fly its flag?

It would be, if the international community could agree on a meaningful enforcement mechanism. Since one hasn't been devised, port states, on an ad hoc basis, will have to fill the vacuum. Some are taking tentative steps in that direction; many aren't. Indeed, in dealing with one aspect of the crisis in the international maritime industry—marine pollution—the CSD recently recommended that the IMO and its Subcommittee on Flag State Implementation should:

"Develop, as a matter of urgency, measures, in binding form, where the members of the IMO consider it appropriate, to ensure that ships of all flag states meet international rules and standards as to give full and complete effect to the United Nations Convention of Law of the Sea, especially Article 91 (Nationality of Ships), as well as provisions of other relevant conventions."

Executive Summary and Recommendations: Problem: A Crisis at Sea

The international maritime community is suffering from a grave structural crisis which is being manifested in numerous ways: a future shortage of suitably skilled mariners an aging world fleet; a dramatic long-term increase in the number of accidents and lives lost at sea; serious and chronic human rights abuses; and the inability or unwillingness of some flag states to implement vitally important internationally agreed upon standards for the safety of vessels, crews and the marine environment.

The international maritime community must address this dangerous situation. The MTD recommends that it:

- Recognize the important role that the industry plays in the world economy and establish and enact policies that ensures its continued viability and structural soundness.
- Confront the environmental, safety and humanitarian crisis at sea.
- Establish meaningful incentives/measures to modernize the international fleet and reduce the alarming increase in maritime accidents and deaths.
- Recognize that maritime workers are an important asset and take steps to improve their wages, working conditions, skills and training.
- Participate in international organizations such as the ILO and IMO and strengthen them by enhancing their oversight authority in the enforcement of existing and future rules and regulations and by ensuring that they receive the proper resources to reach this objective.

An Underlying Cause of the Crisis: the Flag of Convenience System

The current crisis at sea has reached epidemic proportions due to the existence and continued proliferation of the FOC system and other hybrid registries. In fact, the FOC system is endangering the very exist-

ence of traditional maritime registries. As noted in the body of this report, the FOC system has created "a worldwide fleet of derelict hulks rusting in ports around the globe, manned by sailors left to rot at sea while shipowners squabble over ... fines and port fees or simply (file) bankruptcy."

To combat the serious deterioration of the world fleet caused by this phenomena, the MTD recommends that the international community:

- Refuse to accept the culture of secrecy that surrounds the FOC system and take steps to make it more open and transparent.
- Require that a genuine link exist between shipowners and the nations under whose registries they document their vessels.
- Take appropriate steps to ensure that FOC and substandard registries implement and adhere to international standards, regulations and norms.
- Acknowledge that conditions in the international maritime industry will never improve if owners are permitted to change registries at will.
- Restore accountability and establish effective sanctions to all facets of the FOC system, including registries, shipowners, classification societies, charterers, manning agencies, banks and insurance companies..

Moreover, civilian mariners are important assets and should be treated with dignity and respect. Unfortunately, labor and civil rights abuses permeate today's FOC culture; investment in seafarer training and development is virtually nonexistent. The MTD recommends that the international community:

- Pay attention to the human element in shipping. Chronic labor and human rights abuses that exist aboard substandard and FOC vessels should not be tolerated
 - Ratify and rigorously enforce ILO Convention 147, the ILO Declaration on Fundamental Principles and Rights at Work (1998).
- Make maritime training and strict enforcement of the IMO Standards of Training, Certificate and Watchkeeping a priority.

Flag State and Port State Responsibilities

Individual nations can play an important role in eradicating abuses aboard FOC vessels through both their flag state responsibilities and port state control activities. The MTD recommends that as flag states, individual nations:

- Provide agencies in charge of overseeing maritime safety, labor and governmental standards with the resources necessary to ensure that these standards are being met.
- Ratify, implement and enforce maritime treaties and obligations to which they are party.
- Support concerted actions by the B40 FSI Subcommittee to establish mandatory/binding international requirements for the quality of flag states and flag registries.
- Urge the CSD to develop, as a matter of urgency, measures in binding form, where the members of the IMO consider it appropriate, to ensure that ships of all flag states meet international rules and standards as to give full and complete effect to UNCLOS, especially Article 91 (Nationality of Ships), as well as provisions of other relevant conventions.
- Support actions by the FSI Subcommittee to ensure that flag states properly implement and enforce conventions that they ratify.
- Support actions by the FSI Subcommittee to establish a "white list" for nations that pass IMO scrutiny in the implementation and enforcement of their conventions.

