



# West Coast Sailors

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Friday, April 25, 2014

## Legislation beneficial to U.S. Merchant Marine passes House Obama Administration is opposed

The Coast Guard and Maritime Transportation Act of 2015 (H.R. 4005) unanimously passed on April 1, by the House of Representatives, restores the U.S.-flag share of food aid cargoes to 75%, reversing the arbitrary and unwarranted reduction enacted in 2012.

However, the White House is aggressively lobbying the Senate to eliminate the provision (Section 318. Minimum Tonnage). Officials at both the U.S. Agency for International Development (USAID) and the Department of Homeland Security (DHS) incredibly state that the provision would reduce the governments ability to deliver food aid.

In an April 17, letter to Senator "Jay" Rockefeller (D-West Virginia), Chairman of the Committee on Commerce, Science and Transportation, the DHS states that "The Administration opposes Section 318 which would increase from 50% to 75% the tonnage of United States agricultural commodities from Department of Agriculture-appropriated food-aid programs required to be shipped on United States flag ships by the Department of Agriculture and USAID."

**In its budget proposal for the fiscal year 2015 (October 1, 2014 through September 30, 2015), the Obama Administration requested \$1.4 billion in funding for Food for Peace Title II, a reduction of \$66 million from the program's funding level for this fiscal year as provided by the Consolidated Appropriations Act, 2014. The White House also proposed diverting up to 25% of the Food for Peace Title II funding (\$350 million) to cash payment programs in the next fiscal year.**

**The steep reduction in U.S. food-aid shipments sought by the Administration would have a devastating impact on the U.S. merchant marine and the job base for American merchant mariners, who are needed to man military sealift vessels in times of conflict and crisis.**

In its budget proposal for the current fiscal year, the Obama Administration had sought to shift the funding for Food for Peace Title II out of the Department of Agriculture and reallocate as much as 45% of the program's funding for cash payments, vouchers and the purchase of food-aid commodities from foreign producers, rather than U.S. farmers and producers. A legislative amendment that would have implemented these changes was defeated in the House of Representatives last year.

The Coast Guard and Maritime Transportation Act also includes a section calling for the Government Accountability Office to report to the Committee on the economic impacts of exporting LNG on U.S.-flagged and built vessels.

Congressman John Garamendi (D-California) vowed that as the "legislation moves forward, I will continue to advocate for additional measures to create more American jobs. This includes requiring that Liquefied Natural Gas is exported on U.S.-flagged ships that are built in America and sailed by American crews," he said.

*continued on page 11*

## SUP onboard USNS Sisler



The first SUP crew reported aboard the Large, Medium-Speed Roll-On/Roll-Off (LMSR) USNS Sisler in Diego Garcia on April 18. From left to right is Bosun Ryan McLaughlin, OS Devionnce Griffin, OS Jamaela Hagens, AB Jesus Hermosillo, AB Matt Henning, AB Hussein Ali, AB Pat Nicholas, and AB Phil Coulter. In the foreground holding the life ring is OS Paul Johnson.

The USNS Sisler (T-AKR-311) is one of eight Watson-Class LMSRs awarded to SUP-contracted Patriot Contract Service by the Military Sealift Command to operate and maintain in Full Operating Status in the Western Pacific and Indian Ocean. For more on the Watson-Class vessels see the President's Report on Page 10.

The 29,000 gross-ton vessel was built by National Steel and Shipbuilding Company in San Diego and launched on February 28, 1998. The Sisler is 950 feet in length with a beam of 106 feet and propelled by a gas turbine engine.

The ship is named after George Kenton Sisler (September 19, 1937-February 7, 1967), a U.S. Army intelligence officer and a recipient of the Medal of Honor for his heroism in the Vietnam War.

Sisler joined the Army in 1964 and by February 7, 1967 was serving as a First Lieutenant in the Headquarters Company of the 5th Special Forces Group (Airborne), 1st Special Forces. On that day, when his unit came under heavy enemy attack in the Republic of Vietnam, Sisler organized the defense, rescued

a wounded soldier, and single-handedly attacked an enemy position before being mortally wounded.

First Lieutenant Sisler's official Medal of Honor citation reads: "For conspicuous gallantry and intrepidity at the risk of his life and above and beyond the call of duty. 1st Lt. Sisler was the platoon leader/adviser to a Special United States/Vietnam exploitation force. While on patrol deep within enemy dominated territory, 1st Lt. Sisler's platoon was attacked from three sides by a company sized enemy force. 1st Lt. Sisler quickly rallied his men, deployed them to a better defensive position, called for air strikes, and moved among his men to encourage and direct their efforts. Learning that two men had been wounded and were unable to pull back to the perimeter, 1st Lt. Sisler charged from the position through intense enemy fire to assist them. He reached the men and began carrying one of them back to the perimeter, when he was taken under more intensive weapons fire by the enemy. Laying down

his wounded comrade, he killed three onrushing enemy soldiers by firing his rifle and silenced the enemy machine-gun with a grenade. As he returned the wounded man to the perimeter, the left flank of the position came under extremely heavy attack by the superior enemy force and several additional men of his platoon were quickly wounded. Realizing the need for instant action to prevent his position from being overrun, 1st Lt. Sisler picked up some grenades and charged single-handedly into the enemy onslaught, firing his weapon and throwing grenades. This singularly heroic action broke up the vicious assault and forced the enemy to begin withdrawing. Despite the continuing enemy fire, 1st Lt. Sisler was moving about the battlefield directing air strikes when he fell mortally wounded. His extraordinary leadership, infinite courage, and selfless concern for his men saved the lives of a number of his comrades. His actions reflect great credit upon himself and uphold the highest traditions of the military service."

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# SUP Honor Roll

Voluntary contributions from the membership to the following funds:

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- Bill Berry in memory of  
 Andy Andersen.....100.00  
 David Eriksen.....100.00  
 Kenneth Herzstein.....50.00  
 James Linderman.....10.00  
 John Svane.....100.00

## West Coast Sailors

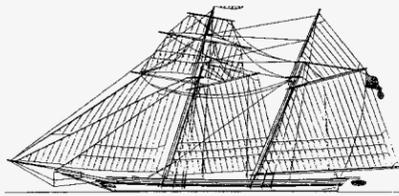
- Billy Bell.....25.00  
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 Richard Walsh.....25.00  
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## Dues-Paying Pensioners

- |                   |            |
|-------------------|------------|
| Gordon Abbott     | Book #3785 |
| Robert Copeland   | Book #4763 |
| Donald Cushing    | Book #4777 |
| Romaine Dudley    | Book #2593 |
| Diane Ferrari     | Book #2251 |
| Knud Jensen       | Book #3940 |
| Kaj E. Kristensen | Book #3120 |
| Hannu Kurppa      | Book #3162 |
| James K. Larsen   | Book #4055 |
| Duane Nash        | Book #2437 |
| John Perez        | Book #3810 |
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 Raoul Macalinao.....50.00  
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# Members of Congress caution Obama not to include cabotage in international trade deals

On April 1, Congressman John Garamendi (D-California), Congresswoman Colleen Hanabusa (D-Hawai'i), Congressman Duncan Hunter (R-California) and Congressman Steven Palazzo (R-Mississippi), sent President Obama the following letter:

"Before Congress considers fast-track authority for future trade agreements, we ask for your assurance that any trade negotiations under your watch will not jeopardize the future of the U.S. maritime industry, including specifically the Jones Act and related cabotage laws. It is critically important the U.S. ensures that it can maintain, support, and promote a viable U.S. maritime industry for economic, homeland, and national security reasons. As the country considers the Trans Pacific Partnership (TPP), the Transatlantic Trade and Investment Partnership (TTIP), and any future trade agreements, we need assurances that under no circumstance will U.S. cabotage laws be considered as a point for negotiation.

As you are well aware, the United States is the greatest maritime nation in the world, a prolific trader with the world's largest access to the Atlantic and Pacific oceans, as well as a highly developed system of intra-country waterways. Accordingly, we have built a maritime industry that not only focuses on efficiency, but also places the utmost importance on the safety and security of our country. Today, the United States continues to rely upon the commercial U.S.-flag ships, American shipyards and American merchant mariners for its military sealift strategy. Current trade agreements protect the United States' rights to maintain and promote a U.S. maritime industry. Future trade agreements must do the same.

