



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXXI No. 9



SAN FRANCISCO, CALIFORNIA

Friday, September 19, 2008

McCain and the economy Problems with TWIC outlined at House Sub-committee hearing

John McCain spent September 15 claiming, as he had countless times before, that the economy was fundamentally sound. Had he missed the collapse of Lehman Brothers or the sale of Merrill Lynch, which were announced the day before? Did he not notice the agonies of the American Insurance Group? Was he unaware of the impending layoffs of tens of thousands of Wall Street employees on top of the growing numbers of unemployed workers throughout the United States?

The following day, he clarified his remarks. The clarification was far more worrisome than his initial comments.

He said that by calling the economy fundamentally sound, what he really meant was that American workers are the best in the world. He implied that if you dispute his statement about the economy's firm foundation, you are, in effect, insulting American workers. "I believe in American workers, and someone who disagrees with that - it's fine."

First, no one who is currently running for president does not "believe in American workers."

More to the point, the economy is stressed to the breaking point by fundamental problems—in housing, finance, credit, employment, health care and the federal budget—that have been at best neglected, at worst exacerbated during the

Bush years and as a result, American workers have taken a beating.

In clarifying his comments, Senator McCain lavished praise on workers, but ignored their problems. That is the real insult.

For decades, typical Americans have not been rewarded for their increasing productivity with comparably higher pay or better benefits. The disconnect between work and reward has been especially acute during the Bush years, as workers' incomes fell while corporate profits, which flow to investors and company executives, ballooned. For workers, that is a fundamental flaw in today's economy. It is grounded in policies like a chronically inadequate minimum wage and an increasingly unprogressive tax system, for which McCain offers no alternatives.

As for Wall Street, McCain blamed the meltdown on "unbridled corruption and greed." He called for a commission to find out what happened and propose solutions. His diagnosis and his cure are misguided. The crisis on Wall Street is fundamentally a failure to do the things that temper, detect and punish corruption and greed. It was a failure to police the markets, to enforce rules, to heed and sound warnings and expose questionable products and practices. In short, the Wall Street crisis is capitalism run-a-muck.

In the wake of McCain's remarks, AFL-CIO President John Sweeney stated: "The record is clear. John McCain has voted repeatedly for the same policies that brought us the financial catastrophe, and he is surrounded by the architects of financial deregulation. Former Senator Phil Gramm, an early campaign advisor whom McCain has described as more respected on economics than anyone else in America, was the chief sponsor of legislation that deregulated the banking sector, legalizing the risky investment practices that are at the root of the current crisis. This year Gramm has belittled working people who are struggling in the economic cri-

continued on page 2

At the request of the maritime Unions—SUP, MM&P, MEBA, ILA and ILWU—affiliated with the AFL-CIO's Transportation Trades Department (TTD) Laura Moskowitz, staff attorney for the Oakland, California-based National Employment Law Project, testified on September 17 before the House Committee on Homeland Security's Subcommittee on Border, Maritime and Counterterrorism chaired by Representative Loretta Sanchez (D-California).

Excerpts from Ms. Moskowitz's testimony follow:

As the Transportation Worker Identification Credential (TWIC) program nears its one-year mark next month and the final compliance date is only six months away, it is not too late for Transportation Security Administration (TSA) and Lockheed Martin to prioritize some key fixes that will become critical as the compliance date nears and the number of applications grows. Our testimony focuses on the following major problems facing TWIC applicants and key recommendations for improvement.

Poor outreach and communication by TSA and Lockheed Martin have resulted in workers failing to apply for TWICs, including large numbers of eligible workers with criminal records, which has contributed to low enrollment. To maximize enrollment on the part of eligible workers, TSA and Lockheed

Martin should specifically tailor communications for workers with criminal records, explain what the disqualification are, assure workers with criminal records that they qualify, and encourage them to utilize the TWIC waiver process.

Due to inadequate screening, TSA is disqualifying large numbers of workers whose criminal records do not make them ineligible, in violation of the standards under the Maritime Transportation Security Act (MTSA). Before issuing an initial denial, TSA should marshal its resources to track down missing information that is critical to the determination that someone has a disqualifying felony conviction.

TSA is denying TWICs to large numbers of foreign-born U.S. citizens and other qualified workers due to poor training by Lockheed Martin of its "Trusted Agents" and poor communication with applicants regarding necessary citizenship and immigration documents. Lockheed Martin must more effectively train its Trusted Agents to accept the necessary documents during enrollment, and TSA must take far more proactive steps to ensure that documents needed by foreign-born applicants are brought to the enrollment center and sent to TSA.

TSA and Lockheed Martin have not provided language-appropriate services to the ports' diverse immigrant workforce, thus hindering their ability to

obtain TWICs. TSA and Lockheed Martin should make translations of vital documents available and hire bilingual staff or use a language interpretation telephone service at the enrollment centers and Help Desk.

On behalf of the TTD Unions, Ms. Moskowitz made the following recommendations to the Committee:

TSA and Lockheed Martin should specifically tailor communications for workers with criminal records, explain what the disqualifications are, assure workers with criminal records that they qualify for TWICs, and encourage them to utilize the waiver process.

Before issuing an initial denial, TSA should marshal its resources to track down missing information that is critical to the determination that someone has a disqualifying felony conviction.

Lockheed Martin must more effectively train its Trusted Agents to accept the necessary documents during enrollment, and TSA must take more proactive steps to ensure that documents needed by foreign-born applicants are brought to the enrollment center and properly scanned and sent to TSA.

TSA and Lockheed Martin should make translations of vital documents available and hire bilingual staff or use a language interpretation telephone service at the enrollment centers and Help Desk.

Senator Obama on the financial crisis

"The era of greed and irresponsibility on Wall Street and in Washington has led to a financial crisis as profound as any we have faced since the Great Depression.

"But regardless of how we got here, the circumstances we face require decisive action because the jobs, savings, and economic security of millions of Americans are now at risk.

"We must work quickly in a bipartisan fashion to resolve this crisis and restore our financial

sector so capital is flowing again and we can avert an even broader economic catastrophe. We also should recognize that economic recovery requires that we act, not just to address the crisis on Wall Street, but also the crisis on Main Street and around kitchen tables across America.

"But thus far, the Administration has only offered a concept with a staggering price tag, not a plan.

"Even if the Treasury recov-

ers some or most of its investment over time, this initial outlay of up to \$700 billion is sobering. And in return for their support, the American people must be assured that the deal reflects some basic principles.

"No blank check. If we grant the Treasury broad authority to address the immediate crisis, we must insist on independent accountability and oversight. Given the breach of trust we have seen and the magnitude of

continued on page 3



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

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NOL set to navigate market turbulence

Singapore's Neptune Orient Lines, the parent company of APL, as the world's seventh largest container shipping line, has long been the subject of speculation when it comes to mergers and acquisitions. When it was first rumored at the beginning of this year that Hapag-Lloyd could be up for sale, it was NOL to which the German liner company was linked.

When Hapag-Lloyd was finally put on the block, NOL was always expected to be one of the bidders. The sudden departure of president and chief executive Dr. Thomas Held weeks before the deadline for the preliminary offers caused some to question if the bid would go ahead. But go ahead it did but reportedly at a lower price than the market had expected the Singapore-headquartered company to bid. According to sources close to the company, Held's departure was linked to his overall performance rather than any potential acquisition.

A successful bid would create the world's third largest container shipping company.

Assuming the bidding process does reach its conclusion, NOL's new president and chief executive, Ron Widdows, says that any acquisition of Hapag-Lloyd would be part of a long term growth strategy and would not necessarily depend on current market conditions in container shipping. As such, NOL is preparing it-

self for a rough ride over the next 18 months or so with pressure on margins really expected to show in the second quarter of this year.

NOL's liner unit APL has cut back its own capacity expansion plans in the face of the slowdown in the industry. Planned capacity growth of around 16% this year has been scaled back to 8-9%. And NOL remains one of the only top liner companies to have no ultra large container tonnage on order. It has opted for tonnage which it believes is more flexible as at present the ultra large vessels can only be deployed on the Asia-Europe trade.

Final Departures

George MacGregor, Book No. 5780. Born in England in 1919. Joined SUP in 1946. Died in Fresno, California, August 9, 2008. (Pensioner)

Raymond Berntsen, Book No. 5130. Born in North Dakota in 1921. Joined SUP in 1946. Died in Vallejo, California, August 4, 2008. (Pensioner)

Chester Williams, Book No. 3615. Born in Tennessee in 1931. Joined SUP in 1968. Died in Hawai'i, August 20, 2008. (Pensioner)

Platforms show sharp difference between Democrats and Republicans

In the wake of the Democratic party and Republican party conventions, both parties' platforms are now available, and they illuminate key differences as the election approaches.

When Senator John McCain accepted the Republican nomination on September 4, he signed on to a platform that tilts far away from working families and toward the corporate interests that have been the beneficiaries of the Bush administration. It stands in contrast to a Democratic platform that reflects Senator Barack Obama's strong commitment to making the economy work for all.

Thea Lee, the AFL-CIO's policy director and a member of the committee that drafted the Democratic platform, said she's very pleased with the platform and the vision it sets out for the country. "I think that this is a strong, unapologetic, pro-worker document. This year, it's clear that the economy is going to be the centerpiece of the election, and the platform lays out a robust and comprehensive pro-worker economic policy.

If you look at the outcome, it's a good set of policies that we can be proud of."

Lee said the Democratic platform shows, in specific language, the steps an Obama administration would take to help working families and strengthen the economy. That includes:

- Passing the Employee Free Choice Act to allow workers the freedom to form unions and bargain without employer intimidation.
- Implementing a trade policy that protects jobs and fights unfair trade practices.
- Ensuring that everyone has access to secure, high-quality health care.
- Making equal pay for women a reality.
- Protecting workers with paid sick leave, overtime protections and prevailing wages.
- Investing in the renewable energy sector, infrastructure, innovations in fuel-

efficient cars and communications technology.

- Preventing privatization of jobs and misclassification of workers.

The Republican platform touches on few, if any, of these issues. Only seven of the platform's 60 pages focus on the economy. With somewhat veiled and very misleading language, it opposes the Employee Free Choice Act. The platform promises to "aggressively" push international trade and calls for Fast Track approval of trade deals without input from Congress. The McCain camp's message on the economy is clear: It's not a top priority, and they won't fight to make sure workers can succeed.

On health care, one of the most important issues facing working families and the U.S. economy, the Republican platform is built on a baffling contradiction. It says "radical restructuring of health care would be unwise," but then lays out a plan for radical changes that would take our health care system in the wrong direction—increasing the power of private insurance companies, leaving millions of families on their own and changing the tax system to raise taxes on those who get health benefits at work.

As scholars, Robert Gordon and James Kvaal point out today at The New Republic, McCain's health care proposal amounts to: "a tax agenda that costs trillions of dollars yet delivers no benefit to tens of millions of middle-class Americans....Before long, nearly all families would be paying higher taxes on their health insurance."

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2008:

	Hdqs.	Branch
October	14*	20
November	10	17
December	8	15

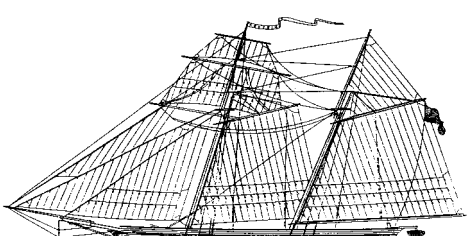
*Tuesday

McCain and the economy

continued from page 1

sis by calling them "whiners".

McCain has done as much as any elected leader in Washington to harm the living standards and futures of working people while building power for corporate interests. He voted against repealing tax breaks that encourage American companies to send jobs overseas and he voted repeatedly for unbalanced trade deals. He voted 19 times against minimum wage increases and he voted against removing hurdles for workers who want to organize unions to win better wages and benefits. Even today he supports making permanent President Bush's tax cuts that give the lion's share of relief to the very wealthy, and he supports cutting corporate taxes by an amount that would give immensely profitable oil companies a tax cut of \$4 billion. McCain's proposed policies differ from the policies of President Bush only in that they are more extreme and irresponsible."



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Published monthly by the Sailors Union of the Pacific (an affiliate of the Seafarers International Union of North America, AFL-CIO), Headquarters, 450 Harrison St., San Francisco, CA 94105. Phone: 415-777-3400. FAX: 415-777-5088. Dispatcher: 415-777-3616. Website: www.sailors.org. Periodicals postage paid at San Francisco. (USPS 675-180). Printed by Howard Quinn Co., a Union shop.