Further, the MTD recommends, as port state control entities, individual nations:

- Exercise appropriate and strict port state control measures in scrutinizing the movement of substandard and FOC vessels in their waters, including detention and denial of entry into its waters to any ship flying the flag of a chronic offending nation.

The SUP is a member of the Maritime Trades Department AFL-CIO.



SUP President's Report

September 11, 2000

READY RESERVE FLEET AWARDS

As reported last month, the General Accounting Office (GAO) held hearings in Washington during the week of July 24, regarding the awards issued by the Maritime Administration to manage the 74 vessels in the Ready Reserve Fleet for the next five years. The hearings were a result of protests filed by several ship operators over the criteria MarAd used in making the awards.

Last month the GAO extended its deadline to rule on the award protests against MarAd until October 10.

Until a final decision is made, Patriot Contract Services, a division of American Ship Management, will continue to manage 12 RRF vessels. The company was awarded six vessels in the current round of bidding.

MILITARY SEALIFT COMMAND BIDS

The Military Sealift Command has once again (see the July and August *West Coast Sailors*) delayed the deadline for companies to submit bids to operate the Large Medium Speed Roll-On/Roll-Off (LMSR) vessels *USNS William A. Soderman* and *USNS LCPL Roy M. Wheat*. The deadline is now September 21.

Matson Navigation Company and Patriot Contract Services, plan to bid on these vessels which will operate for the U.S. Marine Corps as Maritime Prepositioning Force Enhancement (MPF[E]) ships in the Western Pacific and Indian Oceans.

During the past month, the licensed unions (MM&P, MEBA, AMO) agreed to submit to their respective contracted companies the same total costs per job category to remove the whip-saw factor on the union side from the bidding process. The unlicensed unions (SUP, MFOW, SIU-A&G, NMU) took similar action in May.

FOSS MARITIME COMPANY

The collective bargaining agreement between the SUP and Foss Maritime Company, which covers the company's bunkering operation on San Francisco Bay, expires on November 30. In accordance with the terms of that agreement, notified Foss this month that the Union desires to open negotiations to amend the contract.

As per Article XVII, Section 5 of the SUP Constitution a rank-and-file Negotiating Committee will be elected at the October Headquarters meeting. Those eligible to serve on this committee are those "affected by the contract being negotiated," namely SUP members employed by Foss.

All members employed by Foss are urged to submit bargaining proposals in writing to Headquarters.

STCW '95 TRAINING

In accordance with international conventions, all mariners worldwide must have an STCW (Standards of Training, Certification & Watchkeeping) '95 certificate by February 1, 2002 in order to sail.

A schedule of STCW '95 training for 2000 was published in last month's *West Coast Sailors* and will be published in the September issue.

Applications to attend STCW '95 classes at the SUP/Training Resources Ltd. site in San Diego are available at every SUP hall, the Andrew Furuseth School of Seamanship and the SUP Welfare Plan.

The cost of the tuition, transportation, lodging and subsistence for this five-day program are also borne by the SUP Welfare Plan's Training Fund.

This month's class runs from September 25 through September 29.

LMSR TRAINING

The next training class for those interested in work-

ing in the Large Medium Speed Roll-On/Roll-Off vessels is scheduled to begin on October 10, and run for approximately three weeks at the SUP/Training Resources Ltd. site in San Diego.

No one can be shipped to the LMSRs without taking the Military Sealift Command training which is provided by the SUP's Andrew Furuseth School of Seamanship in conjunction with Training Resources Ltd.

Applications to attend training classes are available at every SUP hall, the Andrew Furuseth School of Seamanship and the SUP Welfare Plan.

By the end of this year, Patriot will be operating six LMSRs. Besides the *USNS Fisher* and *USNS Seay*, which are already under Patriot Contract Services management, the *USNS Gordon*, *USNS Gilliland*, *USNS Shugart* and *USNS Yano* are scheduled to be delivered in November and December.

Last month Patriot reported that the *Gordon* and *Yano* would be delivered in October. Patriot notified the Union this month that these vessels will be delivered in early November. The *Gilliland* and *Shugart* as well as the *Gordon* and *Yano* are tentatively scheduled to be in Full Operating Status (FOS) for up to 45 days commencing with the initial activation under Patriot management.