Despite a strong U.S. maritime industry, nearly 97% of international trade is carried on foreign flagged vessels. Any change in U.S. cabotage laws, cargo preference laws, or other maritime promotional laws through trade agreements would not only destroy the U.S. maritime industry, but would also risk American jobs in the fields of shipbuilding, ship services and maintenance, and ship operations. Together these industries provide billions of dollars to the national economy and tens of thousands of jobs nationwide. Moreover, America's shipbuilding industry is a strategic national asset for the defense industrial base, and the qualified American seafarers are crucial to the crewing of military and commercial sealift ships. The U.S.-flag fleet also plays a vital role in supporting military sealift, carrying a major portion of the sustainment cargoes in the recent Iraqi and Afghanistan war efforts.

As you are aware, for many years the Jones Act has served as a protection to both our American industries as well as our national security. Because of this important role, it enjoys strong support from the U.S. military, members of Congress, and every president in modern history. Many members of Congress and even more of our constituents have grave concerns that if granted "fast-track" trade authority, we could potentially succumb to international pressures to eliminate U.S. cabotage and cargo preference laws at the cost of thousands of American jobs and countless risks to national security.

From the founding days of this nation to the recent efforts supporting American warfighters around the globe, the U.S. merchant marine has helped to protect the many freedoms this nation enjoys. For those reasons, we cannot allow foreign nations to undermine U.S. maritime capabilities through trade negotiations. Therefore, we again ask for your solemn assurance that any trade negotiations ongoing or in the future will not jeopardize the Jones Act or cargo preference laws, or generally our nation's ability to maintain and support the U.S. maritime industry."

## ILO throws abandoned mariners a lifeline

The International Labor Organization (ILO) has agreed to an amendment to the Maritime Labor Convention 2006 (MLC) to protect seafarers when their employer abandons them, allowing them to be swiftly repatriated.

International Transport Workers Federation (ITF) President Paddy Crumlin described seafarer abandonment as "a dark stain on the industry". In January, the charity Mission to Seafarers said that shipowners who do not pay seafarers their wages are more damaging to the industry than Somali pirates.

ILO Director General Guy Ryder said in a statement: "When they come into force, these measures will ensure the welfare of the world's seafarers and their families if the seafarers are abandoned, or if death or long-term disability occurs as the result of occupational injury, illness or hazard."

Crumlin agreed, responding: "The new amendments are real and concrete relief for seafarers facing that dire predicament."

MLC came into force on August 20, 2013. It has now been ratified by 57 states. It should be noted the United States has not ratified the MLC. United Nations figures (almost certainly an underestimate) list 2,379 seafarers stranded on 199 ships in the past decade.

## Final Departures

**Arturo Aulet**, Book No. 3799. Born in Puerto Rico in 1928. Joined SUP in 1968. Died February 20, 2014. (Pensioner)

**Eli Lalich**, Book No. 4062. Born in Ohio in 1922. Joined SUP in 1957. Died in Salisbury, North Carolina, January 27, 2014. (Pensioner)

**Per Dam**, Book No. 2175. Born in Denmark in 1918. Joined SUP in 1943. Died in South San Francisco, California, March 23, 2014. (Pensioner)

**Clinton Gregg**, Book No. 2925. Born in Florida in 1931. Joined SUP in 1951. Died March 8, 2014. (Pensioner)

## SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2014:

	Hdqs.	Branch
May	12	19
June	9	16
July	14	21
August	11	18
September	8	15
October	Tues. 14	20
November	10	17
December	8	15

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# Pirate prison opens in Puntland State of Somalia

Puntland President Abdiweli Gaas this month opened a new prison at Garowe for convicted pirates currently held in foreign jails. The prison was built by the U.N. Office on Drugs and Crime (UNODC) in collaboration with the Puntland government, with financial support from Denmark, Finland, the Netherlands, Norway and the U.K.

Eighteen of the first 91 inmates are pirates transferred from Seychelles Montagne Posee Prison. Seychelles is the only country that has prisoner transfer agreements with both Puntland and Somaliland. To date, 96 pirates have been returned from Seychelles.

At the inauguration ceremony, President Gaas said that during their stay in the facility, prisoners "would acquire good behavior and moral support".

## Matson Inc. gives \$50k in cash and ocean logistics to *Hokulea's* worldwide voyage

Matson Inc. has signed on as ocean logistics partner for the Polynesian Voyaging Society's five-year voyage around the world that will traverse 47,000 nautical miles and visit 26 countries and more than 80 ports.

In both cash and in-kind aid, Matson has given \$50,000 for the historic voyage, providing shipping and logistics support throughout the South Pacific and transporting supplies and gear for crew changes.

"The Polynesian Voyaging Society's Worldwide Voyage fits several of our giving criteria," Matson President & CEO Matt Cox said. "Polynesian Voyaging Society is Hawaii-based and has proven expertise – in this case, sustaining the Polynesian tradition of non-instrument ocean navigation.

"They also advocate for environmental awareness through their education programs for youth and adult learners, incorporating science and math too," Cox said. "All are key considerations to Matson."

To date, the nonprofit has raised about \$6 million toward its journey, which is estimated will cost \$30 million total in both cash and in-kind needs.

There will be 28 crew members between the two vessels — the solar-and-wind powered *Hikianalia* and the traditional Polynesian sailing canoe *Hokulea* — who will sail portions of the journey. The longest portion is 30 days, and about 300 volunteers have committed and trained to participate in this voyage that will set sail to Tahiti on May 24.

The crews will be capturing data along the way, thanks to \$250,000 in support from Hawaiian Electric Industries, to provide "canoe to classroom" activities and online learning trips at ports for people in Hawaii and worldwide to join.

"We thank Matson for helping us prepare the next generation of navigators and voyagers, and strengthening relationships with a global ohana," added Polynesian Voyaging Society President Nainoa Thompson. "This voyage is about discovery and building a diverse community that will work together to protect natural and cultural treasures for future generations."

Other major contributors include \$500,000 from the James and Abigail Campbell Family Foundation, another \$500,000 from the Ron and Sanne Higgins Family Foundation, a \$25,000 gift from Hawaii Pacific Health's Straub Hospital and Clinic, and \$25,000 from Hawaiian Telcom.

Outrigger Enterprises Group pledged a \$500,000 gift, with Starwood Hotels & Resorts Hawaii and Kyo-ya Hotels & Resorts pledging another \$500,000.

Hawaiian Airlines is the lead sponsor, providing \$1 million worth of 32 million air miles for crew travel and cargo support.

## Government officials express support for the Jones Act

Several United States government officials, ranging from members of the President Barack Obama's Administration to members on Capitol Hill, have expressed their support for the Jones Act during April.

"My boss is on the record supporting the Jones Act, and so am I," stated U.S. Transportation Secretary Anthony Foxx during an April 3 presentation to the American Waterways Operators (AWO). "I will do everything in my power to defend the Jones Act."

AWO President and CEO Thomas Allegretti said his organization appreciated the secretary's comments on "the necessity of preserving the Jones Act, which serves as the foundation of our vibrant and vital industry."

The next day, Congressman Bradley Byrne (R-Alabama) wrote to his constituents on the importance of a strong maritime industry for jobs in southwestern Alabama.

"The Jones Act mandates that all goods sent from an American port and bound for another be owned and operated by American merchants - and for good reason," Byrne noted in a press release. "This has a huge positive effect on local economies, ensuring that American ships and American jobs are being kept at home for commerce between American ports. The Jones Act is also vitally important to our national security, which is why every modern administration has supported it. American shipyards, vessels and sailors provide for secure domestic commerce on our waterways and provide our navy with a reserve component in times of war," continued Byrne.

In addition, Senator Mary L. Landrieu (D-Louisiana), Chairwoman of the Senate Energy and Natural Resources Committee, hosted a press conference on April 8, to announce a recent study that highlights the importance of the Jones Act to Louisiana's economy.

Landrieu has long been a strong supporter of the Jones Act. In 2011, she wrote a letter to the president criticizing the Obama Administration's use of foreign vessels to transport crude oil within the United States during the ongoing Strategic Petroleum Reserve drawdown. The letter urged the use of domestic vessels and seafarers, as required in the Jones Act in order to create jobs and improve the economy.