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Philadelphia shipyard wins test case on Jones Act tankers

The Metal Trades Department of the AFL-CIO has lost a lengthy court battle last month to get Aker Philadelphia Shipyard's new product tankers declared unlawful under the Jones Act.

A 40-page ruling by Judge Gene Pratter of the U.S. District Court for the Eastern District of Pennsylvania, has handed a clear victory to the U.S. Coast Guard and the shipyard, declaring that the practice of using equipment modules manufactured abroad but assembled in the United States, is not a violation of the Jones Act. "Although at first blush this dispute may appear to demand diving into the specialized world of naval architecture, ultimately the rigorous grammar lessons of an English teacher provide the ballast for the court's decision," Judge Pratter said in an unusual introduction.

The Metal Trades Department brought the lawsuit last year, after the U.S. Coast Guard rejected an administrative complaint filed against the new ships in 2006.

The Metal Trades legal challenge was based on the premise that the tankers would contain large, foreign-built components. Under the Jones Act, only vessels built in the United States are eligible to operate in U.S. domestic trade. Judge Pratter accepted Aker Philadelphia's submission that vessels can be legally tagged "built in the U.S." as long as their major components of the hull or superstructure are fabricated domestically. Other components may be fabricated elsewhere, but all components must be installed, or added, within the United States. "For the purposes of the economic impact, this case represents the adage that the whole can indeed be greater—or at least more coastwise—than the sum of its parts," Judge Pratter wrote in his order.

The judge also upheld codefendant National Vessel Documentation Center's decision in favor of the Coast Guard that the "macro modules" described by Aker Philadelphia as foreign-built, and disputed by the Metal Trades Department "will not result in a finding that the tanker is not built in the United States." The ruling upholds the U.S. government defendants' submission that "the plain and unambiguous meaning of the Jones Act is that the vessel itself, not every individual part, must be assembled entirely in the United States."

Obama on financial crisis *continued from page 1*

the taxpayer money involved, there can be no blank check.

"Rescue requires mutual responsibility. As taxpayers are asked to take extraordinary steps to protect our financial system, it is only appropriate to expect those institutions that benefit to help protect American homeowners and the American economy. We cannot underwrite continued irresponsibility, where CEOs cash in and our regulators look the other way. We cannot abet and reward the unconscionable practices that triggered this crisis. We have to end them.

"Taxpayers should be protected. This should not be a handout to Wall Street. It should be structured in a way that maximizes the ability of taxpayers to recoup their investment. Going forward, we need to make sure that the institutions that benefit from financial insurance also bear the cost of that insurance.

"Help homeowners stay in their homes. This crisis started with homeowners and they bear the brunt of the nearly unprecedented collapse in

housing prices. We cannot have a plan for Wall Street banks that does not help homeowners stay in their homes and help distressed communities.

"A global response. As I said on September 19, this is a global financial crisis and it requires a global solution. The United States must lead, but we must also insist that other nations, who have a huge stake in the outcome, join us in helping to secure the financial markets.

"Main Street, not just Wall Street. The American people need to know that we feel as great a sense of urgency about the emergency on Main Street as we do the emergency on Wall Street. That is why I call on Senator McCain, President Bush, Republicans and Democrats to join me in supporting an emergency economic plan for working families—a plan that would help folks cope with rising gas and food prices, save one million jobs through rebuilding our schools and roads, help states and cities avoid painful budget cuts and tax increases, help homeowners stay in their homes, and provide retooling assistance to help ensure that the fuel-efficient cars of the future are built in America.

"Build a regulatory structure for the 21st Century. While there is not time in a week to remake our regulatory structure to prevent abuses in the future, we should commit ourselves to the kind of reforms I have been advocating for several years. We need new rules of the road for the 21st Century economy, together with the means and willingness to enforce them.

"The bottom line is that we must change the economic policies that led us down this dangerous path in the first place. For the last eight years, we've had an "on your own-anything goes" philosophy in Washington and on Wall Street that lavished tax cuts on the wealthy and big corporations; that viewed even common-sense regulation and oversight as unwise and unnecessary; and that shredded consumer protections and loosened the rules of the road. Ordinary Americans are now paying the price. The events of this week have rendered a final verdict on that failed philosophy, and it is a philosophy I will end as President of the United States."

Kudos for the SUP gang from President Adams skipper

SUP President Gunnar Lundeberg received the following email from Captain Dennis Carney, Master of APL's *m/v President Adams*:

On August 29, 2008, the *President Adams* transited the pirate infested waters of the Gulf of Aden. At approximately 1814, Coalition warships in the area issued a Security alert to all vessels that the motor tanker *Bunga Melati 5* was under attack by pirates in a position approximately 14 nautical miles off the coast of Yemen. About an hour later Coalition warships in the area advised all shipping that the *Bunga Melati 5* was under the control of the pirates. We learned the following day that the *Bunga Melati 5*, carrying 30,000 tons of petrochemicals with a crew of 41, had been hijacked to Somalia. The Coalition warships had been unable to prevent the attack or to rescue the ship and its crew even though it had to pass through a security corridor patrolled by the Coalition to reach Somalia.

It is the practice of the *President Adams* to maintain a three man underway security watch when transiting the Gulf of Aden during the hours from sunset to sunrise. We post a lookout on the stern with a hand radio with orders to report to the bridge any approaching small boats. Should they approach the ship with intentions of boarding, the lookout goes to the starboard tunnel, the only exterior door open on the ship, closes the water-

tight door and inserts a pinch bar in the wheel. He then locks the inside security door, throws on the stern lights and proceeds safely through the tunnel to the bridge. There were many reports of small boats harrowing merchant shipping during our transit of the Gulf of Aden. The events of August 29, make it evident that merchant ships are pretty much on their own and must rely on themselves to avoid being attacked and hijacked. The best way to do this is to remain ever watchful and the stern lookout is an integral part of our first line of defense. I would like to acknowledge the following SUP sailors presently aboard the *President Adams* for the fine job they did maintaining a lonely and vigilant watch throughout that long night in the Gulf of Aden: Charles Duke (Bosun); David Sylstra (Delegate); Steven Thompson; Jose Angeles; Rodelio Santos; and Dave Munroe.

The entire crew of the *President Adams* takes security very seriously but special thanks are in order for the SUP sailors who maintain shipboard security in port when gangway guards are not available or are inadequate and at sea by standing underway security watches when needed. The professional manner in which they carried out their duties is a credit to them and your Union. Job well done.

Respectfully submitted,
Dennis Carney, Master
M/V President Adams

Wall Street Journal columnist takes on corporate "hypocrisy" over Employee Free Choice Act

Workers and supporters argue that the Employee Free Choice Act is necessary to balance the coercive tactics employers use to thwart employees' freedom to form Unions and bargain. Now comes support for that argument from the bastion of pro-business journalism, *The Wall Street Journal*.

Writing in the September 4 *Journal*, columnist Thomas Frank calls the Chamber of Commerce's and corporations' "venomous backlash" against the Employee Free Choice Act one of the "yawning hypocrisies that make up the very substance of political life."

America's workers have made passage of the legislation an issue in the 2008 election. If enacted, the Employee Free Choice Act would allow workers to decide freely how they want to choose a Union, including signing Union cards—a method known as "majority sign-up."

Across the country, heavily funded corporate front groups, such as the so-called Center for Union Facts, the Employee Freedom Action Committee and the Coalition for a Democratic Workplace, are running ads that attack congressional candidates who support the bill.

Frank says the corporate arguments against majority sign-up, claiming concern for workplace democracy, don't hold up. "But why stop there? The business community has opportunities every day to stand up for a "democratic workplace." Why don't the Chamber's member companies just let their workers vote whenever management wants to increase the deductible on their health insurance? Why doesn't the Employee Freedom Action Committee run indignant TV commercials every time a company moves a factory overseas without first consulting its work force? The answer,

of course, is that most workplaces aren't democracies at all. They are dictatorships, of varying degrees of benevolence. Nor do most big employers really have anything against intimidation and coercion during elections. These are the everyday tools of what is politely called "Union avoidance," and companies routinely use them when their employees try to organize: threats to move the operation abroad if the Union wins the election, compulsory meetings to listen to anti-Union propaganda, termination for select pro-Union employees."

He cites the findings in a 2000 study written by Kate Bronfenbrenner of Cornell University and submitted it to the U.S. Trade Deficit Review Commission: In 51% of Union organizing drives, management made some sort of threat to close its operation down if the Union won the election; 92% of companies facing Union elections made employees attend "captive audience meetings;" 67% had employees attend weekly "supervisor one-on-one" meetings; 70% sent out "anti-Union letters;" and more than 50% showed "anti-Union videos."

Says Frank: "If American business was its own country, it would probably come in for [human rights] sanctions from the State Department."

This business animus toward Unions also threatens the future of the middle class, Frank declares: "It's more than the hypocrisy that should concern us, and it's even more than the ongoing violation of people's rights, human or civil. The destruction of the labor movement by tactics like these is a big part of the reason why wage-earners no longer rise as the economy grows, and why some day soon we will speak of the great middle-class nation in the past tense."

Timely Reminder

Fourth quarter 2008
dues are due
and payable now!

SUP Constitution ARTICLE VI DUES AND INITIATION FEE

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

The initial installment of One Hundred Fifty Dollars (\$150.00) shall accompany the application of membership and the dues shall be One Hundred Fifty Dollars (\$150.00) per quarter, payable in advance.

Piracy: Flag of inconvenience

We all know exactly which profession it is that is widely said to be the world's oldest, and none of us would wish our daughters to take it up. But piracy probably has fair claim to the number two slot. However, most of the general public do think of it as being an issue from the long-distant past.

While it is very much a present day problem, piracy is certainly well established as a crime. In fact, the oldest record we have goes back to the second millennium BC, with the frequent maritime robberies perpetrated by a bunch that have gone down in history as the Sea Peoples.

The Sea Peoples, historians think, were a loosely-organized confederacy that sailed the Eastern Mediterranean and Aegean in the late Bronze Age 33 centuries ago, generally fomenting unrest and trying their hand at taking over Egypt. Modern scholars are not exactly sure who they were.

By the time we get to classical antiquity, the Tyrrhenians and the Thracians were both known to be partial to piracy. By the first century BC, pirate states had sprung up along the coast of Anatolia, and their ships took their toll on Roman commerce.

In 75 BC, Julius Caesar was kidnapped by Cilician pirates and held prisoner on the Dodecanese island of Pharmacusa. Even one of the greatest men in history, it seems, could be treated like hundreds of ordinary seafarers are in today's Somalia. The ransom demanded was initially 20 talents of gold, a sum which seems to have offended the future emperor. Surely, he argued, he had to be worth 50 talents? So the pirates promptly raised the price tag. After the money was paid and Caesar released, he immediately raised a fleet, pursued and captured the pirates, and imprisoned them in Pergamon. But the governor of Asia refused to execute them as Caesar demanded, preferring to sell them as slaves. So Caesar had them crucified on his own authority, an outcome designed to have a deterrent effect on others.

Yet piracy continued to be a problem. So the Roman Senate, in 67 BC, invested Pompey with powers to deal with the threat, in the shape of the Lex Gabinia, the world's first written anti-piracy law. Perhaps this can be thought of as the ancient world's equivalent to the United Nations Security Council resolution on piracy earlier this year. The Romans were not people to do things by half. Realizing that many of the pirates were based in Illyria —basically that bit of the Balkans that until recently went by the name of Yugoslavia— they invaded and conquered the place, turning it into a directly-governed province.

Next up as a threat were the Goth pirates of the third century AD. They are known have raided modern-day Turkey, Cyprus and Crete, seizing huge hauls of booty and taking thousands of captives.

Britain's first involvement in this story came in 286, when Carausius was appointed as commander of the branch of the Roman navy, the Classis Britannica, and was tasked with taking on Frankish and Saxon pirates by any means necessary. Unconstrained by the need to observe International Maritime Organization regulations or other diplomatic niceties, his no-nonsense approach certainly got results. But not all his methods were commendable. Sometimes, it appears, he demanded a hefty cut of the cargo before returning the goods on a vessel to

their rightful owners. Moreover, he soon got ideas above his station, after usurping power and unilaterally declaring himself emperor of Britain and northern Gaul.