The membership is again reminded that only those members who are interested in and committed to working in these vessels now or in the future should sign-up for the training as it is expensive. Members are also advised that the MSC-required physical examination is more rigorous than the usual annual physical for the commercial fleet. If a member has doubts about passing such a physical, he or she should not take the training.

However, those interested in working these ships, gaining seetime and seniority, should sign-up for the training.

WILMINGTON BRANCH

As reported in the August issue of the *West Coast Sailors*, Brother Duane Nash #2437 filed charges against Wilmington Branch Agent Wayne Burgess.

At the Branch meeting on August 21, which your secretary attended, the charges were read under communications and in accordance with Article XVIII, Section 2 of the SUP Constitution, the charges were referred to a Trial Committee of five full book members without discussion.

Elected to the Trial Committee were Bob Burns #5736, John Folcarelli #2069, Mike Freng #2246, James Luke #4110, Joe McDonald #6505 and Carl Schou #7401 as alternate.

In accordance with Article XVIII, Section 2, the trial date was set for September 5, at the Wilmington Branch. The membership at the meeting also voted to have a court reporter at the trial to keep an accurate record of the proceedings. Brother Burgess, although in attendance at the Branch meeting, was sent a certified letter notifying him of the date and time of the trial by your secretary on August 22, in accordance with the Constitution.

On September 5, the trial commenced at 11:00 A.M. at the Wilmington Branch with your secretary in attendance. In the first order of business, Brother Burns was elected Committee chairman and Brother Tom Larkin #4065 was drafted to replace Brother Schou as Committee alternate due to the fact that Brother Schou shipped.

With the Trial Committee in place, Brother Burns ruled, with the unanimous support of the Committee, that only members of the Sailors' Union could attend the trial. With that ruling Brother Burgess' attorney and all Class "D" registrants were requested to leave the hiring hall.

The Committee, after much discussion, then ruled to deny Brother Burgess' request of August 29 for a continuance/adjournment of the trial for 30 days.

The trial itself then commenced in strict accordance with Sections 3, 4 and 5 of Article XVIII of the SUP Constitution.

In his charges, Brother Nash accused Brother Burgess of: 1) Shipping individuals to SUP-contracted jobs without being registered with the Union; 2) Failing to keep accurate shipping and despatching records; 3)

Failing to follow the registration policy of the SUP; 4) Being incompetent to hold the job of Wilmington Branch Agent; and 5) Failing to conduct himself in a manner expected by the membership and bringing discredit to the Union.

During the course of the trial which lasted over four hours, both the accused (Brother Burgess) and the accuser (Brother Nash) presented their cases to the Trial Committee.

The Committee in accordance with Article XVIII, Section 3, heard all pertinent evidence presented. The Committee, again in accordance with Article XVIII, Section 3, received all relevant testimony as the Committee was not bound by the rules of evidence required by courts of law. The Committee questioned both Brother Nash and Brother Burgess during the course of the trial regarding their respective testimony and fielded questions from the membership in attendance at the trial and then directed those questions to the appropriate party.

After hearing all evidenced presented, the Trial Committee deliberated and found Brother Burgess guilty of all charges presented. The Committee further recommended that Brother Burgess be suspended from office in accordance with Article XIII, Section 1, of the SUP Constitution and that should the Branches and Headquarters concur with the Committee's report, that Brother Burgess be "removed from any and all elected offices of the Sailors' Union of the Pacific." In addition to being Wilmington Branch Agent, Brother Burgess is also a Trustee of the SUP Building Corporation.

The next step in this process in accordance with Article XVIII, Section 6, is that the Trial Committee's report be presented and voted on by the next Wilmington Branch meeting on September 18. The membership at that time can: A) Accept the findings or recommendations, or B) Reject the findings or recommendations; C) Accept the findings, but modify the recommendations, or D) Order a new trial after finding the substantial justice has not been done with regard to the charges.

After the Wilmington Branch vote on the Trial Committee's report, the matter then goes before the Headquarters meeting on October 10, and the Seattle and Honolulu Branch meetings on October 16. The same conditions apply as to the action taken on the report as previously described and as referenced in Article XVIII, Section 6.