## Port of L.A. interim chief not interested in top spot

Port of Los Angeles' Interim Executive Director Gary Lee Moore announced in March that he will not apply for the permanent position, but will return to his duties as city engineer of Los Angeles after an executive director is selected, the port authority said.

Geraldine Knatz stepped down as port director in November after the new mayor, Eric Garcetti, took office last summer and said he wanted to hire his own city managers. Knatz was hired by Garcetti's predecessor, Antonio Villaraigosa.

Moore has helped keep key capital projects on track and helped shape the upcoming \$938 million fiscal budget, according to the port authority.



On the main deck of the APL Thailand is AB Peter Leo, AB Zeph Cearly, Bosun Mick McHenry, AB Dennis Sumague, and AB and SUP Delegate Jon Rose shortly before sailing from Oakland on Sunday, March 23. Photo: Dave Connolly

## Labor, business and lawmakers call for reform of the Waterfront Commission of New York Harbor

A broad coalition of business groups, labor Unions, and state legislative leaders met last month to call for the immediate filling of nearly 700 empty jobs at the Port of New York/New Jersey and reforms to the Waterfront Commission of New York Harbor to put the shipping industry and labor in joint control of future hiring.

The coalition, led by New Jersey State AFL-CIO President Charles Wowkanech and New Jersey State Chamber of Commerce President Thomas Bracken, also includes the New York Shipping Association, International Longshoremen's Association (ILA), NJ Association of Auto Manufacturers, Maritime Association of the Port of New York & New Jersey, Metropolitan Maintenance and Marine Contractors Association, NJ Motor Truck Association, NAIOP NJ, NJ Retail Merchants Association, Seafarers International Union-AGLIWD, Teamsters, and the United Transportation Union.

"We are seeing our state's largest economic engine essentially idled, and our port's continued competitiveness being put at a disadvantage, because of the Waterfront Commission's stranglehold on jobs," said Wowkanech. "It makes absolutely zero sense why nearly 700 badly needed jobs sit vacant when both business and labor are ready to fill them."

Under current laws, the Waterfront Commission controls all aspects of approving the hiring of workers who unload cargo at the ports of New York and New Jersey. Currently, there is a shortage of 682 jobs which the Commission has not filled, creating conditions where workers are forced into working consecutive multiple shifts. In addition, an estimated 300 current workers will reach retirement age at the beginning of April, further reducing the number of skilled workers. The coalition said responsibility for ensuring proper staffing levels and dock-worker hiring must be taken out of the hands of the Commission and given to terminal operating companies and representative labor Unions. The labor shortage has started to have an economic impact, with shipping companies diverting cargo to other ports along the east coast of the United States, rather than deal with the delays in loading, unloading and delivering cargo at the Port of NY/NJ.

"We are the only port in America that has to jump through such bureaucratic hoops just to fill one empty position, let alone the hundreds that remain," said John Nardi, President of the New York Shipping Association. "We already are seeing cargo being rerouted to other ports due to the delays in hiring skilled labor. There is a better way. Like every business we need a right-sized work force of well-trained, diverse, and capable individuals as determined by the employer, not a quasi-governmental agency."

"The Waterfront Commission has no business interfering with the Collective Bargaining Agreement between the ILA and New York Shipping," said Harold Daggett, ILA National President. "The Commission's action is costing the port revenue, denying workers, including returning U.S. veterans much needed jobs and creating unsafe working conditions for the existing workforce that's trying to keep commerce moving in and out of our ports."

"In anticipation of cargo and job growth induced from the Panama Canal expansion and to ensure the competitiveness in the Port of New York and New Jersey, NYSA and the ILA negotiated a hard-fought landmark six-year Collective Bargaining Agreement in 2013," continued Daggett. "This agreement demonstrates a commitment from both the NYSA and ILA to improve efficiency and productivity in the port. The Waterfront Commission is destroying it all."

# Federal Maritime Commission approves mega vessel-sharing agreement led by Maersk

The Federal Maritime Commission (FMC) announced on March 20, that its members voted not to block the P3 Network that Maersk, Mediterranean Shipping Co. and CMA CGM plan to start later this year.

The three largest container carriers expect to begin operating a vessel-sharing agreement in the TransPacific, TransAtlantic and Asia-Europe trades.

They first announced their intentions in June, of last year, and filed a formal agreement with the FMC in October. Under the Shipping Act of 1984, such agreements normally go into effect in 45 days, unless the FMC seeks additional information, which it did in this case.

The agreement can now go into effect, but the plan is still facing scrutiny by European and Chinese regulators.

The FMC said it conducted an extensive review of the proposed P3 trades between the United States and Asia, North Europe and the Mediterranean, and determined the alliance “is not likely at this time, by a reduction in competition, to produce an unreasonable increase in transportation costs or an unreasonable reduction in transportation service under section 6(g) of the Shipping Act.”

If it had determined the opposite, the FMC could have sought to block the agreement by seeking an injunction or requesting it to be modified.

**Commissioner Richard Lidinsky Jr. cast the only dissenting vote among the five-member commission, saying that he wanted to seek a 6(g) injunction. He said in a statement that “this agreement is in reality not an alliance or true vessel-sharing arrangement. Rather, it is in effect, a merger of the top three global liner companies. This agreement will allow the controlling carrier the ability, when coupled with existing discussion agreements, to deploy its assets along with those of the other two carriers to dominate vessel competition and narrow shipper options at U.S. ports. Other than the publicity machine of the three would-be partners to rally support, there is nothing in the record before us of Americans clamoring for this proposal,” he added. He said the FMC staff should have given more weight to comments by American parties involved in international waterborne trade.**

**Lidinsky’s statement appeared to highlight one of the aspects of the alliance that has provoked a great deal of comment -- the creation of a P3 Network Center in London to direct the operations of the P3. Lars Mikael Jensen, a 30-year Maersk executive, is chief executive officer of the center.**

The FMC noted “there may be circumstances that could permit the P3 Agreement parties at some point in the future, to unreasonably reduce services or unreasonably raise rates that could raise concerns under section 6(g). To address these concerns, the commission directed staff to issue alternative reporting requirements to the P3 Agreement parties to assist the commission in its ongoing, close monitoring of the agreement.”

“The commission’s action on the P3 Agreement takes into account the comprehensive, competitive analysis conducted by the FMC staff and comments received from shippers and other stakeholders. While the agreement is expected to produce operational efficiencies for the benefit of the U.S. consumer, the new reporting requirements specifically tailored to this agreement’s unique authority will ensure we have timely and relevant information to act quickly should it be necessary,” said FMC Chairman Mario Cordero in a statement.

In a separate press release, Commissioner William Doyle said after reviewing comments submitted by the public about the P3 and submitting his own questions to the P3 parties, he decided not to delay the agreement from going forward. “I am particularly pleased that the P3 parties have reconsidered how they would handle negotiations with third parties, suppliers, small businesses and other service providers. I also appreciate Maersk’s long-standing commitment and support to the United States with respect to jobs, management of U.S. government-owned ships and the commercial ships it has registered under the U.S. flag. In addition, the P3 Network Alliance claims it will deliver significant environmental benefits through substantially lower fuel consumption, thereby significantly reducing CO2 emissions,” Doyle said.

He added caution by saying, “The P3 parties should be mindful of the antitrust probes that are being conducted in the oceanborne transportation sector worldwide. To this end, the Federal Maritime Commission is not taking its hands off the wheel and is hereby instituting a monitoring program for the P3 Network Alliance.”

Lidinsky noted that an attempt by the FMC to block the P3 vessel-sharing agreement would have been unusual, saying that “the agency has in essence permitted over 1,600 carrier agreements in the last 30 years – never stopping one – and sees nothing potentially harmful with the top three companies in an unprecedented combination.” He added that “perhaps the time is at hand for a thorough executive and congressional review of the 1984 Act to see how U.S. interests are being served by its current procedures.”

**Lidinsky also said, “From observing our industry over 40 years from a variety of perspectives, I feel if we allow this agreement to take effect, it will become a model precedent. The United States, the European Union, the People’s Republic of China or any other regulatory authority will be hampered in protecting their national maritime interests in direct or cross trades. After nearly a decade of turbulence in the liner market the last thing needed is this device designed solely to fill the largest ships of the controlling carrier at the expense, as one commentator has expressed it, of the world’s maritime architecture. The filing parties have every right to apply for this unique status under our anti-trust laws, however there is nothing in the statutes or regulations we administer requiring we grant the parties request to solve self-inflicted operational and commercial problems.”**



SUP Delegates Mike Koller and Colin Dewey at the California Labor Federation’s Pre-primary Convention in Oakland this month. Missing from photo is Delegate and Sergeant-at-Arms Diane Ferrari and Delegates Dave Connolly and Gunnar Lundeborg.