Some of history's most famous pirates were, of course, the Vikings. Basically they considered most of western Europe as fair game for a spot of rape, loot and pillage, and even made it as far as the Black Sea and Persia.

Back in the Balkans, a Slavic tribe known as the Narentines revived the habits of the Illyrians and from the seventh to the eleventh centuries terrorized the Adriatic, particularly when the Venetian navy was otherwise engaged. Interestingly, they also gave the Vikings a taste of their own medicine, being the only pirates to raid Scandinavia.

Meanwhile, in England during the reign of Henry III, a man by the name of William Maurice became in 1241 the first person known to have been hung, drawn and quartered, with the punishment meted out expressly for piracy offences.

The Greeks —or at least the Maniots, as inhabitants of the Mani peninsula in the southern Peloponnese are known— get in on the act at around this time, too. Given that their land was traditionally poor, piracy was seen as a legitimate line of business. These days their major source of income is tourism.

So far, this account has been markedly eurocentric. But piracy, naturally, also prevailed in other parts of the world. The early Polynesians were prime exponents, while the Haida and Tlingit tribes of southern Alaska and British Columbia mounted raids as far south as California. The coastal cities of western India were also home to pirate bands, especially the Marathas, who thrived between Mumbai and Goa in the eighteenth century and insisted that East India Company vessels pay a tax for passing through their waters. Today's Indonesian pirates are carrying on a tradition that goes back centuries, while Japanese and Chinese pirates were once widespread throughout East Asia, often running protection rackets to extort money from coastal communities.

Yet it was the Europeans —as they began to circumnavigate the globe— that really internationalized the piracy phenomenon. Some even founded pirate colonies. The most famous of them was Libertatia, an anarchist pirate commune under workers' control, situated in northern Madagascar in the 1690s. Under the white flag instead of the Jolly Roger, they waged relentless maritime class war on states and lawmakers of all stripes, attacking ships, sparing prisoners and freeing slaves. The only snag is, it is not 100% certain that it is true. While there is some contemporary documentation, it is possible that the accounts were fabricated.

History also tells us of the Black Sea pirate republic of Zaporizhian Sich, populated from the sixteenth to eighteenth centuries by Ukrainian peasants that had runaway from their feudal lords, escapee Turkish galley slaves, destitute gentry and outlaws of every description.

The Barbary Coast which included ports such as Tunis, Tripoli and Algiers served as a base for pirates from the days of the Crusades until about 200 years ago. On some estimates, they seized over a million Europeans to be sold into slavery in North Africa and the Ottoman Empire. Their leaders included the famous Barbarossa.

The Caribbean constitutes the most famous pirate stomping grounds, particu-

larly from about the 1560s to the 1720s. The name of the game, for many British, French and Dutch pirates, was to relieve the Spaniards of some of the vast amounts of gold and silver they were extracting from the New World. Famous names in this connection include Blackbeard and Henry Morgan.

By the early modern period, it was even possible to get a state licence to plunder ships of enemy nations. Holders of such official permission were known as privateers or corsairs. For example, the constitution of the United States specifically authorized Congress to issue letters of marque and reprisal. Letters of marque were recognized by international convention, and holders could not be charged with piracy for going about his lawful business. The legal nuances did not always save those captured from summary execution. The practice was only finally outlawed by the Declaration of Paris in 1856.

One of the purposes of studying history, of course, is to look at the lessons for the present day, and there are a number to be

drawn here. For a start, it is revealing to consider the longevity of the problem. We have had pirates for as long as we have had international maritime trade. Neither carrot nor brutal stick —from military invasion to the death penalty— has eradicated the problem. Pirates have controlled plenty of states, too. So what we are seeing in Somalia right now is actually not particularly historically novel.

Piracy has been one of the historical drivers in the development of modern navies. If naval assets are now once again likely to become involved in anti-piracy duties and we can see that happening with the coalition declaring a Maritime Security Patrol Area off Somalia recently this is in a very real sense a reversion historical type. Moreover, piracy has been a feature of all cultures, all over the world. Europeans might have outgrown such behavior now, but largely because easier and more lucrative opportunities are available to the criminally inclined. Poorer parts of the world are likely to follow suit once their inhabitants secure a decent standard of living.

Acts of piracy this month

September 15:

The 2,269 dwt chemical tanker *Stolt Valor*, with 22 crew onboard was seized by pirates on September 15. The 2003-built, Hong Kong-flagged vessel, which is on time charter to Stolt Tankers, was heading south through the Gulf of Aden towards Asia when it was boarded and hijacked.

The hijacking occurred just hours before 30 French special forces men from the Commandement des Operations Speciales stormed the yacht *Carre D'as* before dawn on September 16, to free two French tourists, who had been held by pirates after their 16 meters long sailing vessel was hijacked on September 2. One pirate was killed and six others were taken prisoner during the rescue.

Stolt Valor which was on a voyage from the United States is managed by Hong Kong's Fleet Management. Fleet said all the crew were reported to be safe, which is comprised of 18 Indians, including the masters, two Filipinos, one Russian and one seafarer from Bangladesh. After she was hijacked, the vessel was headed to Eyl, a stronghold for pirates operating from Somalia.

The International Maritime Bureau said the *Stolt Valor* is the tenth ship now held by pirates operating from Somalia. A dozen ships have been hijacked in the Gulf of Aden since July 20.

September 18:

The 19,500 dwt bulk carrier *Centauri*, crewed by 26 Filipinos, was attacked by pirates aboard a speed boat armed with rocket launchers. The vessel was not captured.

September 21:

Capt. Stephanos was seized by pirates in the Gulf of Aden on September 21. A spokesman at the Philippines Foreign Affairs Department said the ship, owned by Chartworld Charterwell Maritime, has 17 Filipinos, one Chinese and one Ukrainian onboard. So far there has been no word about the condition of the crew. The 74,000 dwt *Capt. Stephanos* was carrying a full cargo of coal when it was attacked 250 nautical miles from the Somali coast.

California's "Do Not Patronize" list

The following firms have been identified by the California Labor Federation, AFL-CIO as unfair employers and adversaries of the labor movement. All trade Unionists and friends of organized labor are urged not to patronize businesses listed below:

Law Firms and Consultants

Marchese and Assoc. Reputation, LLC
1375 Sutter St., Suite 330, San Francisco
Ziegler and Associates
1215 K Street, Suite 1170, Sacramento

Restaurants and Hotels

Mariani's Inn and Restaurant
2500 El Camino Real, Santa Clara
De Anza Hotel
233 W. Santa Clara St., San Jose
Emeryville Woodfin Suites Hotel
5800 Shellmound, Emeryville

Retailers

Farmer Joe's Marketplace
3501 MacArthur Blvd., Oakland
Future Ford
2285 Diamond Blvd., Concord
Wal-Mart, Sam's Club, K-Mart
All locations statewide

Other Vendors

Hornblowers Cruises
San Francisco, Los Angeles and San Diego
ABC Security
1840 Embarcadero, Oakland
Alta Dena Foods
17637 Valley Road, City of Industry
Valley Power, Inc.
1755 Adams Avenue, San Leandro

Transportation Worker Identification Credential (TWIC) Enrollment Centers as of September 2008

You can pre-enroll online at www.tsa.gov/twic or call 1-866-347-8942. The enrollment process requires applicants to visit an enrollment center to provide biographic information, sign a disclosure form, provide the neces-

sary identity verification documents, provide a complete set of fingerprints, sit for a digital photograph and pay the enrollment fee. For a complete list of disqualifying crimes and offenses, visit www.tsa.gov/twic.