After the vote is taken as set forth in Section 6, any punishment so decided upon shall become effective. If the membership by coastwise vote concurs with the Trial Committee's report Brother Burgess will "be removed from any and all elected office of the Sailors' Union of the Pacific" effective October 16. If the membership non-concurs with the Committee's report, Brother Burgess shall retain his elected jobs.

However, the Trial Committee's recommendation that Brother Burgess be suspended from office in accordance with Article XIII, Section 1, must be acted upon by today's Headquarters meeting. That section of the Constitution states that: "Any officer may be suspended by any regular meeting at Headquarters, pending trial on charges of misconduct preferred against him/her, and if found guilty his/her office may be declared vacant."

Therefore, based on the Trial Committee's report, and the serious nature of the charges against Brother Burgess, recommend that Brother Burgess be suspended, with pay, as Wilmington Branch Agent until the coastwise membership vote on the Committee's report is completed and that Brother William Berger #4642, relieve Brother Burgess on an interim basis as Wilmington Branch Agent effective tomorrow, September 12, 2000.

The Trial Committee's report and the charges against Brother Burgess will be published in the September *West Coast Sailors*.

COLUMBUS DAY

All SUP halls will be closed on Monday, October 9, in observance of Columbus Day, a holiday under all SUP collective bargaining agreements.

Due to the holiday, the Headquarters meeting next month will be on October 10.

President's Report continued.....

ACTION TAKEN

Trial Committee's recommendation to suspend Wayne Burgess as Wilmington Branch Agent and to appoint William Berger to that office on an interim basis effective September 12. M/S/C 45 Yes, 3 No and 3 abstentions.

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

Gunnar Lundeberg

**SUP members
take note**

As per membership action, if you fail to show up for a standy job or miss a ship without an iron-clad excuse, you shall be fined one day's pay (at the applicable rate) for each day of work missed.

Rally on Capitol Hill... continued from Page 1

"antiworker gimmick" for vessels sailing under the banner of countries of exploitation and repression. Said Clay: "The nation has not only the right, but the moral duty to eradicate these abuses." Rep. Engel pointed out: "What you're asking for here is basic fairness. If phony foreign flags are flown on vessels, everyone loses—the government, the taxpayer, workers and passengers—so your fight is America's fight."

Representatives from organized labor echoed these sentiments. Said AFL-CIO President Sweeney in describing FOCS: "If it looks, smells and kills like a sweatshop, it is a sweatshop. It may not show on the outside, but on the inside, these are extraordinary vessels of human degradation. Our job today is to draw attention to these miserable conditions. As a supposedly moral nation, we should not allow this to continue."

The rally is part of the ITF's worldwide campaign against flag-of-convenience, ship registries. It will draw attention to what it says are the operation of unsafe FOC vessels and to human rights violations, as well as what it describes as unconscionable working and living conditions endured on a daily basis by the crews aboard these ships. Many FOC vessels are likened to floating sweatshops.

FOC vessels, also known as runaway, flag ships-are registered in and fly the flag of a country different from its ownership. FOC registries typically are used to provide vessel owners cut-rate registration fees, low or no corporate taxes, and evasion from safety and environmental statutes. The registries further provide the opportunity for the worst FOC owners to exploit those working aboard the vessels by withholding pay, food and medical care, virtually holding them hostage.

As U.S. Maritime Administrator John Graykowski put it, "All too often, the world's commerce is carried on FOC vessels that exist solely as a means to maximize profits at the expense of basic human rights and the safety of life at sea. A reckless indifference to passenger safety aboard these floating sweatshops regularly spirals into human and environmental disaster."

The ITF, along with its American affiliates, has been at the forefront of the movement for mariners' rights since its inception in 1896. Today, the ITF represents more than 5 million workers in 500 trade unions located in 125 countries.

The SUP is affiliated with the ITF through the Seafarers International Union North America.

Editor's note: Segments of this article are excerpts from The American Congress' *Washington Letter*.