## Hong Kong plans to deepen port

The Hong Kong government, in an effort to prepare for and attract mega-container ships, plans to deepen its port despite declines in volume in 2012 and 2013, according to Hong Kong maritime officials.

“The Transport and Housing Department is working on the schedule with other departments,” said Jessie Chung, chairman of the Hong Kong Terminal Operators Association. Chung, who also oversees marketing of the Kwai Chung Container Port (KTCP) — the dominant terminal at the Hong Kong, handling 70% of its total throughput — said the deepening projects wouldn’t start until 2015. “The government will need to work with terminals to find a window time to dredge,” she said. “Right now the terminal is very busy.”

Kwai Tsing also plans to expand or modernize existing terminals to handle growing demand, including development of additional barge berths at three waterfront sites and integrating two existing barge berths into KTCP.

Chung expects the projects to boost KTCP’s capacity by four million 20-foot-equivalent units, equal to three or four terminals, Chung said. “It is much cheaper to add facilities to current terminals, rather than to build new terminals from scratch,” she said. KTCP handled 17.1 million TEUs in 2013 and expects 2% growth this year and in 2015.

Hong Kong, the world’s third-largest port on the *Journal of Commerce*’s ranking of Top 50 Global Container Ports, handled 23.1 million TEUs in 2012, down 5.2% from a year earlier as volumes moving to or from the Pearl River Delta region increasingly move through ports at Guanzhou and Shenzhen. Hong Kong saw a further decline, to 22.3 million TEUs, in 2013.

## National Transportation Safety Board places cruiseship safety on its priority list

The United States is increasing pressure on the cruise industry to raise its standards as the government becomes more concerned by its recent poor casualty record.

The National Transport Safety Bureau (NTSB) held its first public hearing on cruiseship safety in Washington this month in response to recent fires on the 2,700-passenger-capacity *Carnival Triumph* and 2,000-passenger-capacity *Grandeur of the Seas*.

The federal body has also been showing increasing concern over the industry’s safety record since the loss of the *Costa Concordia* off Italy in 2012 — an accident that claimed 32 lives. Around 21 million U.S. citizens are estimated to take a cruise vacation each year.

The public hearing was attended by the industry’s big guns, including operator Carnival Cruises, German shipbuilder Meyer Werft and flag state Bahamas.

The NTSB says it will place cruiseship safety on its so-called “Most Wanted” list of top-10 safety priorities over the coming year.

In a statement to the NTSB hearing, Senator “Jay” Rockefeller (D-West Virginia), Chairman of the Senate Committee on Commerce, Science and Transportation and an outspoken critic of the cruise industry’s safety record, said: “Cruise lines have a disappointing history of taking discrete safety steps only after a terrible incident and bad press reports, and they have yet to demonstrate commitment to fostering a long-term, industry-wide safety culture.

“Accidents continue to occur, ships are poorly prepared to respond in emergency situations, and consumers are misled. Quite simply, I remain unconvinced that the cruise industry is doing enough to protect its passengers.”

Rockefeller is sponsoring the Cruise Passenger Protection Act 2013 to provide greater safety and protection for cruise passengers.

He is also worried that crimes onboard cruiseships are failing to be reported or properly investigated. A Senate committee report indicates that the number of alleged onboard crimes are 30 times higher than those reported to the Federal Bureau of Investigation.

## German and Chilean shipping companies agree to merger

Germany's Hapag-Lloyd and Chile's Compañía Sud Americana de Vapores (CSAV) signed a binding contract this month to merge CSAV's entire container business with Hapag-Lloyd. The relevant corporate bodies of both companies have already approved the merger. The closing of the transaction is subject to the approval of competition authorities.

Another condition is that not more than 5% of CSAV's minority shareholders exercise their appraisal rights until April 20. Until then, dissident CSAV shareholders have the right to withdraw. The company defined that this appraisal right should be exercised by holders of less than 5% of the company's total shares in order for the merger with Hapag-Lloyd to be completed.

Following the merger, Hapag-Lloyd will be catapulted ahead of Evergreen and COSCO to become the fourth-largest liner shipping company in the world after Maersk, MSC and CMA CGM.

The merged companies will have about 200 owned and chartered ships with total transport capacity of around one million TEUs; they will transport about 7.5 million TEUs annually. Combined sales will be about \$12.4 billion.

Hapag-Lloyd's head office will remain in Hamburg, and the company will have a strong regional office in Chile for its Latin America business, according to officials.

CSAV will hold a 30% stake in Hapag-Lloyd and will become a core shareholder along with HGV, a holding company for the City of Hamburg, and Kühne Maritime. The partners have agreed on a capital increase of \$510 million once the transaction has been concluded, to which CSAV will contribute \$357 million. This will then increase CSAV's share of Hapag-Lloyd to 34%. A second capital increase of \$512 million will be linked to Hapag-Lloyd's planned stock exchange listing.

## Safety board makes ferry recommendations

The National Transportation Safety Board (NTSB) concluded this month that the high-speed ferry *Seastreak Wall Street* struck Pier 11 in Lower Manhattan in January 2013 because the captain lost control of the vessel while attempting to dock.

On January 9, 2013, the *Seastreak Wall Street*, a high-speed passenger ferry serving commuters between New Jersey and Lower Manhattan, allided with Pier 11 as the vessel was attempting to dock. Four of the 331 persons aboard the vessel were treated for serious injuries.

Additionally, the NTSB says that the procedure used by the captain to reduce speed and transfer control from one bridge station to another while approaching the pier did not allow enough time to adequately respond to the loss of propulsion control.

"While the *Seastreak Wall Street* is the third ferry accident the NTSB has investigated in New York City in the last decade, we found areas of risk identified in previous investigations, said NTSB Chairman Deborah A.P. Hersman. *Seastreak LLC* had no safety management system (SMS) in place to identify risks and take corrective actions. Although the NTSB recommended that SMS be required in 2005 and the Coast Guard was provided the authority to require them by Congress in 2010, SMSs are still not required for domestic passenger vessels. It is time to require that every passenger vessel implement an SMS."

A safety management system would have required the company to maintain current documents, to train employees to integrate safe practices into both routine vessel operations and emergency preparations and to clearly define the roles of the crew members, ensuring the captain had assistance during the emergency, the NTSB's determination said.

The captain lost control of the vessel because of confusion about the mode in which the ferry was operating, the NTSB said. Earlier in the accident trip, the NTSB found that captain had taken the vessel from the normal Combinator mode to the seldom-used Backup mode; as he approached the dock, he was not aware he had not transferred the propulsion system back to Combinator mode. In Backup Mode, the propellers remained in the forward pitch position, causing the vessel to increase forward speed rather than slow down.

Contributing to the severity of injuries was the lack of procedures to limit passenger access to stairwells on the *Seastreak Wall Street* during potentially high-risk situations such as docking and undocking. Immediately prior to the accident, no audible alarm was sounded nor did the captain make an announcement to inform passengers of the emergency.

In 2012, the *Seastreak Wall Street* underwent major modifications converting the vessel's engines from waterjet to controllable pitch propeller propulsion. Although vessel owners and operators are responsible for updating documents to reflect changes in equipment, the *Seastreak's* operating manual had not been updated. Additionally, following the changes, the company did not institute a formal training program on operation of the new system. However, the captain was trained by personnel from the manufacturer of the new system, and in turn trained other *Seastreak* captains on the new system.

The NTSB's investigation of this accident was also hampered by the absence of a voyage data recorder, which would have captured critical information to assist in the investigation.

As a result of the accident, the NTSB made recommendations to:

- United States Coast Guard regarding human factors standards for critical vessel controls, the need for operator control of ferry passenger access to stairwells, and the carriage of marine voyage data recorders; the owner of the *Seastreak Wall Street* to improve specific control system displays and alerts, complete development and implementation of a safety management system, and revise its vessel operations and training manuals; and the manufacturer of the *Seastreak Wall Street* propulsion control system to improve its design and alert its customers to the changes.