<p>Alabama Tenn. Valley Trng. Ctr. 115 Woodall Rd. Ste. 105</p> <p>Decatur 250 North Water St.</p> <p>Mobile</p> <p>Alaska 619 E Ship Creek Ave.</p> <p>Anchorage Native Village of Eyak 110 Nicholoff Way</p> <p>Cordova 3200 Hospital Dr. #202</p> <p>Juneau KPD Shelikof, 405 Marine Way</p> <p>Kodiak 50097 Kenai Spur</p> <p>Nikiski 223 Harbor Way</p> <p>Petersburg Harrigan Hall, 330 Harbor Dr.</p> <p>Sitka 501 E. Bremner St.</p> <p>Valdez Wrangell Harbor Ofc. Shakes St.</p> <p>Wrangell</p> <p>American Samoa Clarion Tradewinds Hotel Main Road, Ottoville</p> <p>Pago Pago</p> <p>Arkansas 2005 E 17th St.</p> <p>Little Rock</p> <p>California 2050 Park Road</p> <p>Benicia 301 E. Ocean Blvd. Ste. 500</p> <p>Long Beach 2000 Marina Vista Dr.</p> <p>Martinez 1830 Embarcadero Ave. #104</p> <p>Oakland Oakland Maritime Support Svcs. 11 Burma Rd.</p> <p>Oakland 2102 W. Vineyard Ave.</p> <p>Oxnard 13201 San Pablo Ave. #300</p> <p>Richmond 1025 W. Laurel St. Ste. 103</p> <p>San Diego 1900 Bendixsen St. Bldg 12</p> <p>Samoa 500 Sansome St. Ste. 202</p> <p>San Francisco 1931 North Gaffey St. Ste. B</p> <p>San Pedro 17 Fyffe St.</p> <p>Stockton 1401 Halyard Dr.</p> <p>West Sacramento</p> <p>Connecticut 850 Grand Ave.</p> <p>New Haven 75 Crystal Ave.</p> <p>New London</p>	<p>300 Long Beach Blvd #2A</p> <p>Stratford</p> <p>Delaware 102 Quigley Blvd.</p> <p>New Castle 1 Hausel Road</p> <p>Wilmington</p> <p>Florida Port Everglades Badging Ofc. 1030 Taylor Rd.</p> <p>Dania Beach 955 Tallyrand Ave.</p> <p>Jacksonville Habana Plaza (rear) 3125 Riviera Dr.</p> <p>Key West 975 North America Way</p> <p>Miami Manatee County, Port Auth. 3604 Reeder Rd.</p> <p>Palmetto 707 Mullet Road, Stes. 117/118</p> <p>Port Canaveral 2051 Dr. Martin King, Jr. Blvd. Ste. 303</p> <p>Riviera Beach 2604 E. 7th Ave.</p> <p>Tampa</p> <p>Georgia Georgia Power Plant McManus 1 Crispin Island Dr.</p> <p>Brunswick 5214 Augusta Rd.</p> <p>Garden City</p> <p>Guam Hose D. Leon Guerrero Commercial Port #201 1026 Tabras Highway</p> <p>Piti</p> <p>Hawai'i Kahului Shopping Center 65 W. Kaahumanu Ave. Unit 14</p> <p>Kahului, Maui 970 Kele St., Ste. 102</p> <p>Lihue, Kauai Hilo Hawaiian Hotel 71 Banyan Dr.</p> <p>Hilo 1347 Kapiolani Blvd. Ste. 204</p> <p>Honolulu</p> <p>Illinois 8741 South Greenwood Dixon Building</p> <p>Chicago 111 W. Washington St. Ste. 346</p> <p>East Peoria 1635 W. First St.</p> <p>Granite City Three Rivers Safety Council 1615 W. Jefferson St. Ste. TWIC</p> <p>Joliet</p> <p>Indiana 4849 University Dr.</p> <p>Evansville 200 Russell St. Ste. 110</p> <p>Hammond</p>	<p>3602 Northgate Ct. Ste. 37C</p> <p>New Albany</p> <p>Kansas Commerce Plaza 1, 7th Flr. 7300 West 110th St.</p> <p>Overland Park</p> <p>Kentucky 322 Harrison Ave.</p> <p>Paducah</p> <p>Louisiana Safety Council for Louisiana Capital Area, 8180 Siegen Ln.</p> <p>Baton Rouge 1300 N. Bertrand Dr. #306</p> <p>Lafayette 1340 W. Tunnel Blvd. Ste. 550</p> <p>Houma 700 W. McNeese St.</p> <p>Lake Charles LaPlace Shopping Center 1933 West Airline Hwy.</p> <p>LaPlace 512 Roderick St.</p> <p>Morgan City Port Fourchon Harbor Police 108 A.O. Rappelet Road</p> <p>Port Fourchon 170 James Dr. E. Ste. 104</p> <p>St. Rose</p> <p>Maine 163 Hildreth St. North</p> <p>Bangor 236 Oxford St. Ste. 12</p> <p>Portland</p> <p>Maryland 2200 Broening Hwy., Ste. 220</p> <p>Baltimore 213 W. Main St. Ste. 204C</p> <p>Salisbury 3225 Old Washington Rd. Ste. 2106</p> <p>Waldorf</p> <p>Massachusetts 28 Damrell St. Ste. 104</p> <p>Boston 300 Tremont Street, Unit #5</p> <p>Carver</p> <p>Michigan 200 W. Erie St., Ste. 1</p> <p>Calcite Delray Mechanical 667 S. Post St.</p> <p>Detroit 906 Ludington St., Ste. 1</p> <p>Escanaba 863 North Pine Rd.</p> <p>Essexville 430 S. Water St.</p> <p>Marine City Old City Hall Bldg. 220 W Washington St. Ste. 120</p> <p>Marquette 800 E. Ellis Rd. Ste. 122</p> <p>Norton Shores Amer. Inn of Silver City 120 Lincoln Ave.</p> <p>Ontonagon 115 N. First Ave.</p> <p>Presque Isle 511 Ashmun St.</p> <p>Sault Ste. Marie</p>	<p>396 N. State St.</p> <p>St. Ignace</p> <p>1020 Hastings St., Ste. 105</p> <p>Traverse City</p> <p>Minnesota 1310 Port Terminal Rd.</p> <p>Duluth-Superior Holiday Inn, 1500 Hwy. 71</p> <p>International Falls 34 13th Ave., NE</p> <p>Minneapolis 2161 University Ave.</p> <p>St. Paul</p> <p>Mississippi 800 Dr. Martin Luther King, Jr. Blvd.</p> <p>Greenville 1223 30th Ave.</p> <p>Gulfport Ergon Refining 227 Industrial Dr.</p> <p>Vicksburg</p> <p>New Hampshire 30 Mirona Rd.</p> <p>Portsmouth</p> <p>New Jersey 33 Wood Ave. S, Ste. 665</p> <p>Iselin Quality Inn Conf. Center 531 Route 38 W</p> <p>Maple Shade 89 Beuning Street, Ste. G</p> <p>South Hackensack 400 Grove Rd.</p> <p>Thorofare</p> <p>New York 102 Smith Boulevard</p> <p>Albany 2680 Grand Island Blvd. Ste. 9</p> <p>Grand Island Sheraton Long Island 110 Motor Parkway</p> <p>Hauppauge 178 W. Hoffman Ave.</p> <p>Lindenhurst Whitehall Ferry Terminal 4 South St., Room 210</p> <p>New York One East 2nd St.</p> <p>Oswego 800 West Ave., Ste. 323</p> <p>Rochester 700 Hummel Ave.</p> <p>Southold Howland Hook Marine Term. 241 Western Ave.</p> <p>Staten Island</p> <p>North Carolina 311 Atlantic Beach Causeway</p> <p>Atlantic Beach 5704 Oleander Dr. Ste. 107</p> <p>Wilmington</p> <p>Ohio 4830 State Rd.</p> <p>Ashtabula 8044 Montgomery Rd. Stes. 754/755</p> <p>Cincinnati 3100 E 45th St., Ste. 226</p> <p>Cleveland</p>	<p>401 Broadway Ave. #D, Ofc. B</p> <p>Lorain 444 W. Perkins Ave. Ste. 102</p> <p>Sandusky Star Center One Maritime Pl. 720 Water St.</p> <p>Toledo</p> <p>Oklahoma 5350 Cimarron Rd.</p> <p>Catoosa</p> <p>Oregon 400 Virginia Ave. Ste. 112</p> <p>Coos Bay 7025 North Lombard Ste. 100</p> <p>Portland</p> <p>Pennsylvania 50 West Powhattan Ave.</p> <p>Chester 1723 Woodbourne Rd.</p> <p>Levittown 601 Upland Ave. Ste. 120D</p> <p>Marcus Hook Philadelphia Regional Port 3460 N Delaware Ave.</p> <p>Philadelphia 701 North Point Dr. Ste. 104</p> <p>Pittsburgh</p> <p>Puerto Rico Prima Piso, Salon de Conf. Ave., Santiago de los Caballeros final, Edificio Turismo</p> <p>Playa Ponce Navy Frontier Base Ste. 1 408 Ave. Fernandez Juncos</p> <p>San Juan</p> <p>Rhode Island 17 Virginia Ave. Ste. 105</p> <p>Providence</p> <p>Saipan CTSA Plaza Beach Road, Garapan</p> <p>South Carolina 4600 Goer Dr., Ste. 112</p> <p>North Charleston</p> <p>Tennessee 5959 Shallowford Rd. Ste. 427</p> <p>Chattanooga 3865 Viscount Ave. Ste. 2</p> <p>Memphis 3200 West End Ave. Ste. 510</p> <p>Nashville</p> <p>Texas Ford Conv. Ctr Tyler Room 5155 IH-10 So.</p> <p>Beaumont 1000 Foust Rd.</p> <p>Brownsville 7433 Leopard St.</p> <p>Corpus Christi 6000 Broadway Ste. 103</p> <p>Galveston</p>	<p>West Gulf Maritime Assoc. 1717 Turning Basin</p> <p>Houston Gulf Gate, Ste. 314 2900 Woodridge Dr.</p> <p>Houston 621 W. Main St.</p> <p>LaPorte Brazos Mall, Ste. 1039 100 Hwy 322 West</p> <p>Lake Jackson 3800 Highway 365 Ste. 123</p> <p>Port Arthur 411 West Main St.</p> <p>Port LaVaca 301 Highway 146 N.</p> <p>Texas City 1750 FM 1432</p> <p>Victoria</p> <p>Vermont 145 Pine Haven Shores Rd.</p> <p>Shelburne</p> <p>Virginia 814 Greenbrier Cir. Ste. F</p> <p>Chesapeake 11815 Fountain Way Ste. 300 Rm 359</p> <p>Newport News</p> <p>Washington 8327 Summit Park Rd., Ste.D</p> <p>Anacortes Port of Everett Marina Marina Conf. Ctr. 404 14th St.</p> <p>Everett Red Lion Hotel 510 Kelso Dr.</p> <p>Kelso Read Lion Hotel Rm 2110 2515 N. 20th Ave.</p> <p>Pasco Fraternal Order of Eagles AERIE #1 205 Carson Ave. S.</p> <p>Seattle 5009 Pacific Hwy. E Ste. 17 Fife Business Park</p> <p>Tacoma 1421 SW Tech Ctr. Dr. Rm. 114/116</p> <p>Vancouver 33rd Place Bldg. Ste. 107 3305 Main St.</p> <p>Vancouver</p> <p>West Virginia Tri-State Fire Academy 4200 Ohio River Rd.</p> <p>Huntington</p> <p>Wisconsin 425 South Military Ave.</p> <p>Green Bay 3073 South Chase Ave. Ste. 620 Bldg. 28 Fl. 1</p> <p>Milwaukee</p> <p>Virgin Islands 8000 Niksy Ctr, #202a</p> <p>Charlotte Amalie Renaissance Park Estate Anguilla</p> <p>Kingshill</p>
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ESU Office Assignments

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



Official Publication of the Exxon Seamen's Union

SeaRiver to assist employees impacted by hurricane

Shortly after Hurricanes Ike and Gustav swept ashore in Texas and Louisiana, SeaRiver announced a plan to help those employees who were severely impacted by the storm. The Company is offering to advance up to two months salary (up to a maximum of \$15,000) to be repaid by payroll deduction for up to 24 months with no interest. A promissory note available from the office explains the eligibility requirements and must be executed prior to disbursement of any funds. The loan is tax exempt if you attest in writing, using the promissory note, that the proceeds of the loan will be used to pay personal family expenses incurred as a result of the natural disaster, including property losses (such as residence, home furnishings, vehicles etc.) or living expenses, but excluding any expenses reimbursed through insurance. It is important to note that if the loan is greater than \$10,000 and it is non tax-exempt, one will owe taxes on the imputed income resulting from the loan. There is no tax impact if the loan is less than or equal to \$10,000 or the loan is greater than \$10,000 and it is for tax exempt use. To determine if a loan will be taxable or tax exempt and to obtain a promissory note and more information contact either Fleet Manning or Chris Matteson in Human Resources at 713-656-2746.

Higher ground transportation rates now in effect

Effective with the implementation of our new Contract the rate for local transportation increased to \$30 automatically and up to \$75 if receipts are submitted for expenses exceeding \$30.

Ground transportation is addressed in Article IX, Section 4 of our Contract which states that in most circumstances a member will receive a single payment of \$30 or a reimbursement of up to \$75 for local transportation between his or her home and the airport. No payments are due however if the employee chooses to use company provided transportation.

Paragraphs A and B of Article IX refer to the most common situation which is, when a member is joining or departing a vessel that is located outside his or her home base. In these situations the member will receive \$30 for transportation from his or her door step to the airport nearest his or her home when joining a ship and \$30 for transportation from the airport to his or her home when returning from a ship. In cases where transportation costs exceed \$30, a member is entitled to submit receipts for reimbursement up to \$75. This reimbursement provision is most commonly used when one takes a taxi or a shuttle to the airport but may also be used when a personal vehicle is used if the mileage rate is greater than \$30. These payments are also applicable when travelling between the vessel and the airport but in most cases the company provides this transportation via a service such as DavEl, Fife Transport or Moran. Members are allowed to "opt out" of the company provided service when going home, however, and if they do, are entitled to receive \$30 via payroll. This provision is useful for those members who do not wish to go directly to the airport when leaving the ship. The Contract also provides that if the company provided transportation is unavailable within one (1) hour after the requested time of departure from the ship, a member can arrange for his or her own transportation and be eligible to be reimbursed up to

\$75 with receipts.

Article VII, Section 2B states that when traveling home to paid leave from a vessel at any time of the day the employee is also entitled to the new dinner subsistence rate of \$22 in cash from the Captain. This is an increase of \$2 over the previous rate and is in addition to any ground transportation monies which are paid via payroll.

The automatic \$30 ground transportation payments are taxable and paid via payroll. They are listed as "Marine Misc Pay" in the payments section on the upper left hand side of our pay vouchers. Reimbursements however, are non taxable but will also be paid via payroll and listed as "Marine Misc Pay" on our pay vouchers.

When submitting receipts for reimbursement the accepted procedure is to notify Fleet Manning prior to traveling to or from the vessel. Reimbursements will not be posted to payroll until Fleet Manning has received all verifying receipts. In the event an individual does not inform Fleet Manning prior to travel and a \$30 reimbursement is paid via the payroll system, only the remainder of the payment (up to \$75) will be paid as a non-taxable reimbursement. Reimbursements will only be paid with verifying documentation; phone calls and individual statements will not be accepted. Members are responsible for mailing the receipts to Fleet Manning but may request that the Master forward them via company mail.

Three-year contract signed

On September 9, the ESU Executive Board met with SeaRiver management in Galveston, Texas, to sign and review the changes to the new Collective Bargaining Agreement which were approved by the membership in the recent MOU ratification vote. A final review of the changes is necessary before the new contract books can be printed and distributed to the membership. Upon completion of the review, the ESU and management formally signed the new three-year contract. The ESU will try to get temporary photocopied versions of the new contract to all Ship Representatives by the end of September. We expect the permanent printed and spiral bound contract books to be ready within the next couple of months.

Seabrook ESU office flooded by Hurricane Ike

Hurricane Ike swept into the Houston-Galveston area on the night of September 12, causing severe damage to the ESU Seabrook office. Two days before the storm, ESU Vice President John Straley, who was assigned to the office was notified that a mandatory evacuation order was in effect. He secured the building as best he could, loaded up our computers and electronic gear and whatever else he could fit into the union sedan and evacuated to Waco, Texas.

Reports from the area indicate that the storm caused extensive damage. As of press time the authorities had not given the go ahead for anyone to return to Seabrook and we expect that it will be at least a day or two before people are allowed to return. The power is out and there is no clean drinking water. Amazingly enough, the next day a television news channel aired a report from the base of the bridge to Kemah, Texas on Highway 146, which is nearly directly in front of our office. The pictures showed extensive flooding and damage to all the buildings in the vicinity. Most significantly the pictures showed our office sitting in approximately four feet of standing salt water. Since these pictures were taken hours after the height of the storm surge we assume the water level in the building was much higher the night before.