Charges against Wayne Burgess and Trial Committee's Report

"We the undersigned members of the Sailors' Union of the Pacific in accordance with Article XVIII of the SUP Constitution hereby bring the following charges against Wayne Perry Burgess, Wilmington Branch Agent:

1. Wayne Perry Burgess violated Article XIV, Section 4(c) and Article XIX, Section 7 and Section 12 of the SUP Constitution; SUP Shipping Rules No.4, 11 and 13 by shipping nonmembers and non-registrants Geli P. Burgess, Xochitl P. Burgess and Oscar M. Rojas to jobs under SUP contract without following established registration procedures of collecting a registration fee and completing the applicable SUP registration forms.

a) Geli P. Burgess worked standby (extra maintenance) for American Ship Management on March 13, 2000 and April 3, 2000 without being registered with the SUP.

b) Geli P. Burgess worked standby for Matson Navigation Company on March 20, 21 and 28, 2000 and on April 25, 2000 without being registered with the SUP.

c) Xochitl P. Burgess worked standby for American Ship Management on March 13, 19 and 20, 2000 without being registered with the SUP.

d) Xochitl P. Burgess worked standby for Matson Navigation Company on March 28, 2000 without being registered with the SUP.

e) Oscar M. Rojas worked standby for American Ship Management on March 13, 2000 without being registered with the SUP.

f) Oscar M. Rojas worked standby for Matson Navigation Company on April 25, 2000 without being registered with the SUP.

* Registration fees were collected by Wilmington Branch Agent Wayne Perry Burgess on June 9, 2000 for Geli P. Burgess, Xochitl P. Burgess and Oscar M. Rojas.

2. Wayne Perry Burgess is in violation of Article XIV, Section 4 (d) of the SUP Constitution and has thwarted President/Secretary-Treasurer Gunnar Lundeberg in fulfilling his duties in accordance with Article XIV, Section 2 (b) of the SUP Constitution.

Wayne Perry Burgess as Wilmington Branch Agent has failed to keep accurate shipping records and dispatching records since March 1, 2000 and has failed to send copies of those records to Headquarters

3. Wayne Perry Burgess as Wilmington Branch Agent is in violation of Article XIV, Section 4 (d) and Article XVI, Section I of the SUP Constitution by failing to follow the registration policy of the SUP.

Wayne Perry Burgess was instructed in registration policy and procedure by former Wilmington Branch Agent Bill Berger in February 2000, at a meeting of all SUP elected officials held in San Francisco on March 25, 2000 and by repeated loam from SUP President/Secretary-Treasurer Gunnar Lundeberg.

Examples of this violation am that when Nestor Guzman, Rodelio Santos and Laura Jean Santos attempted to register at the Wilmington branch during the week of May 22, 2000 Wayne Perry Burgess refused to register them.

Guzman and the two Santos' ultimately traveled to Headquarters from Southern California and registered on May 30,2000.

4. Wayne Perry Burgess has demonstrated, since March 1, 2000, that he is not competent to hold the job of Wilmington Branch Agent

5. Wayne Perry Burgess as Wilmington Branch Agent has failed to conduct himself in a manner expected by the membership and has brought discredit to the Union."

Duane A. Nash #2437

SUP Hall
533 No. Marine Ave.,
Wilmington, CA

5th September, 2000

We, the undersigned members of the Sailors' Union of the Pacific, duly elected, as a Trial Committee, under the Constitution of the Sailor's Union of the Pacific have heard the charges brought by Mr. Duane Nash #2437 against Wilmington Branch Agent, Mr. Wayne Burgess and have thoroughly reviewed the evidence presented by all parties concerned and heard the testimony of all witnesses present.

In consideration of the above it has been found that Mr. Wayne Burgess is guilty of all charges presented. Therefore, the Trial Committee recommends that, Mr. Wayne Burgess, be suspended from office as per Article XIII, Section 1 of the SUP Constitution, and that should the Wilmington Branch, Honolulu Branch, Seattle Branch and Headquarters concur with this committee's report, that he be removed from any and all elected office of the Sailor's Union of the Pacific.

Fraternally,

Robert Burns
Robert Burns #5736

James Luke
James Luke #4110

John Folcarelli
John Folcarelli #2069

Joe McDonald
Joe McDonald #6505

Mike Freng
Mike Freng #2246

Tom Larkin
Tom Larkin #4665 (Alternate)

Note: The Wilmington Branch meeting on September 18, voted 32 Yes, 2 No with 2 absentions to concur with the Trial Committee's report. Headquarters, Seattle and Honolulu will vote on the report next month.