Additionally, three previously issued recommendations to the United States Coast Guard requiring the installation of voyage data recorders and the implementation of safety management systems were reclassified.

## TTD Unions urge rejection of Norwegian Air's flag-of-convenience scheme

On April 1, the following letter was sent to Secretary of Transportation Anthony Foxx: "Dear Secretary Foxx:

On behalf of the undersigned affiliated unions of the Transportation Trades Department, AFL-CIO (TTD) we urge you to reject Norwegian Air International's (NAI) application for a foreign air carrier permit that is now pending before the U.S. Department of Transportation (DOT). TTD and its aviation Unions have already submitted extensive arguments on why NAI's application is contrary to our nation's international obligations, inconsistent with U.S. law, and would allow NAI to gain an unfair advantage over U.S. carriers and their employees.

We add our voice to this debate for several reasons. We believe that if the U.S. DOT approves this flag of convenience scheme, it will set a precedent for other foreign air carriers to exploit and follow. NAI is promoting a business model that has become all too familiar to the U.S. labor movement: undercut the competition by scouring the globe for cheap labor, diminished collective bargaining rights and weak regulations. The airline has registered in Ireland, even though it will not service Irish airports, and has chosen this path to avoid Norway's labor and tax laws. It will contract—or more accurately "rent"—much of its flight crew from Thailand using a recruitment firm based in Singapore. In doing so, NAI will be able to undercut U.S. airlines and their employees by as much as 50%.

Finally, as TTD and its aviation affiliates have demonstrated, the NAI scheme would violate the U.S.-EU Open Skies Agreement which expressly bars this sort of business model through adoption of a labor article—embodied in Article 17 bis of the agreement—that embraces "high labor standards: We urge you to uphold the spirit and intent of this important labor provision when implementing the Open Skies Agreement, and reject NAI's application.

As the representatives of Unions that represent workers in several sectors of our economy we have seen first-hand the effects of unchecked globalization on the American workforce. Too often, poorly conceived and badly enforced free trade agreements have led to the off shoring of U.S. jobs. That is why U.S. industries that previously formed the backbone of our economy have seen dramatic job losses that have coincided with the erosion of the middle class. We cannot allow a similar fate to befall the U.S. aviation industry and lose a creator of middle-class jobs and a pillar of our inter-connected transportation system.

We stand unified with U.S. and European airline unions in steadfastly opposing the NAI application. Thank you for your consideration of our views."

Sincerely,

National Conference of Firemen and Oilers, SEIU (NCFO,SEIU)  
International Organization of Masters, Mates & Pilots, ILA (MM&P)  
Transportation Communications Union/IAM (TCU)

**Sailors' Union of the Pacific (SUP)**

UNITE HERE!

American Train Dispatchers Association (ATDA)

Brotherhood of Railroad Signalmen (BRS)

National Air Traffic Controllers Association (NATCA)

International Association of Machinists and Aerospace Workers (IAM)

American Federation of State, County and Municipal Employees (AFSCME)

Laborers' International Union of North America (LIUNA)

International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers (IBB)

Professional Aviation Safety Specialists (PASS)

Marine Engineers' Beneficial Association (MEBA)

American Federation of Teachers (AFT)

Sheet Metal, Air, Rail and Transportation Workers (SMART)

American Federation of Government Employees (AFGE)

National Association of Letter Carriers (NALC)

Office and Professional Employees International Union (OPEIU)

International Brotherhood of Electrical Workers (IBEW)

SMART-Transportation Division

Communications Workers of America (CWA)



The Andrew Furuseth School of Seamanship's long-time volunteer marlinspike instructor Romaine Dudley at the school on March 26, the day before retiring. Dave Larsen and Frank Portanier will continue the work on a volunteer basis. Photo: Dave Connolly

## ESU Office Assignments

For the month of May,  
John Straley will be in the  
Seabrook office.

# ESU NEWS

APRIL 2014

Official Publication of the Exxon Seamen's Union

# Memorandum of Understanding between the ESU and SeaRiver Maritime, Inc.

## 1. Length of Contract and Wage Increase

- 5 year contract (9/1/2014 through 8/31/2019).
- Fixed base wage, CSB, SSHOT, OT, and Penalty increase of 3.50% effective 9/1/20 14, if ratified by that date.
- Fixed base wage, CSB, SSHOT, OT and Penalty increase of 3.25% effective 9/1/2015.
- Fixed base wage, CSB, SSHOT, OT, and Penalty increase of 2.00% effective 9/1/2016.
- Fixed base wage, CSB, SSHOT, OT, and Penalty increase of 2.25% effective 9/1/2017.
- Fixed base wage, CSB, SSHOT, OT, and Penalty increase of 2.00% effective 9/1/2018.
- Upon ratification of the agreement by the membership, but not earlier than 9/1/2014, a non-benefit bearing lump sum ratification bonus of \$2,500 will be paid to all active unlicensed employees.

## 2. Paid Leave

Amend Article VII, Section 2 (A) to read, as follows,

- A. In lieu of port relief and vacation, each member of the unlicensed personnel shall be entitled to be paid on the following basis:
- From September 1, 2014 until August 31, 2016, - for every day of active duty, an employee accrues 0.8000 days of paid leave (24 days paid leave for every 30 days worked).
  - Effective September 1, 2016, - for every day of active duty, an employee accrues 0.8334 days of paid leave (25 days paid leave for every 30 days worked).

## 3. Involuntary Sea Tour Penalty

Amend Article VII, Section 11 to read, as follows,

In the event an employee's sea tour is involuntarily extended beyond seventy (70) days, he/she will be eligible for a penalty payment of forty-five dollars (\$45) per day.

## 4. Subsistence

Delete Article VIII, Section 2 (D) and amend the remainder of Article VIII, Section 2, to read as follows,

The employee shall be paid regular wages while enroute from one (1) port to another, when such travel is required by order of the COMPANY in the course of employment. Subsistence at the rate of \$14 per day of breakfast, \$18 per day for lunch, and \$28 per day for dinner will be paid for the time enroute when subsistence is not included by the transportation carrier. Subsistence at these rates will also be paid when in the shipyard and meals are not provided on the vessel, and when using approved lodging off the vessel. When meals are not provided in the shipyard or on training assignments, employees will receive a per diem amount for meal expenses. For such assignments, subsistence per diem amounts will be \$14 per day for breakfast, \$18 per day for lunch, and \$28 per day for dinner.

Employees departing the vessel at any time of the day to go on paid leave will be paid the dinner subsistence rate of \$28. Employees will also receive additional meal allowance based on the travel schedule the Company provides from the vessel to the airport nearest an employee's home (that is listed in the Official Airline Guide). All other reimbursements for unauthorized lodging and/or subsistence are not applicable after an employee is relieve from a vessel to go on paid leave.

While an employee is joining, departing, or serving on a vessel that is engaged in foreign trades and incurs meal expense in that area for which he/she is entitled under some provision of this Agreement to one or more cash subsistence payments in lieu of meals, the rates for such payments will be \$14 per day for breakfast, \$18 per day for lunch, and \$28 per day for dinner. In no case will the rates listed above be less than those rates to which he/she is entitled under the provisions of this Agreement. In foreign trades and shipyards the per diem amount will be indexed according to COMPANY foreign assignment procedures.

## 5. Tank Cleaning On Deck Off Watch

Insert the following as a new paragraph at the end of Article XII, Section 17,

C. The Company agrees to retain the premium pay code for tank cleaning on deck off watch. Members of the unlicensed crew will be eligible for this rate of pay when they:

- (1) Enter fuel tanks, cargo tanks or water tanks and clean same
- (2) Enter pump room bilges or engine room bilges and clean same
- (3) Are engaged in the removal of sludge, either on deck or in the tanks, in the pump room bilges or engine room bilges, or;
- (4) Are engaged in handling sludge drums while tank cleaning is being done.
- (5) Are required to tank wash or to shift tank-cleaning equipment.

## Postdating of Merchant Mariner Credentials

The recently published rule titled "Implementation of the Amendments to the International Convention on Standards of Training, Certification, and Watch-keeping for Seafarers (STCW), 1978, and Changes to National Endorsements" (78 FR 77796) authorizes the Coast Guard to postdate a Merchant Mariner Credential (MMC) up to 8 months. This rule became effective on March 24, 2014. The implementation plan for postdating MMCs and the impact on the current delayed issuance process are listed below.