John has not been able to get back to see the damage first hand but we assume

that the office will be a total loss. Luckily, the ESU keeps nearly all our important records, including personnel, financial and ongoing issue information on our computer hard drives and on data storage devices. John took all these items with him to Waco and the computer equipment was saved and the records preserved. We expect, however, that our office furniture, reference books and paper files will for the most part be lost. Just as soon as is practicable John will return to Seabrook to assess the damage first hand and to speak with our landlords and the authorities to determine when we might be able to get back to normal.

We also do not know as of yet the status of our apartment in Seabrook but since it is a second floor apartment and the windows were fairly well protected we are hoping that it sustained only minor damage. Being that there will be no power or clean water in Seabrook for an unknown period of time we are not sure when we will be able to move back in. In the meantime we ask all members to direct their calls and mail to the Benicia office and try to limit them to important business only. Once the Seabrook apartment is livable again we will temporarily do our Gulf Coast business out of there until we can find and rent a new permanent office. We will keep the membership informed as things develop.

ESU looking for candidates

As reported in last month's edition of the *ESU News*, elections for the two new Executive Board positions of Board Member at Large as well as the Ship Rep. positions on the *Baytown*, *Sierra*, *Kodiak* and *Wilmington* will begin in late October. As of press time the ESU Seabrook office has received nomination forms from the incumbents Joe Bernavich on the *Baytown*, Thor Floreen on the *Sierra* and Tim Williams on the *Kodiak*. On the *Wilmington* we have nomination forms from both Aaron Rathbun and Jeff Harris. We have received no nomination forms from anyone for either of the two Board Member at Large positions and we are actively seeking candidates to fill those positions.

The Executive Board Member at Large positions were created by the recent changes to the Constitution and By Laws which call for the offices of President and

Recording Secretary to be combined into the single new position of President/Recording Secretary and for the Vice President and Secretary Treasurer offices to be combined into the single new position of Vice President/Treasurer. The Board Members at Large were added to make up for the two positions that were lost when the previous four positions were combined into two. The Board Members at Large will be assigned to the fleet similar to the department trustees, but unlike the trustees, can come from any department. They will also serve on the Union negotiating committee thus maintaining the Union's seven member negotiating strength and can fill in for the President/Recording Secretary or the Vice President/Treasurer in the event of illness or disability. They will attend the bi-annual Ship Rep. meetings and all meetings where the entire ESU Board is convened.

Nomination forms for the Ship Rep. positions are due into the Seabrook office by October 1, and require 15 signatures from members in good standing. The forms for Board Member at Large are due October 21 (60 days from when the Contract passed) and require 25 signatures. We strongly urge anyone interested to run. Candidates will find that serving the Union provides an enormous amount of self-satisfaction from assisting fellow members.

ESU News

Review of Weingarten Rights during investigatory interviews

A vital function of a Union steward (who is the Ship Representative on our ships) is to prevent management from intimidating employees. Nowhere is this more important than in closed-door meetings when supervisors attempt to induce employees to confess to mistakes or wrongdoing.

The National Labor Relations Act gives employees the right to assistance from union representatives during investigatory interviews. Although not explicit in the Act, the right was declared by the U.S. Supreme Court in 1975 in *NLRB v. J. Weingarten, Inc.* The rules the Court announced are known today as Weingarten rights. The ESU strongly encourages members to assert their Weingarten rights should the situation arise regarding investigative interviews. An investigatory interview occurs when management questions an employee to obtain information or when the employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says.

The presence of a Union representative can help in many ways:

- The Ship Rep. can serve as a witness to prevent supervisors from giving a false account of the conversation.
- The Ship Rep. can object to intimidating tactics or confusing questions.
- The Ship Rep. can, when appropriate, advise an employee against blindly denying everything, thereby giving the appearance of dishonesty and guilt.
- The Ship Rep. can help an employee to avoid making fatal admissions.
- The Ship Rep. can warn an employee against losing his or her temper.
- The Ship Rep. can raise extenuating factors.

The employee may request union representation before or during the interview. After the request, the employer must choose from among three options: 1) Grant the request and delay questioning until the union representative arrives; 2) Deny the request and end the interview immediately; or 3) Give the employee a choice of: a) having the interview without representation (usually a mistake) or b) ending the interview.

If the employer denies the request for union representation, and questions the employee, it commits an unfair labor practice and the employee may refuse to answer.

Final Departure

Darrell Jones

The ESU was saddened to learn that Mr. Darrell Jones, 53, of Port Arthur, Texas, passed away on August 29, 2008. Darrell, who was an ardent supporter of the ESU throughout his career, sailed as Fleet Chef on our ships and will be remembered as a good friend and shipmate. Mr. Jones retired from SeaRiver due to a disability on September 1, 2003 with 19 years of service. We extend our heartfelt condolences to Darrell's family.

Ship reports

S/R American Progress

The vessel has experienced loading delays and a change to her load port due to Hurricane Ike. After waiting out the hurricane in the Bay of Campeche the vessel received orders to load in New York for discharge in Ft. Lauderdale. Ed Stoeckel is filling in as Temporary Ship Rep. and reports that other than rough weather all is well.

S/R Baytown

Following her recent CAIP survey in Norfolk (see photo) the vessel loaded mogas in New York for delivery to Ft. Lauderdale. Ship Rep. Joe Bernavich stays in frequent contact with the ESU office. A recurrent question on the *Baytown* as well as other vessels is, "When is the internet and e-mail going to become operational for the unlicensed?" Please refer to the article in this month's edition of the *ESU News*.

Kodiak

The *Kodiak* continues in her Valdez to Puget Sound trade. Regular Ship Rep. Tim Williams is aboard and reports no beefs. The *Kodiak* departed her usual Puget Sound run for to at call the Richmond Long Wharf in San Francisco Bay recently. She was due in around September 19 and will be visited by a Board Officer when she arrives.

S/R Long Beach

An ESU Board officer visited the

Long Beach at the Valero Dock in Benicia on September 2. Ship Rep. Wayne Dymont was aboard and reported everything running smoothly. The vessel is due back into Benicia the week of September 22.

Sierra

The *Sierra* was heading back north to Prince William Sound at a slow bell as the *ESU News* went to press. QMED Eric Bush is filling in as Ship Rep while Thor Floreen is on paid leave. Eric has reported no problems from the vessel as she continues in her regular Valdez to Puget Sound circuit. Final word on when and where her next shipyard period will be held is expected soon.

S/R Wilmington

A Union visit was conducted on August 30, at the ExxonMobil dock in Baytown, Texas. Regular Ship Rep. Jeff Harris was on board. Jeff reported that the vessel experienced delays on the East Coast due to Tropical Storm Hanna. Denny Houston, ExxonMobil Executive VP of Supply and Transportation and SeaRiver President, Will Jenkins toured the *Wilmington* in Baytown on August 29. During the visit Mr. Houston presented the vessel crew with a memento recognizing their many years of environmental safety and all-around safe operating performance.

S/R Baytown in Norfolk



The *S/R Baytown* docked at lay berth in MHI Norfolk for her periodic CAIP survey in early September, 2008. This was the first time a SeaRiver vessel had used this facility. According to company sources, the inspection report was positive and the vessel is in good shape. Upon completion she sailed to New York to take a load of mogas to the U.S. Gulf Coast.

Company: "Internet access for unlicensed to begin soon."

After literally years of beseeching by the ESU and delay after delay the company has finally said that shipboard internet access for unlicensed will begin soon. While there has still not been any firm date announced, company sources have told the ESU that the program should be rolled out some time in September 2008.

It is anticipated that the system for the unlicensed will be the same as that which is presently available to the officers. Although nothing has been finalized, the way it was described is that each crewmember will be given a password that will allow him or her to log on to the company's and shipboard networks. There will be both shared computers which are hard-wired to the connection and also a wireless WI-FI type connection throughout the house which will allow crewmembers to log on with their personal computers in their rooms. It is expected that the shared computers will be located in the cargo control room, on the bridge and in the crew's recreation room but this may differ from ship to ship. The *Sierra* does not yet have the hardware for the system but it will be installed during her upcoming shipyard period this fall.

The company has emphasized that access to the system is not an entitlement nor will it be an open ended. In order to protect company controlled information, IT systems and help maintain legal standards, strict controls will be in place. Usage will be monitored and there is no right to privacy. Access to the system is provided for both the conduct of ship's business and as a quality of life enhancement for crewmembers. The intent is to allow crewmembers to access appropriate internet sites such as web based email accounts, on-line banking, and sites which contain such things as news, weather, sports and airline information.

It will be strictly prohibited to access any site containing gambling or sexually explicit content or chat rooms, instant messaging or real time social networking sites. It will be prohibited to download or install any software from the internet to the company owned shared-use computers but some approved downloads will be available on the ship's network.

Being that the system is not secure it will be important for all users to remember to protect their personal information and identity. One should use removable storage devices such as flash drives to store information. Personal information should never be stored on company computers and the "Remember Me" or password saving features of websites should not be used.

A more detailed policy statement will be promulgated when the system is rolled out. Violations of the policy will be investigated and inappropriate use may lead to disciplinary action and restriction or withdrawal of future use and access by all fleet personnel.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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President Kevin Conroy

Vice President John Straley

Secretary/Treasurer Leo DeCastro

Recording Secretary Thomas Thompson III

Deck Trustee Pat Campbell

Engine Trustee William Ackley

Steward Trustee Kurt Kreick



SUP and MFOW members train for work in the USNS Hayes and USNS Waters. Back row from left: SUP members Gib Wilson, Dan O'Neill, Harold Uriarte, Richard Lindeman, Kenji Hoffman, Mike Staley. In front: an MFOW member, SUP members Cory Burton, James Hall, two MFOW members and SUP member Ken Hertzstein.

Danger aloft: Coast Guard issues marine safety alert

The U.S. Coast Guard strongly encourages that operators of vessels establish clear written guidelines and procedures for working aloft, require the use of safety harnesses, discourage and prohibit "rites of passage" such as described below. Going aloft to any height on any type of vessel is very serious and dangerous business, can be deadly and leaves no room for acts of daring or joking around!

We're sadly reminded of that fact by the death of an 18 year old crewmember onboard a New England sailing vessel. This tall ship had embarked a group of students and set out for a beautiful day of sailing. About an hour into the cruise a crewmember slipped from the rigging and plummeted about 30 feet to the deck below sustaining terrible injury that resulted in his death.

Evidence in the casualty investigation indicated that this young man went aloft without permission, was unsupervised and alone and was participating in an informal rite of passage referred to in the tall ship community as "laying across the spring stay." This involves crossing from one mast to another while hanging by your hands and feet on a wire called a "spring stay."

The resultant Coast Guard casualty investigation concluded in part that, "The practice of laying across the spring stay is an extremely dangerous and unnecessary evolution, especially while the vessel is underway, and without a safety harness. Although crewmembers were not directed to use the spring stay, it appears the practice was not discouraged and was considered by some crewmembers as a daring accomplishment or rite of passage."

Further, the investigation concluded that:

- The policies regarding crew training for going aloft in the rigging onboard the vessel appeared to be "unstructured and loosely defined" relying primarily upon on-the-job type training with no written guidelines or procedures.
- The crewmember was not wearing any type of safety harness. This piece of safety equipment was neither required by regulation or by company policy and was not onboard the vessel at the time of the casualty.

Tugs & barges in urgent need of Coast Guard regulation, says key Congressman

The collision between a barge and a tanker that shut down the Mississippi River earlier this summer is evidence of "a significant deficit in the regulation of the towing industry," according to Representative Elijah E. Cummings (D-Maryland), chairman of the House Subcommittee on Coast Guard and Maritime Transportation. The collision caused a 300,000 gallon oil spill. Cummings said the Coast Guard's failure to issue towing vessel inspection rules or limits on the number of hours towing vessel crew can work without rest is evidence of a failure to exercise "effective leadership" and "act with a sense of urgency" to regulate the significant risks inherent in the towing industry.

"It is unfathomable to me that the same company would be involved in two marine casualties within two weeks while illegally operating towing vessels," Cummings said in an official statement. "Worse yet, this is not the first instance in which this company has been caught operating towing vessels with improperly licensed personnel. It is simply unacceptable that a company with such a history would be allowed to continue its illegal-and, frankly, unsafe-practices."