SUP Branch Reports

Seattle

August 21, 2000

Shipped the following during the period: 3 bosuns, 7 ABs and 29 standby jobs, for a total of 39 jobs. The regular jobs were filled with 5 A cards, 2 B cards, 2 C cards and 1 D registrant. The standby jobs were filled by 4 A cards, 10 B cards, 11 C cards, 2 D registrants, and 2 MFOW members.

Registered for the period: 15 A cards, for a total of 37; 10 B cards for a total of 23, and 12 C cards for a total of 22.

Ships Checked

APL Singapore, APL Korea, APL Thailand and APL Philippines with little or no problems. SS Ewa, Kauai and R.J. Pfeiffer are all running smoothly. Chevron Mississippi in at Point Wells.

When new crew members join a ship, it is tradition to be "shown the ropes" by current crew members. In particular, one sailor arranged for another sailor to stand his watch unaware of ships policy to have it okayed topside. The fellow in question is a respected seaman but was serving on his first tanker and the resulting misunderstanding cause a hardship for all concerned.

On August 9, along with MEBA patrolman Mike Jewell and IBU patrolman Stu Downer, attended a port coalition meeting. In attendance were ILWU Local 9, 19 and 52; the HERE, IBEW, Laborers, Operating Engineers, Firefighters, Teamsters, Machinists, and other crafts that operate on the waterfront. Local 19 representative Dell Bates gave a short but strong call for solidarity amongst the unions present. We then proceeded to meet with the Port of Seattle management executives and put forth our grievances as a united labor front. As elections draw near, nothing is more important to us than ensuring that labor friendly legislators are elected to represent us. We all need to participate and this can be achieved by calling your local labor council and asking how you can help. Our jobs depend on it!

Vince O'Halloran
Branch Agent

Wilmington

August 21, 2000

Shipped the following for the period: 3 bosuns, 5 AB dayworkers, 17 ABs, 3 OS, and 103 standbys for a total of 131 jobs. The regular jobs were taken by 9 A cards, 16 B cards, 2 C cards, and 1 D registrants.

Registered for the period: 18 A cards, 27 B cards, 3 C cards, and 6 D registrants.

Ships Checked

Duane Nash brought charges against Wayne Burgess. Charges related to record keeping, refusing to register L. Santos and R. Santos and dispatching non-registered Geli Burgess and Xochitl Burgess to standby jobs.

These were refuted by Agent Burgess. Burgess said the pervious agent failed to explain reports and the chronology of timely sending of such reports and that he never met L. Santos or R. Santos.

Members nominated and accepted a Trial Committee: Joe McDonald #6505, John Folcarelli #2069, Robert Burns #5736, James Luke #4110, Mike Freng #2246.

As per the SUP Constitution a tril date of September 5 was set.

Wayne Burgess
Branch Agent

Honolulu

August 21, 2000

Shipped the following during the period: 1 bosun, 3 AB reliefs, 2 AB returns, 2 O.S., 1 P&R AB Maint., and 24 standbys, for a total of 33 jobs dispatched. The regular jobs were taken by 2 A members, 4 B members, 2 C members and 1 D registrant. The standby jobs were filled by 4 B members, 9 C members, 7 D registrants and 4 MFOW members.

Registered for the period: 6 A members, 3 B members, 3 C members, and 4 D registrants. To date we have: 13 A members, 6 B members, 5 C members, and 5 D registrants, for a total of 29 registered.

Ships Checked

Kauai, Maui, Chief Gadao, Lurline, Lihue, Matsonia, R.J. Pfeiffer, all with few or no problems. I went on vacation for two weeks and was relieved by Bonny Coloma, the MFOW Honolulu Agent. I wish to thank Bonny for the job well done with the office work and ship patrol

On July 18, attended the Honolulu Port Council meeting where we presented two scholarships to AFL-CIO union members' spouses.

Mike Duvall
Branch Agent



SUP Delegates to the Washington State Labor Council Convention, from left to right: Vince O'Halloran (Seattle Branch Agent), Norm Christianson, and Mike Dirksen, are caught by the camera during the convention proceeding in Tacoma on August 21. The SUP and MFOW submitted a resolution calling on Congress to support the development of the U.S. merchant marine. The resolution passed unanimously.