- Postdating of an MMC is defined as placing an issue date on the MMC that is in the future.
- Postdating of MMCs will only apply to applications for renewal of a credential where no other credential activity is requested or results from the transaction.
- Except upon receipt of written request documenting the need for immediate issuance, the National Maritime Center (NMC) will automatically postdate credentials with the appropriate future date.
- The issue date of the MMC will be the day following the date of expiration of the current MMC, but no more than 8 months in the future. The expiration date and period of validity of the credential will be 5 years from the date of issuance.
- If the expiration date of the mariner's current credential is beyond 8 months from the date that the Coast Guard accepts a complete application, the new credential issue date will be 8 months from the date

Tank Washing is defined as the actual line up of tank cleaning systems, including piping heaters and pump, tank cleaning operation and securing of tank cleaning systems.

Shifting Tank Cleaning Equipment is defined as physically moving of tank cleaning equipment in preparation, during or after completion of tank cleaning.

## 6. PPE Programs

Amend Article XII, Section 22(C), as follows,

C. Coveralls/Clothing: Effective January 1, 2015, employees may redeem a card which entitles the holder to receive 6 articles of clothing per year (6 pair of coveralls, or 6 shirts and 6 pants, or a combination of the foregoing). The card may be redeemed and garments selected one time per year.

## 7. Laundry Facilities

Insert the following as a new paragraph under Article XII, as Section 23,

23. In a shipyard environment where laundry facilities are not available aboard ship, the Company will exercise best efforts through the local agent to arrange shoreside service for laundry at Company expense.

## 8. Special Marine Plans

Amend Article XVIII (Benefits Plans), Section 4, to read as follows,

Effective 9/1/2014, the following plans covered by this Agreement have been updated and are attached in separate addenda

- A. Special Sea Service Annuity Program
- B. Sea Service Allowance Program

of application acceptance, at which time the current active credential will become invalid.

- Any transactions initiated after a postdated MMC has been approved and mailed will result in endorsement labels being printed and mailed for both the mariner's active MMC and the postdated MMC. Mariners must ensure that the endorsement labels are properly placed in the appropriate MMC.

- To ensure consistency of service, the Coast Guard will implement postdating of renewal credentials beginning with applications processed on or after March 24, 2014.

- The new credential will not be valid until the issue date listed on the new MMC. Mariners must continue to carry their current credential until that date.

- In accordance with the Code of Federal Regulations (CFR), mariners are required to return expired or otherwise invalid credentials to the NMC. When the current credential expires, it should be mailed to the NMC.

### Delayed Issuance:

- The Coast Guard will no longer accept requests for delayed issuance beginning March 24, 2014.

Mariners and other providers should contact the Customer Service Center at IASKNMC@uscg.mil or 1-888-IASKNMC (427-5662) with any questions.

## ESU News

# ESU Executive Board Summary and Explanation of the Memorandum of Understanding

The following summary of bargained changes to the Agreement between the Exxon Seamen's Union and SeaRiver Maritime, Inc. is provided to aid in explaining the official Memorandum of Understanding. This summary is intended only to be used to better clarify the negotiated items of the MOU.

The Executive Board and Management met in Houston during the week of March 17th for five full days of what turned out to be very difficult bargaining. The Union's bargaining committee believes that the Company's final offer was the best possible results under present economic and industry conditions. The MOU includes "across the board" wage increases in each year of the Agreement, an additional day of paid leave in 2016 and a lump sum ratification bonus. We were also able obtain improvements to a few areas of the Contract without making any concessions.

## Item #1: Length of Contract and Wage Increase

The term of the Agreement is for five (5) years – September 1, 2014 to August 31, 2019. The Company pushed hard for a 5-year deal. The ESU initially proposed a 3-year Contract as has been the case with more recent Contracts. Management's stated reason was a longer agreement provided value to them since they would not have to go through Contract negotiations again until 2019. The Board did consider there are also advantages to our members by providing security against losing any contractual rights during the longer term. The ESU Board was reluctant to go along with a 5-year Contract but told the Company we would consider a 5-year Agreement depending on the financial package in total. The ESU Board also insisted that the pay increases in the 5-year package be larger in the front end years which provides a better compounding effect over the course of the Contract. It also helps those members that may be considering retirement in the near future with larger increases in the 1st and 2nd year.

## Item #2: Paid Leave

It was also important to the ESU that a 5-year Agreement include paid leave since there would not be another opportunity to increase paid for 5 more years. ESU members have not received an increase in paid leave since 1998. Additionally, Polar and Chevron have made respectable gains in paid leave in recent years and are at our current level paid leave (24 days for 30 worked).

## Item #3: Involuntary Sea Tour Penalty

Increase in Involuntary Sea Tour penalty payment from current \$30 to \$45 per day for sea tours that extend beyond 70 days aboard ship. Due to inflationary erosion, the ESU believes increases to payments such as this are appropriate and necessary over time.

## Item #4: Meal Subsistence

An increase to \$60 per day will bring our members up to the same level as Chevron and Polar employees. There was also a change in the way foreign meal subsistence is paid. The current rates under article VIII, Section 2C, will be lower than the new domestic subsistence rates of \$60 per day if there isn't a change to this section of the Contract. The new base rate for calculating foreign rates regardless of trade or shipyard will also now be \$60 per day. The Board bargained to raise these rates higher for the shipyard but \$60 is what we ended up with. The last shipyard in Singapore used a 10% international multiplier index for per diem rate calculations. Using the 10% index and provided the MOU passes the Company would pay \$66 per day. If a vessel is in another foreign trade the multiplier index for that area would apply but never be below \$60.

## Item #5: Tank Cleaning On Deck Off Watch

The MOU provides specific language to be reinserted into the new Contract to rectify the 454 Tank Cleaning on Deck code for work performed off watch. There has been some confusion with this issue and reinserting previous language that was used previously should solve the problem.

## Item #6: PPE Programs

The ESU presented proposals to increase all parts of the Personal Protective Equipment (PPE) programs. We were able to increase the number of clothing articles from 4 to 6 but no other increases to the PPE program.

## Item #7: Laundry facilities

In a shipyard environment when laundry facilities are not available aboard ship, the Company will exercise best efforts through the local agent to arrange shoreside service for laundry at Company expense.

## Item #8: Special Marine Plans

In the official Ballot packet are copies of the revised plans for your review. These changes are necessary in order for the plans to conform to current law as outlined under ERISA and clarify employees' appeal rights. There are no changes to important provisions such as our early retirement option at age 50 with at least 15 years of service.

Other Issues that were unsuccessfully bargaining

- Air Transportation
- Increases in Ground Transportation
- Return the Cook's position to the Galley instead of doing rooms and have the Cook more involved with food preparation.
- 3 MS positions assigned aboard ship.
- Increase in the Manning factor – Increase positions on the Seniority Lists.
- DVD, Refrigerators and Cable boxes in everyone's room.
- Reimbursement for documentation renewal and associated expenses for travel
- Allow physical forms to be completed at Company clinics during annual exams at Company expense.

- Paid leave accrued while attending training.

- Training will not be conducted on travel days to and from training.

Once you receive your packet, please take the time to review the material, ask questions if necessary but most importantly cast your ballot when you have made your decision. As outlined under the ESU Constitution and Bylaws, a 60-day voting period has been established with the American Arbitration Association in New York. The deadline for the Contract vote is June 5, 2014, at 10:00 a.m.

The ESU Board encourages any members that are in need of further explanation or clarification of the proposed 2014 Contract to contact the ESU office (832-295-3047) or speak to any Executive Board officer.

## ESU Bargaining Committee



During the week of March 17–March 21, the ESU Board met with SeaRiver management for Contract negotiations in Clearlake, Texas. Pictured above, front row from left to right: Steward Trustee Joel Mitchell, President/Secretary John Straley, Legal Counsel Sharon Groth and Vice-President/Treasurer Leo DeCastro. Back row L to R: Engine Trustee William Ackley, Deck Trustee Jeffrey Harris, and Board Members at Large, John McCarthy and Joe Bernavich.