"In 2004, the Coast Guard was ordered by law to create a rule that would require the inspection of towing vessels. Additionally, it was authorized to set limits on the number of hours that crewmembers work each day. Neither set of rules has been issued. And, here we are, four years later, discussing a catastrophic incident that may very well have been prevented had the Coast Guard taken action," Cummings said. He added that he is "concerned that there is a lack of motivation within the Coast Guard to complete its backlog of rulemakings, including those related to the towing industry."

A representative of the Coast Guard, Rear Admiral Brian Watson, told Cummings and other legislators during the course of a hearing this month that in the spring of 2009, the Coast Guard would respond to the accident by issuing a Notice of Proposed Rulemaking for towing inspections.

Welfare Notes

September 2008

WELFARE and SIU-PD PENSION PLAN NOTES

SUP Money Purchase Pension and 401(k) Plans Quarterly Statements

In the interest of providing you with your account information as quickly possible following the end of the last calendar quarter, your Retirement Plan Statement Contribution Summary only included the contributions reported to MasterPlan through July 18th, 2008. Any contributions reported after July 18, will be reported to you in the Contribution Summary of your next quarterly statement.

Please keep the SUP Welfare Plan informed of any address changes. Our office frequently receives statements returned for bad addresses.

Seafarers Medical Center

When possible, members should use the home office in San Francisco for annual physical exams, sign-ons and drug screens. No appointments necessary and quick turnaround. The San Francisco office is for mariners only.

730 Harrison Street, Suite 100 (Ground Floor)

San Francisco, CA 94107

(Between 3rd and 4th Street)

Telephone 415-392-3611 Fax 415-392-3614

Open Monday through Friday

8:00 AM-12:00 PM and 1:00 PM to 3:00 PM

SIU-PD Pension Plan Benefit Increases

Benefit increases effective July 1, 2008 for qualified SIU-PD Pension Plan participants will be implemented with the October 1, 2008 monthly benefit payments including a three-month retroactive reimbursement.

Michelle Chang, Administrator mcsupsiupd@sbcglobal.net

Patty Martin martinpatty59@sbcglobal.net

Virginia Briggs Claims vbriggs80@sbcglobal.net

Michael Jacyna Eligibility mjacyna67@sbcglobal.net

Training Representative Berit Eriksson 415-957-1816

Telephone: 415-778-5490 or 1-800-796-8003 Fax: 415-778-5495

SIU-PD Pension Plan 415-764-4987

Supplemental Benefits Fund 415-764-4991

Record of SUP Shipping August 2008

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	2	1	1	0	4
Maint. Man	3	0	0	2	5
Watchman	0	0	0	1	1
A.B. Dayworker	0	0	7	1	8
A.B.	8	5	7	0	20
O.S.	1	1	2	0	4
Standby	12	2	54	20	88
Cook	1	0	0	0	1
TOTALS	27	9	71	24	131

Sailors apparel

100% Made in the USA by New Edge Thread



New Edge Thread offers a wide range of embroidered and silk screened SUP apparel: embroidered hats, wind-breakers, hooded sweatshirts, heavy work jackets, coveralls, leather varsity jackets, vests, fleece pullovers and two styles of high quality silk screened T-shirts. They also offer custom logo embroidery.

New Edge Thread

3062 Castle Rock Loop

Discovery Bay CA 94505

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E-mail: newedgethread@sbcglobal.net

Website: www.companycasuals.com/newedgethread

It's the economy, stupid, not lipstick

The dramatic worsening of the nation's unemployment rate from 5.7 percent in July to 6.1 percent in August isn't the only recent economic indicator starkly contradicting John McCain's repeated statements that the "fundamentals of the economy are strong." Take a look at this data:

- With millions of America's workers out of a job, unemployment rose among almost all demographic groups, hurting women the worst. Black women saw their unemployment rate worsen by 1.6 percentage points to 9.1 percent. The unemployment rate for African Americans overall rose to 10.6 percent and that of Hispanics to 8 percent.

- More than 1.4 million of America's workers are employed in part-time positions for economic reasons, not by choice.

- An additional 109,000 individuals hold multiple jobs.

- Incomes are declining across the board—unless you're extremely wealthy or work in a professional job, like doctor or lawyer. Every other group, including those with college and doctorate degrees, saw income declines. The inflation-adjusted median salary for a person with a bachelor's degree fell about 3 percent, adjusted for inflation, to \$47,240 last year from 2000. Median master's-degree salaries fell about 4 percent, to \$56,707. Salaries for high school graduates fell about 3 percent to \$28,290. As the *Wall Street Journal* puts it: "The re-

cent data are the latest reminder of how college degrees, long seen as a path to the middle class, no longer guarantee fatter paychecks every year."

- One in three homeowners who purchased homes since 2003 now owe more than what the property is worth, according to Zillow.com, an Internet service that values more than 80 million homes. The numbers are even more dismal for those who bought in 2006, with 45 percent now experiencing negative home equity.

- Inflation-adjusted median household income has declined by \$1,175 since 2000. Meanwhile, prices for many goods are rising rapidly, according to Elizabeth Warren, a Leo Gottlieb professor of law at Harvard Law School. Testifying before a Senate committee recently, Warren put it this way: "Seven years of flat or declining wages, seven years of increasing costs and seven year of mounting debts have placed unprecedented stress on the ordinary families. By every critical financial measure, these families are losing ground. Without changes in critical economic policies, the strong middle class that has been the backbone of the American economy and the American democracy is in jeopardy."

With seven years of failed economic policies under the Bush administration resulting in the nation's current disaster, no wonder McCain—whose economic proposals would replicate those of Bush—prefers talking about lipstick.

Source: AFL-CIO

San Diego port plan questioned by MarAd

The Maritime Administration has weighed in on a proposal to build a construction platform piggyback above the Port of San Diego, which is pitting backers of more recreational facilities against commercial shipping interests.

Under the proposal, which will be on the city's ballot in the November election, a deck would be built 40 feet above the port's 10th Avenue Terminal which stretches over 96 acres. A hotel, sports arena, stadium and expansion of the city's conventional center are among the developments proposed to rise on the platform.

Maritime Administrator Sean Connaughton wrote to the port recently that the Department of Transportation "is concerned about the Freight Preservation and Bayfront Redevelopment Initiative." The initiative would affect its status as a commercial port and one of the Pentagon's list of strategic ports, he warned.

Two developers secured 60,000 petition signatures to force a vote on the proposal. The port sought to block the vote, but a California appeals court ruled earlier this month that the referendum would go forward.

Panel finds TWIC program riddled with problems

The Transportation Workers Identification Credential program continues to be plagued by performance shortcomings, technical glitches, poor communications and other problems, according to a report from the National Maritime Security Advisory Committee's TWIC Working Group.

The panel, chartered to advise the Homeland Security Department on implementing the new ID cards, has identified more than a dozen problems the panel says are causing the program to fail, according to a July 22 report obtained by the publication *Federal Computer Week*.

"Unresolved problems help to foster the sentiment among stakeholders that the TWIC program is broken," the 17-page report states. The "Coast Guard and TSA must address the issues identified in each of these areas if they hope to generate higher rates of enrollment, sustain stakeholder cooperation and meet compliance dates."

TWIC is a biometric identification card being produced for about 750,000 maritime workers under supervision of the Transportation Security Administration. A \$70 million contract for TWIC card production and enrollment was awarded to Lockheed Martin Corp. in February 2007. Port workers initially were supposed to begin using their cards for entry to secure port facilities by September, but the deadline was pushed back to April 2009 for much of the country.

Meanwhile, goals for delivering the cards are not being met, according to the working group.

"Though we recognize that steps have been taken to improve card production and delivery times, after nine months of operation, TSA is still not delivering cards within the seven to 10 days after enrollment, which was the time frame industry required and which TSA agreed was a target goal; and the agency is not even reaching the 30 days after enrollment as outlined in the final regulation," the report said.

Technical problems continue to slow enrollments, the group said, especially the inability of the biometric scanners to accurately record and process enrollee fingerprint templates. For example, at the Port of Long Beach, of more than 200 enrollments attempted, seven were unsuccessful due to fingerprinting failures. In some ports, as many as 8 percent of enrollees cannot complete enrollment due to fingerprinting issues, the panel said.

Other technical problems that affect implementation of the program include incorrect information on the card; darkened photos; expiration date errors; and security features failing to print, the report added.

Some applicants report waiting for several hours at enrollment centers, while others report having to visit an enrollment center repeatedly for as many as six visits. The TWIC enrollment systems on the East Coast tend to slow down around noon, when the West Coast systems are getting started, the report said.

Communication and customer service also present difficulties, the report said. These include the TWIC Web site being down for maintenance; complicated password creation processes; difficulties in Web site navigation; enrollment center schedule changes not reported; and people failing to be notified, or being notified incorrectly, when their cards are available.

The group also listed numerous concerns regarding extending facility access privileges to rail workers, utility workers and other critical infrastructure employees; accessing information on lost, stolen and revoked cards; poorly chosen enrollment center locations; and failures to communicate information to enrollees, port operators and other stakeholders.

According to the TSA Web site, about 490,000 workers have pre-enrolled for the TWIC, 460,000 are fully enrolled and 283,000 cards have been issued. However, the extension of the compliance date actually may have had the unintended result of keeping initial enrollments low, according to the report.

"Of major concern to all stakeholders are the low enrollment numbers. The National Maritime Security Advisory Committee suggests that extending the compliance date may not necessarily have helped in this regard and in fact may have provided an additional excuse for those who have purposely delayed enrolling," the report said.

The panel recommended providing an extra year's enrollment at no cost to people who met the original deadline of September 2008.

Article by: Alice Lipowicz
Federal Computer Week

Mariner shore leave roadblocks still prevail in U.S. ports

The Seamen's Church Institute (SCI) of New York and New Jersey reports that shore leave restrictions of questionable legality are still widespread at U.S. port facilities and terminals.

In July, seafarers' centers in 34 U.S. ports and one Canadian port participated in a survey focused on the problem of access limitations. The seafarers' welfare organizations in 23 terminals and port facilities reported mariners were being denied access to shore leave or that restrictions were being levied on chaplains' and seafarers' ability to transit terminals. The survey reported that on approximately 20 percent of the ships visited, at least one seafarer was not allowed shore leave. They said U.S. visa requirements remain the greatest obstacle to shore leave in the United States. Other obstacles were high fees charged by terminals for transportation or escort service and restrictions imposed by vessel operators.



SAN FRANCISCO BAR PILOTS
Pier 9 East End
San Francisco, CA 94111
415-362-5436 Fax 415-982-4721

August 25, 2008

Mr. Terry O'Neil
Mr. Cody Clark
San Francisco Bar Pilots
Pier 9 East End
San Francisco CA 94111

Re: **Rescue of Injured Linehandler**

Dear Mr. O'Neil and Mr. Clark:

On the morning of August 6, 2008, you were the boat operator and deck hand crewing the Pilot Vessel Eaglet. As you were transiting the Oakland estuary, you were called to aid a linehandler who had fallen into the water. You immediately went to the location and quickly assessed that not only had the linehandler fallen into the estuary but he was seriously injured and in pain.

Without hesitation you improvised an on-the-scene retrieval of the injured man onto the Eaglet. Because of the configuration of the dock face and the lack of installed ladders, you were not able to transfer the victim from the Eaglet to waiting Oakland Fire Department paramedics on the dock. Once the injured man was stable, you assisted the paramedics in safely moving him from the Eaglet to the tug boat. From there he was put ashore and taken by ambulance for medical treatment.

Due to your excellent seamanship and quick thinking, a potentially fatal situation was avoided and a life saved. On behalf of the San Francisco Bar Pilots, I extend our appreciation for a job well done. We are proud of you.

Sincerely,


Captain Peter McIsaac
Port Agent and President

cc: Gunnar Lundeberg, SUP
Personnel files

RECEIVED

AUG 26 2008

SAILORS' UNION OF THE PACIFIC



SUP President's Report

September 8, 2008

MILITARY SEALIFT COMMAND

At the request of Rear Admiral Robert Reilly, Jr., Commander of the U.S. Navy's Military Sealift Command, attended a meeting with other representatives of maritime labor at the Washington Navy Yard on August 12, to receive an update on the activities of MSC. In addition to Admiral Reilly, other members of MSC's senior leadership team included Deputy Commander Rear Admiral Rob Wray, Executive Director Richard Haynes, and Positioning and Strategic Sealift Director Chris Thayer. The Unions were represented by MM&P President Tim Brown, MEBA President Don Keefe, MM&P Atlantic Coast Vice President Rich May, SIU-A&G Executive Vice President Augie Tellez, MEBA Baltimore Branch Agent Tom Suneson, AMO Representative Ed Kelly and your secretary. Jean McKeever, the Maritime Administration's Associate Administrator for Business and Workforce Development, was also in attendance.