Letter to the Editor

Dear Brothers and Sisters:

Just a quick heads up on the LMSR Training apart from the Fast Rescue Boat, Handling and Forklift. The last three days of small arm range safety and handling is highly recommended and very informative. I feel 100% more confident in weapon handling. The two instructors Mr. Charlie Upham and Mr. John Keane are both professionals having 60 years weapon handling between the two. They are very patient and courteous men and

a pleasure to work with. The range is a tope of the line facility. All the guns are brand new: Remington 870 12-gauge pump action shot gun, 7.62 m.m. M-14 rifle, and a Beretta 92Fs 9. mm handgun.

It is a great deal, with a smashing hotel suite to boot. Go take advantage. You will not regret it.

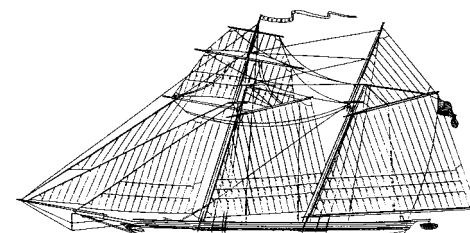
Billy McAndrew #6505

P.S. Thanks for getting this course together for us.

Charges filed with NLRB over tattoos

Commonwealth Edison has barred employees in the control rooms of its five nuclear power plants in Illinois for wearing "distracting" temporary tattoos that bear the insignia of Electrical Workers Local 15 and the words "Strength in Unity."

The union and ComEd have been negotiating for more than a year over company demands to create a lesser pension for new hires. The union has filed unfair labor practice charges with the National Labor Relations Board over the tattoos.



Dispatcher's Report

Hdqtrs. August 2000

Deck	
Bosun	5
Carpenter	0
MM	2
AB	32
OS	5
Standby	37
Total Deck Jobs Shipped	81
Total Deck B, C, D Shipped	22
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.	81
Total B, C, D Shipped-All Depts.	22
Total Registered "A"	90
Total Registered "B"	87
Total Registered "C"	10
Total Registered "D"	13

San Francisco Business Agent

September 11, 2000

Chief Gadao - Ian McLeod, delegate: Minor problems with the storing, seems to be worked out for the present.

Kauai - John Webb took his trip off and John Kerline is delegate; in good shape.

Lihue - Keith Kamana, delegate: Joe Piscopo is relief bosun.

Mahimahi - Jimmy Alarcon, delegate: Routine visit; in good shape.

Manoa - Harry Naeole, delegate.

Matsonia - Joe Amey, delegate: New bosun is Charley Clark.

Mokihana - Ivar Thorbjornsen, delegate: Routine call.

Moku Pahu - Greg Schauf, delegate: In at Crockett to discharge, then return to Hawaii for another load of sugar.

R.J. Pfeiffer - Tommy James, delegate: No problems on this ship.

Chev. Arizona-Rocky Ziembra, delegate.

Chev. Colorado-Lee Crandley, delegate.

Chevron Mississippi - In at Richmond Long Wharf after a trip to Hawaii. Good ship, good gang. Dave McKeithon will relieve William Esselstrom as SUP delegate.

Chev. Washington - Gabe Sipin, delegate and John McNeil is bosun; in good shape.

Polar Alaska - Made this ship at Valero, in an attempt to speak with the sailors on board in regards to the SUP and answer any questions.

Foss Maritime - Tom Tynan, delegate.

Ready Reserve Fleet - Danny Foster, delegate; Carl Schou bosun.

ASM Shoregang - Norman Kwak, delegate.

President Grant - Tio Rojas, delegate: Ed Suguitan is the new bosun. Some clarifications in the area of Scope of Work. Raising and lowering the bunker hose is sailors' work

because: "maintaining and operating auxiliary gear such as booms cranes, and derricks" is to be found in Section 4 of the SUP Work Rules. We continue to monitor the amount of bottled water the J-10 type vessels carry, for sufficiency for all hands.

Pres. Jackson-Dennis Tinsley, delegate.

Pres. Kennedy - Jim Luke took his trip off and John Gabourel took over the delegate job. No problems.

Pres. Polk - Frank Rosales, delegate: Up from Los Angeles with no problems.

Pres. Truman-Lou Frazier, delegate.

America -Ted Ochoa, delegate.

USNS Fisher - Mike Binsky, delegate.

USNS Seay - SUP VP Dave Connolly made this one at sea off Camp Pendleton. Vessel was engaged in military excercises. The gang performed under difficult circumstances SUP-style.

Bill Henneberry