## Ship reports

### S/R American Progress

ESU Board Member John Straley visited the ship in Baton Rouge, LA at the ExxonMobil Refinery on April 10. The trip up the Mississippi River is something new for the *Progress* but the transit in and out was relatively smooth. The vessel was at the dock for a few days waiting on product. The cargo was delivered to Tampa and Ft. Lauderdale. Regular Ship Representative Michael Harrison aboard and reports no problems.

### Kodiak

ESU Board Member John Straley visited the ship at anchorage 9 in San Francisco, CA on April 17. Crew received exceptional feedback for their performance during a US Coast Guard inspection on the 16th. The vessel remained at anchor for a few days before shifting to Chevron Richmond for full discharge. Next trip is slated for Long Beach arriving the first week of May. Regular Ship Representative Joe Butler aboard and doing a good job communicating with the ESU office.

### Liberty Bay

Sea Trials for SeaRiver's newest vessel were conducted during March. Reports are the vessel did well for the first ship in this class of two. As we go to press, the vessel christening is scheduled for the 25th in Philadelphia. There are no ESU members assigned at the present time. Indications are that the vessel will be crewed and enter service in the coming weeks. More news about the *Liberty Bay* to follow in subsequent editions of the ESU NEWS.

### Sierra

ESU Board officers' John Straley and Leo DeCastro visited the ship at Tesoro 121 in Long Beach, CA on April 14th. The vessel stopped in Vancouver, Canada on the way north for a couple of days to have the hull cleaned before proceeding to Valdez. The next two trips are scheduled for split discharges in the San Francisco Bay area. Regular Ship Rep. Thor Floreen aboard.

## EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Vice President/Treasurer Leo DeCastro

Board Member at Large Joe Bernavich

Board Member at Large John McCarthy

Deck Trustee Jeffrey Harris

Engine Trustee William Ackley

Steward Trustee Joel Mitchell

## Four postal Unions form alliance to defend U.S. Postal Service

Declaring that “the U.S. Postal Service is under unprecedented attack,” four postal Unions formed an alliance last month to fight back to preserve America’s postal service for the benefit of the public.

“A congressionally manufactured financial crisis drains the USPS of vital resources,” the Union presidents wrote in a proclamation. “Six-day delivery is under constant threat of elimination. The reduction of service standards and the elimination of half of the nation’s mail processing centers have slowed service and wiped out tens of thousands of good jobs. Post offices in cities and small towns are being sold or closed or having their hours cut back.”

The goal of the alliance is to enlist public support in preserving the national treasure that is the U.S. Postal Service. The USPS is based in the Constitution, provides Americans with the world’s most affordable delivery network, and is operationally profitable without using a dime of taxpayer money.

“Corporate privatizers seek to gain control over larger segments of postal operations and to get their hands on the Postal Service’s \$65 billion of annual revenue. The postmaster general’s policies of subcontracting and degrading service are fueling the privatization drive,” the proclamation declared. “We stand with the people of our country in defense of their right to a universal postal service operated in the public interest.”

The proclamation was signed by National Association of Letter Carriers President Fredric Rolando, American Postal Workers Union President Mark Diamondstein, National Postal Mail Handlers Union John Hegarty, and National Rural Letter Carriers’ Association President Jeanette Dwyer. The four Unions pledged to commit to work together to:

- Maintain six-day and home delivery.
- Protect and restore service standards and mail processing facilities.
- Maintain full-time, full-service public post offices in every community.
- Oppose the subcontracting of work and privatization of services.
- Expand postal services to include basic banking, notary, check-cashing and other services.
- End the corporate welfare of excessive pre-sort discounts.
- Form a common front in the fight for genuine postal reform legislation.
- Organize joint actions and speak in a united voice.
- Unite with other labor Unions in defense of the rights of postal workers and all workers.
- Encourage joint efforts of our Union members at the local level.
- Support maximum cooperation in the next round of contract negotiations.
- Build an alliance with the American people in defense of the public postal service.

## Costa Concordia skipper tried to concoct “electrical blackout” caused shipwreck

The captain of the *Costa Concordia* tried to persuade the crisis coordinator of the cruise line to pretend an electrical blackout had caused the shipwreck, a court was told this month.

The luxury liner hit rocks as it sailed close to the island of Giglio in January 2012, killing 32 people and setting off a chaotic evacuation of crew and passengers, some of who jumped into the sea and swam ashore.

“He suggested we say an (electrical) blackout had caused the collision. I said absolutely not,” Roberto Ferrarini, the Costa Cruises crisis coordinator, told the court where Schettino is fighting charges of manslaughter and causing a shipwreck. Schettino’s lawyer, Domenico Pepe, said Ferrarini’s crisis-response group was to blame and had abandoned his client. The lawyer said much of the trouble was caused by a faulty emergency power system. Ferrarini was sentenced last July to two years and 10 months after pleading guilty to manslaughter.

The court heard a recorded conversation between the two men while the ship was sinking. “I have made a mess and practically the whole ship is flooding,” Schettino is heard telling Ferrarini. “What should I say to the media? ... To the port authorities I have said that we had an (inaudible), we have had a blackout.”

The captain is accused of abandoning ship before all passengers and crew were rescued. The Italian Coast Guard ordered him to, “Get back on board, damn it!”, which became a catch phrase in Italy that was printed on t-shirts.

His lawyers say Schettino was thrown overboard because of the angle of the leaning ship. It still lies rusting and is due to be towed away in June to be broken up for scrap.

Costa Cruises, a unit of Carnival Corp, avoided a criminal trial by agreeing to pay one million euros (\$1.31 million) fine, but victims are pursuing damages in a civil case.

## Made nervous by the doctor

A large review of studies has found that the “white coat effect” – a rise in blood pressure in a medical setting because of a patient’s anxiety – can be serious enough to affect treatment decisions.

Researchers combined data from 15 studies involving 1,019 patients in 10 countries. The analysis appears in *The British Journal of General Practice*.

On average, systolic readings (the top number) were 7.0 millimeters of mercury lower, and diastolic readings 3.8 lower, when taken by nurses than when taken by doctors. In three studies that included people with normal blood pressure, the differences were even greater: systolic and diastolic readings were 10.1 and 3.8 millimeters of mercury lower when taken by nurses, although the researchers found that these studies were at high risk for bias.

The differences were slightly greater for women than for men, but the age of the patient made no difference.

“We’re not saying that doctors should never measure blood pressure,” said the lead author, Christopher E. Clark, a clinical research fellow at the University of Exeter in England. “But if they’re managing high blood pressure, it would be a reasonable request to have the reading taken by the nurse.”

## Welfare Notes

April 2014

### REMINDER: TO THOSE ENROLLED IN THE HEALTH NET PPO PLAN

A participant’s annual PPO deductible and the PPO copayments and coinsurance amounts (up to the first \$1,000) will be reimbursed by the SUP Welfare Plan upon submission of the Health Net payment explanation of benefits and proper receipts. *If you use a Non-PPO provider, you will only be reimbursed up to the out of pocket amounts that would have been reimbursable had you used a PPO provider.* Following are several examples:

- The Health Net Plan pays 80% of charges if a participant uses a PPO provider and 60% of charges if a participant uses a non-PPO provider. In this instance, a participant using a non-PPO provider will only be reimbursed the difference between the 60% allowed by Health Net and 80% which is the amount payable for a PPO provider (leaving 20% of the charges as the member’s responsibility plus any amounts exceeding Health Net’s customary and reasonable charge allowance). So for a \$2,000 charge from a non-PPO provider, Health Net would pay \$1,200 (assuming the deductible has been met); the Trust would reimburse you \$400 and you will be required to pay \$400.

- The Health Net Plan requires a \$20 member copayment for an office visit to a PPO provider. A participant using a non-PPO provider will be reimbursed a maximum of \$20 for an office visit. So for a \$150 office visit charge from a non-PPO provider, Health Net would pay \$90 (assuming the deductible has been met); the Trust would reimburse you \$20 and you will be required to pay \$40.

- The Health Net Plan requires an additional \$500 copayment for inpatient hospitalization at a non-PPO facility. The \$500 amount will not be reimbursable to you as this copayment applies only to non-PPO providers.

Spouses and dependents are not eligible for any deductible or coinsurance reimbursements. Please contact the Plan Office if you have any questions.