In the briefing, Admiral Reilly and his colleagues gave a comprehensive overview of MSC including new ship programs, shipboard cyber-security issues, government policy issues, environmental issues and upcoming operating contracts.

Currently the Military Sealift Command has a fleet of 181 vessels: 117 are in Full Operating Status and 64 are in Reduced Operating Status. Most of these vessels are crewed by civil service mariners (CIVMARs) who are employed by MSC, the remainder of the fleet is operated—after going through a competitive bidding process—by commercial carriers. By any standard this is one of the largest non-warship fleets in the world and certainly dwarfs any fleet in the commercial U.S. merchant marine including the 60 vessels enrolled in the Maritime Security Program.

In the judgment of your secretary, the size and nature of the government's fleet is a direct competitor to U.S. commercial operators in the foreign trades in that cargo that could and should be carried by commercial operators is instead being transported in government-owned vessels. Indeed, the expansion of the MSC fleet "grows" the merchant marine, but to the detriment of commercial operators and to Union mariners, such as those represented by the SUP. Raised this issue with MSC and intend to raise this issue with members of Congress.

On upcoming operating contracts to be awarded to commercial operators, there are several. First and foremost is the contract to operate eight Watson-Class Large Medium Speed Roll-On/Roll-Off (LMSR) vessels. SUP-contracted Matson Navigation Company and Patriot Contract Services both submitted final bids in late July but as of this date, MSC has not made an award.

Request for Proposals (RFP) to operate the *USNS John McDonnell*, *USNS Bruce*, *USNS Heezen*, *USNS Pathfinder*, and *USNS Bowditch*, *USNS Henson*, *USNS Mary Sears* were to be issued in August but still have not been made public.

This month MSC is scheduled to issue an RFP to operate the *USNS Martin*, *USNS Stockham*, *USNS Wheat*, *USNS Bobo*, *USNS Williams*, *USNS Lopez*, *USNS Lummus*, *M/V Button*, *S/S Kocak*, *S/S Obregon* and the *S/S Pless*.

In October, an RFP will be issued to operate the ten LMSRs (*USNS Benavidez*, *USNS Britten*, *USNS Fisher*, *USNS Bob Hope*, *USNS Pilaau*, *USNS Seay*, *USNS Gilliland*, *USNS Gordon*, *USNS Shugart* and *USNS Yano*), formerly operated by Patriot and crewed on deck by the SUP.

Patriot indicates it will submit bids on all vessels offered while Matson has not responded to a query on this subject.

With all the ships mentioned up for grabs, it is hoped that MSC takes into consideration the mariner pool nationally in making its awards, not just to the handful of East Coast-based companies—particularly Maersk—that seem to monopolize MSC's business. Your secretary emphasized this point at the meeting.

Overall the briefing by MSC was informative. Hopefully, the dialogue will continue.

APL

Pension Increase

On August 26, at the request of APL, met at company headquarters in Oakland to discuss the pension increase recently negotiated with Matson. Representing the Unions were MFOW President Anthony Poplawski, SIU-A&G West Coast Vice President Nick Marrone, SUP Vice President Dave Connolly and your secretary. In attendance for the company were Tim Windle, APL Vice President and General Counsel; Bob Stephens, APL Vice President for Labor Relations; Captain Bill Mahoney, APL Maritime Ltd.'s Director of Labor Relations; Jerry Carbiener, Senior Labor Relations Consultant; and Charles Storke, who represents the employer trustees on the SIU Pacific District Pension Plan.

As a participating employer of the Plan, APL Marine Services, Ltd. must agree with what was negotiated with Matson for the benefit improvement to take effect. After some discussion, the Unions and the company reached tentative agreement on pension issues, subject to the drafting of a mutually agreeable Memorandum of Understanding which will mirror the one agreed to by Matson.

Attorneys for the Plan have drafted an amendment to the pension trust agreement incorporating the agreed upon increases. The draft Memorandum and amendment are under review, but it is anticipated that documents will be in order so that the benefit improvements can be implemented by October 1, retroactive to July 1.

Wage Increases

In accordance with the 2005-2015 offshore collective bargaining agreement with APL Marine Services, Ltd. wages and wage-related items (overtime, Supplemental Benefits, etc.) are scheduled to increase by 2.5% on October 1. In addition, Supplemental Benefits increased from 15 to 16 days per month. Under the Maintenance and Extra Maintenance Agreements, wages and wage-related items are scheduled to be increased by 3% effective October 1.

Recommend that the increases be allocated to wages and wage-related items. New wage scales will be published in the September *West Coast Sailors*.

Under the Offshore Agreement, contributions to the SUP Welfare Plan's Training Plan will increase by 2.5% effective October 1.

Also effective October 1, the rates of the company's contribution to the SUP Welfare Plan shall be increased by the medical care component of the Consumer Price Index (United States City Average for Urban Wage Earners and Clerical Workers), or its agreed upon successor, during the most recent 12-month period for which such index has calculated by the Bureau of Labor Statistics of the Department of Labor. The percentage increase should be available from the government by mid-September.

PATRIOT CONTRACT SERVICES

In accordance with the agreement between the SUP, MFOW and SIU-Marine Cooks and Patriot Contract Services covering the Military Sealift Command vessels *USNS Hayes* and *USNS Waters*, there is scheduled a 2% in Total Labor Costs (TLC) effective October 1. TLC affects all rates of pay and contributions to the various benefit plans. New wage rates will be published in the October *West Coast Sailors*.

CHEVRON SHIPPING COMPANY

Chevron Corporation this month started a new Cardiovascular Health Program to help company employees, including the SUP-represented personnel working for Chevron Shipping Company, recognize risk factors and to take action to avoid them.

Participation in the program is voluntary, but there is a benefit to both your health and pocketbook. The financial incentive to enroll in the program is a "Wellness Credit" which is an additional Chevron contribution to the cost of an employees medical coverage. The value of the Wellness Credit is equivalent to what an employee would normally pay for the month, up to \$100.

SUP members employed by Chevron can qualify for a Wellness Credit by completing specific Cardiovascular Health Program requirements by the program deadlines. If an employee completes the cardiovascular risk assessment by November 15, he/she will qualify for one Wellness Credit which will be reflected on the February 2009 paycheck. The second Wellness Credit will be paid in September 2009, if an employee enrolls in the recommended educational and risk reduction program and completes the midway milestone of the recommended program by June 30, 2009.

SUP OFFICER'S WAGES

Article XV, Section 1(a) of the SUP Constitution states that "The salaries and supplemental pay [of Union officers] shall be adjusted automatically on the same percentage basis whenever the membership has a percentage adjustment in wage and vacation pay from the offshore agreements."

Due to the financial condition of the Union, wages for officers were frozen between 1992 and 2000. Wages were again frozen in 2005 due to the fact that those sailing in APL's fleet did not receive a wage increase. In 2006, wages were also frozen when the membership voted in the 2005-2006 election to amend the Constitution to provide for a \$100 per week car allowance for officers, but failed to pass a dues increase to pay for it.

In 2007, despite the continuing General Fund deficit, SUP officers received a 2.5% increase which was consistent with the APL and Matson increases. Out of that increase \$3.00 per manday was allocated to the SUP Welfare Plan's Special Pensioner Medical Benefit, which was also consistent with the allocation voted by the membership from wage increases in the APL, Matson, Ready Reserve Fleet and San Francisco Bar Pilots agreements.

This year, despite the long overdue (10 years) dues increase that was passed by the membership in the 2007-2008 election, and the efforts of all officers to minimize costs, the General Fund continues to reflect a deficit. From January 1, of this year, until August, expenses topped income by \$150,000. The cause of this can be traced to overall increased costs of basic goods and services that the Union needs to function plus the legal fees and other costs associated with the Bane & Tulenkun case.

In order to retain and interest members to run for Union office, wages should increase as stipulated by the Constitution. Therefore, I reluctantly recommend that wages and supplemental pay for SUP officers be increased by 2.75% effective October 1. This number reflects the difference between APL's 2.5% and Matson's 3%.

If the financial situation does not improve by next October, will recommend that the officers of the SUP take a wage freeze for the good of the Union.

COLUMBUS DAY

All SUP halls will be closed for Columbus Day, Monday, October 13, a holiday under all SUP agreements. Due to the holiday, the Headquarters meeting will be on Tuesday, October 14.

ACTION TAKEN

M/S for the APL increase to go to wage and wage-related items. Carried unanimously.

M/S to concur in the President's report. Carried unanimously.

Gunnar Lundeberg

APL Wage and Overtime Rates

Effective October 1, 2008

Maritime Security Program Vessels (C-10 Class & C-11 Class)						
Rating	Wages		Supp. Benefit Base	Supp. Benefit		Money Purchase Pension Plan
	Monthly	Daily	Monthly	Daily	Monthly	Daily
Bosun	\$4,693.23	\$156.44	\$4,836.54	\$85.98	\$2,579.33	\$25.00
A.B.	\$3,325.39	\$110.85	\$3,631.77	\$64.56	\$1,936.82	\$25.00
AB Watchstander/ Daystander						
	\$3,325.39	\$110.85	\$3,631.77	\$64.56	\$1,936.82	\$25.00
O.S.	\$2,563.06	\$85.44	\$2,864.48	\$50.92	\$1,527.63	\$18.51

OVERTIME RATES		Money Purchase Pension Plan
The hourly overtime rate for all ratings		
except the Ordinary Seaman	\$26.69	
Ordinary Seamen	\$20.02	

CARGO RATES	
The hourly cargo rate for all ratings:	
Straight Time Hours	\$20.02
Overtime Hours	\$32.97

SHORTHANDED (Section 7 SUP Work Rules)	
Bosun	\$45.55
A.B.	\$34.33
STOS	\$25.75

STANDBY RATES (Section 43 SUP Work Rules)	
Bosun	
Straight Time Hours	\$25.48 \$25.00
Overtime Hours	\$41.90
A.B.	
Straight Time Hours	\$24.41 \$25.00
Overtime Hours	\$40.23

SHIFT SHIP GANGS (Section 44 SUP Work Rules)	
Bosun	
Straight Time Hours	\$22.57 \$25.00
Overtime Hours	\$37.53
A.B.	
Straight Time Hours	\$21.28 \$25.00
Overtime Hours	\$35.88

DECK PORT WATCHES (Section 55 SUP Work Rules)	
Bosun	
Straight Time Hours	\$30.38
Overtime Hours	\$45.57
A.B. and STOS	
Straight Time Hours	\$22.88
Overtime Hours	\$34.32

FUEL OIL SPILL CLEANUPS	
Straight Time, all ratings	\$15.57

Maintenance and Extra Maintenance Rates			Money Purchase Plan
Rating			
Rigging-Splicer and Sail Maker			
Straight Time	\$29.77		\$25.00
Overtime	\$48.84		
Rigging-Wire Splicer's Helper			
Straight Time	\$27.37		\$25.00
Overtime	\$45.36		
Rigging-General Maintenance Work			
Straight Time	\$26.20		\$25.00
Overtime	\$43.52		
Spray Painting, Sandblasting, Steam Cleaning and Welding			
Straight Time	\$28.47		\$25.00
Overtime	\$46.94		
Storekeeper-General Maintenance			
Straight Time	\$27.63		\$25.00
Overtime	\$45.57		
Bosun			
Straight Time	\$31.83		\$25.00
Overtime	\$51.66		
Bosun's Mate or Leaderman			
Straight Time	\$29.77		\$25.00
Overtime	\$48.84		
Carpenter			
Straight Time	\$29.14		\$25.00
Overtime	\$48.04		
Spraying, Sandblasting enclosed spaces additional per hour \$1.65			

SUP Officers' Wages

In accordance with Article XV, Section 3, of the SUP Constitution: "Every time the new wage scale is printed in the *West Coast Sailors* showing the seagoing [dry cargo-offshore] members and standby gang wage scale, the benefits and wage scale of the Union officials shall be printed right along with, and in the same issue, of the *West Coast Sailors*."

Weekly Wages for SUP officers effective October 1, 2008*:

President/Secretary-Treasurer	\$1,601.67
Vice President/Assistant Secretary-Treasurer	\$1,266.28
Branch Agent	\$1,266.28
Business Agent	\$1,243.60

Benefits: Medical and dental coverage (SUP Welfare Plan); four weeks vacation per year, participation in the SIU-Pacific District Pension Plan and a \$100 per week auto allowance. SUP officials are not participants in the SUP Money Purchase Pension Plan.

*Reflects the \$3.00 per manday allocation to the Special Pensioners Medical Benefit.

Attend your Union meetings

Vice President's Report

September 2008

Ships Checked

USAV Worthy: Delegate Emani Vili. Crew called back for at least one additional mission before sailing from Pearl Harbor to lay up in the Marshall Islands. All crew returned on call-back.

USNS Hayes: Delegate Dennis Belmonte injured, relieved by Dave Hoffmann. Clarification on lodging and gangway watchstanding duties. Ship in good shape for what is apparently her final voyage. Layup in East Coast boneyard likely by mid-November or sooner. Members did an outstanding job fulfilling the interesting but demanding mission of this now unfortunately obsolete ship.

USNS Waters: Delegate Joel Schor. Bosun Paul Harsany. Some interpersonal issues resolved as the ship transited in and out of Port Hueneme and San Diego. Made the ship in Pt. Hueneme before she sailed for Pearl Harbor. Good crew doing important work. Further pressure put on the Company to resolve the wheelhouse chair issue. Company put on

notice about use of expired milk.

Cape Jacob: Delegate Ben Hulsey. Ship returned Saipan after another successful load and discharge in Southeast Asia. The continuous professional performance of this break-bulk ship despite the heavy demands of the U.S. Navy is remarkable. Some issues still under investigation.

Colorado Voyager: Delegate Jenn Corner. Email from the yard in Portland indicates things going well. Delegate organized a generous donation to the local YWCA.

Washington Voyager: Delegate Earl Eastmark. Filling in for the *Colorado* on the Columbia River run. No problems.

Mississippi Voyager: Delegate Robert Turner. John Svane bosun. Clarification on contract term and vacation increases. Chevron now at 21 for 30. Another day is added in 2010 to 22 for 30. Permanent bosuns are bad for morale: issue raised with the company. Disruption of launch service in El Segundo under investigation.

California Voyager: Bosun Thor Erikson. Formerly the *Brenton Reef* operated by Seabulk with SIU and AMO crews, this newest addition to the Chevron fleet is in better shape than the *Mississippi* at turnover.

Arizona Voyager: Delegate John McAuliffe. Running smooth and from hurricanes down in the Gulf.

President Adams: Delegate David Sylstra. Made her in New York. Clarification on watchstanding in and out of new port Salalah on the homebound leg. APL agreed that Salalah would be treated just as Jebel Ali on the outbound leg—with a one-man watch maintained the entire time. If the Captain requires additional sailors assigned to the watch that's fine, but they'll be paid like daymen for the entire port call, i.e., straight time for work between 0800 and 1700 and overtime for work after 1700 and before 0800. Crew on pirate watch in Gulf of Aden. Time back for security watch on the hook awaiting Suez transit no good.

President Jackson: Delegate Gerry Marshall. Clarification of gangway watchstanding.

APL Korea: Delegate Dale Gibson. Clarification of trip off procedure. Members who will experience their 170th day during the voyage must get off at the last U.S. port or take a trip off prior to sailing on that voyage.

Lurline: Delegate George Simpier injured relieved by Noel Isumaru. China restriction no good since the ship had sailed, was not in a recognized anchorage.

Manoa: Delegate Walter Harris. Meal relief counts as a component of weekend overtime guarantee for daymen.

Moku Pahu: Delegate John Sulujan. Delegate injured in Costa Rica. Union assisted on medical care analysis. As a seaman, you have a right to adequate medical care for your injury or condition no matter where you are.

San Francisco Bar Pilots: Delegates

continued on page 12

SUP Branch Reports

Seattle

August 18, 2008

Shipped during the period: 1 Boatswain job filled by an A-card; 8 Able Seaman berths shipped to 6 A-cards and 2 B-cards.

Registered during the period: 9 A cards for a total of 28; 9 B cards for a total of 25; and 2 C cards for a total of 7.

Ships Checked

Matson vessels *Maui* and *Kauai* called twice in Seattle with little or no problems. The *President Polk* called in New York with minor clarifications for the returning crew members. These ships make few port calls during the 56 day voyages but it is a fair weather run so the overtime is there; but you definitely need more than a couple of good novels in your sea-bag.

I represented the SUP at the following meetings: the Puget Sound Harbor Safety Committee meeting; a Port of Seattle meeting concerning the proposed funding of State Route 519 which has been approved by the state legislature and will greatly enhance freight mobility in and off the Seattle docks; a USCG Port Resiliency meeting; and the King County Labor Council meetings.

The SUP attended the Sector Seattle, Captain of the Port, Change of Command ceremony. Outgoing COTP Captain Steve Metrock was relieved by Captain Sue Englebert. The SUP has enjoyed an excellent working relationship with the

USCG and we will continue to advise and participate in their efforts towards saving lives and protecting the environment.

National and state elections are right around the corner. Here in Washington State Governor Christine Gregoire as been a staunch advocate for working families. Her opponent states that workers are overpaid and have too many safeguards if employers want terminate them. Senator McCain, running for President, brags about taking on "big labor bosses" in his campaign speeches and has consistently voted against working family legislation during his over twenty five years in Congress. Please vote for politicians who vote for workers. Vote for the Democrats.

Vince O'Halloran
Branch Agent

Wilmington

August 18, 2008

Shipped during the period: 1 bosun, 3 ABs, 3 ABDs, 2 OSs and 68 standby for a total of 77. Registered 42 A cards, 23 B cards and 4 C cards.

Ships Checked

Manulani, Philippines, China, Maunawili, Manukai, Singapore, Pfeiffer, Thailand, Korea, Mahimahi, Maunalei, Matsonia

Had trouble with a captain. It seems he and his two children spent the whole day on the beach. But when they got back

to the ship the crew was told they were restricted to the ship. Still looking into this one. I was told that our *West Coast Sailors* is read by members of Congress. Well if that's the case then let's ask them why there are foreign mercenaries on American ammo ship. Also why they are exempt from drug and alcohol tests. Oh yes on other question do the foreign mercenaries have to have a TWIC card.

Yours in struggle

Paul Calais
Branch Agent

Honolulu

August 18, 2008

Shipped during the period: 1 ABW, 1 ABD, 1 ABD return, and 3 AB maint., filled by 4 A cards and 2 B cards. Also shipped 21 standbys to 1 A card, 12 B cards, 7 C cards and 1 D card.

Registration for the period: 6 A cards for a total of 12, 10 B cards for a total of 14, and 4 C cards for a total of 4.

Ships Checked

Manukai, Manulani, Maunawili, Maunalei, R.J. Pfeiffer, Manoa, Mokihana, Mahimahi, Matsonia, Maui, Kauai, and USAV Worthy. Also visited the Paint & Rigging gang.

As an Executive Board member, I attended the Hawai'i State AFL-CIO meeting. We discussed the upcoming November election, and the candidates vying for the AFL-CIO endorsement. It should be noted that some of the candidates that received endorsements from the AFL-CIO did not get unanimous support from the body. Specifically the Unions representing maritime interest due to flip-flopping, or outright oppositions to the Hawai'i Superferry.

I attended the Hawai'i Port Maritime Council meeting. We discussed the current affairs with the associated Unions of the Council.

Hit the picket line twice in support of the fired workers of the Pacific Beach Hotel. The first was coordinated by the Port Maritime Council, the second by the ILWU Local 142. HTH Inc. is the owner of the Pacific Beach as well as the Pagoda Hotel. The injustice and intimidation these workers have suffered since 2002 could fill a book. I would like to thank Tommy James, Art Kardinal, John Kelly, Dave Mercer and Dave Rowland for taking the time to support these oppressed Union Brothers and Sisters. I would also like to thank Randy Swindell (MM&P Rep.) for the post picket refreshments. I have heard that some of our members may have been staying at the sister hotel: the Pagoda. **Please do not stay at the Pagoda!**

The Labor United Picnic was a great success. There was great entertainment all day, a carnival for the kids, and lots of free stuff given out by the Unions in attendance. A big Mahalo goes to Brother Clifford Lopes and his Ohana for helping me set up and take down our booth. I couldn't have done it without their help, Mahalo!

Finally, our Branch Agent, Brother Mike Duvall, is doing well and is awaiting word from the doctor to begin physical therapy. He sends his thanks to all well wishers.

Shipping is slow.
Patrick Weisbarth, Acting Branch Agent

San Francisco Business Agent

September 9, 2009

Visited and paid off the following ships:

Kauai— Mike McLavy, delegate: In from Seattle; no disputes. Good gang. Made twice.

Lurline— Paul Fuentes, delegate: Visited the ship at the Howard Street Terminal. Discussed two disputes with the captain. I agreed that the two disputes were not payable.

Mahimahi— Manny Roxas, delegate; Mark Hurley, bosun: Ship running smoothly. No disputes. Put aboard clarification on relief trip procedure. Made twice.

Maui— John Linderman, delegate: Second trip here since break out. No disputes, Frisco gang. Made twice.

Mokihana— John Hamann, delegate: Car carrier. No disputes. Made twice.

APL Korea— Dale Gibson, delegate: Voyage pay off. No disputes, clean pay off.

APL Singapore— John Kerlin, delegate: Voyage pay off. Good gang no disputes. A sailor got hurt in L.A.; came shorthanded; shipped a replacement.

APL Thailand— Jim Bailey, delegate: Voyage pay off. Had a problem with a sailor's trip off in Wilmington. Gave the delegate a copy of the trip-off procedure.

Also visited the steam rack at APL.
Worked in the front office.

Bill Berger

New absentee voter website

All Union members and their families should vote in November's federal elections. If you anticipate being out of town on Election Day, or if you would simply like to vote by absentee ballot to avoid the rush, how-to information is available on a public website: www.longdistancevoter.org. The site features an easy-to-use, state-by-state breakdown of dates and procedures for obtaining an absentee ballot.

Dispatcher's Report

Headquarters—Aug. 2008

Deck	
Bosun	2
Carpenter	0
MM	3
AB	8
OS	1
Standby	12
Total Deck Jobs Shipped	26
Total Deck B, C, D Shipped	5
Engine/Steward	
QMED	0
Pumpman	0
Oiler	0
Wiper	0
Steward	0
Cook	1
Messman	0
Total E&S Jobs Shipped	1
Total E&S B, C, D Shipped	1
Total Jobs Shipped - All Depts. ...	27
Total B, C, D Shipped-All Depts. ...	6
Total Registered "A"	50
Total Registered "B"	44
Total Registered "C"	5
Total Registered "D"	5

Vice President's Report continued

Steve Ross and Louie Urbano. Vacation cash-out only an option "due to an unforeseen scheduling shortfall." Evaluations of deckhand trainees are an important part of the operation.

Foss Maritime Company: Delegates Sean Gaddis, Mel Jackson, Tom Tynan and Mike Worth. With the swift and expert intervention of the SUP delegates, especially Mike Worth, a member's job that was in grave jeopardy was saved. That there was any discipline at all was not welcomed by the gang, since it was clear that equipment failure could happen to anyone in spite of the precautions. The responsibility for the incident could be spread far and wide and included management. To put the issue to rest however, our man "took one for the team," and was temporarily suspended. After considerable investigation the company admitted that tractor tug *Lynne Marie* is the fifth boat under Section 26 and requires a bid for a steady job under Section 25. Much interest and inquiry into the status of the new tractor tug *America* and the manning plans of Foss with regard to the rest of the fleet. Due to the continuous work of her delegates, the Union at Foss has never been more united, more proactive, or more aggressive in the enforcement of the contract.

Dave Connolly



Sailors' Union members at the Pacific Beach Hotel picket line in Honolulu, August 7, 2008: From left, first row: Acting MFOW Agent Mike Ching, SUP member Art Kardinal, Acting Honolulu Branch Agent Patrick Weisbarth, SUP members Tommy James, and Dave Mercer; second row: MMP and SUP member Tony Mendez; third row: MMP Members Neil McMannis and John Schmidt.