Michelle Chang, Administrator [mcsupsiupd@sbcglobal.net](mailto:mcsupsiupd@sbcglobal.net)

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SUP Welfare Plan 730 Harrison Street, #415, San Francisco, CA 94107

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

SIU-PD Pension 415-764-4987 SIU-PD

Supplemental Benefits 415-764-4991

Seafarers Medical Center 415-392-3611

## Lifeboat release mechanism implicated in serious injury

Last month Maltese registered bulk carrier *Aquarosa* was on a voyage from Singapore to Kwinana, Western Australia, when its freefall lifeboat was inadvertently released during a routine inspection. A ship’s engineer, who was in the lifeboat at the time of its release, sustained serious injuries. The lifeboat was retrieved onboard the ship about five hours after its release and the voyage to Kwinana was resumed.

The Australian Transport Safety Bureau’s (ATSB) initial analysis of the incident indicates that the lifeboat release mechanism was not fully and correctly reset after it was last exercised and that the hook was released when the engineer topped up the release system hydraulic oil reservoir and manually operated the pump to pressurize the system. Initial analysis also indicates that the two simulation wires, which were designed to hold the lifeboat when the hook was released during a simulated release, failed at a load significantly below their rated safe working load.

The ATSB contacted *Aquarosa*’s operator, the lifeboat manufacturer, Bureau Veritas, the International Association of Classification Societies, the Malta Merchant Shipping Directorate and the Australian Maritime Safety Authority. These organizations were advised of the incident and the initial findings of the ATSB safety investigation. They were also urged to identify ships fitted with similar freefall lifeboats and to advise operators of those ships to take appropriate safety action to prevent similar accidents from occurring.

The investigation is ongoing and will focus on determining how the lifeboat release mechanism could be reset incorrectly without an obvious visual indication and why the simulation wires failed.

## Membership and Ratings Committee

The Committee met on April 3, 2014, and found the following members eligible for advancement in seniority and rating stamps in the various departments:

Name and Membership Number	Seatime	Rating	Seniority
Nestor Luzon Bk #4122	6 Years	A.B.	A
Terry Black B-19354	1 Year	A.B.	B
Paul Johnson C-2433	30 Days	A.B.	C
Theodore Cress C-2434	30 Days	O.S.	C

Rating Stamps - None

Membership and Ratings Committee’s Report - M/S to concur in the Committee’s report. Carried unanimously. Membership and Ratings Committee: Paul Aguirre #3814, Dan Ternura #19183 and Tony Ymas #256.



Wreaths from the SUP and the Lundeberg family mark the birthday of Harry Lundeberg on March 25, at Headquarters. Lundeberg served as Secretary-Treasurer of the SUP from the turbulent days of 1935 until his death in 1957.

## SUPPORT THE SUP POLITICAL FUND

# Senator Rockefeller remains unconvinced cruise industry is doing enough to protect passengers

Senator John D. (Jay) Rockefeller IV, (D-West Virginia), Chairman of the Committee on Commerce, Science and Transportation, on March 26, submitted a prepared statement to the National Transportation Safety Board's (NTSB) public forum on cruise ship safety. Rockefeller released a cruise crime report in July 2013 which exposed critical barriers to public access of important cruise ship crime and safety data. He also held a hearing in July 2013 titled, "Cruise Industry Oversight: Recent Incidents Show Need for Stronger Focus on Consumer Protection", that focused on the consumer protection challenges the cruise industry faces in light of recent safety and security incidents. Senator Rockefeller's statement:

"It is easy to understand the popularity of cruises. An endless media blitz from the cruise lines sell us on the idea of a safe, once in a lifetime dream vacation at a fraction of the price. And, while most passengers may get their idyllic vacation, for others—as we have seen all too frequently—the dream becomes a nightmare.

Over the past few years, there have been a consistent string of problems onboard cruise ships. In November 2010, the *Carnival Splendor* experienced an explosion and engine room fire that disabled its electrical systems leaving it adrift with passengers trapped on board with excessive heat and sewage problems. In January 2012, Carnival's *Costa Concordia* collided with rocks off the coast of Italy, resulting in 32 deaths. More recently, a fire erupted in the engine room on the *Carnival Triumph* last February, stranding passengers at sea without air conditioning, and largely without lights, water, food and functioning bathrooms. These represent just a few of the many safety incidents involving cruise ships.

While the vast majority of passengers may have a safe experience on a cruise ship, these safety incidents highlight the very serious problems that some passengers can face. To address these issues, I have held several hearings on the cruise industry's poor safety record. Witnesses and experts have highlighted unsafe traveling conditions, major deficiencies in fire detection systems and evacuation procedures, a lack of crew training, mis-communications about what actions should be taken to address safety issues, and the inability of the ship to take care of and efficiently evacuate passengers. In

response, the cruise lines have provided testimony on a number of safety changes. However, cruise lines have a disappointing history of taking discrete safety steps only after a terrible incident and bad press reports, and they have yet to demonstrate commitment to fostering a long-term, industry-wide safety culture.

While crime is not a focus of this safety forum, crime onboard vessels contributes to an anti-safety culture. Last year, the Commerce Committee issued a report, which found evidence that cruise ship crimes are vastly underreported. Even when these crimes are reported, it can be difficult to receive help, preserve crime scenes, conduct an investigation, and pursue legal action against the perpetrator and the cruise lines. Both victims of crime and safety incidents are left with little to no recourse when something bad happens. For example, Carnival has argued in pending litigation that passengers are only owed a duty of reasonable care and no guarantee exists for safe passage, a seaworthy vessel, adequate and wholesome food, and sanitary and safe living conditions.

Leaders in the cruise ship industry ask me and the American people to trust they will correct these problems. However, accidents continue to occur, ships are poorly prepared to respond in emergency situations, and consumers are misled. Quite simply, I remain unconvinced that the cruise industry is doing enough to protect its passengers. This is why I introduced the Cruise Passenger Protection Act, working with many of the victims that have been impacted by the shortfalls of the cruise industry. This bill takes important steps to improve consumer protections and address critical safety issues that the cruise lines have been unwilling to make on their own.

Constant vigilance is necessary to ensure the safety of cruise line passengers. I commend the NTSB for increasing its focus on these issues and gathering key stakeholders together to better understand cruise ship safety and oversight. Increased scrutiny from the NTSB can help evaluate actions taken by the industry and highlight areas where additional focus is needed. This forum will provide another opportunity to let the cruise ship industry know that we are watching and will continue to push it to do better. "

# Making headway with U.S. maritime industry

by Congressmen Duncan Hunter (R-California) and Steve Scalise (R-Louisiana)

"Those searching for signs of hope in the U.S. economy need look no further than an industry too often taken for granted — the American maritime industry.

In the midst of a renaissance that is creating jobs and leading an American economic recovery, the men and women who work on U.S. vessels and in U.S. shipyards collectively contribute billions to our national economy.

The growth opportunities in the domestic maritime sector stem from the boom in domestic oil production. Leading this boom is the high demand to move the abundance of natural gas and oil being produced here at home. In fact, recent headlines have celebrated the resurgence in U.S. shipbuilding, with our home states of California and Louisiana among the nation's shipyard leaders.

The latest example of this economic renaissance can be found in San Diego, where the construction of the world's first liquefied natural gas-powered container ships are underway. These vessels are not only the most advanced, environmentally progressive vessels of their kind, but they also represent \$350 million in U.S. investment, support 600 American shipyard jobs and brighten the future of the indispensable domestic maritime industry.

The San Diego project is far from the only notable example of the innovation and investment that is taking place in the domestic maritime industry today. Seven of the top 10 busiest ports in the United States are found along the Gulf Coast. Nearly 30,000 Louisianans work in the private sector on the front lines as they build and repair ships, earning an average salary of more than \$70,000 in the process.

American companies and workers are applying American ingenuity — and investing billions of dollars — to meet the nation's transportation needs. Whether through new vessel construction, innovative technology or rig-

orous safety training, at a time when other industries are suffering from uncertainty, the domestic maritime industry is investing in its future and safeguarding its resilience. All Americans will reap the benefits.

**This growth would not be possible without the Merchant Marine Act passed by Congress in 1920, commonly referred to as the Jones Act, which requires that vessels moving cargo between U.S. ports be owned by American companies, crewed by American mariners and built in American shipyards. The resulting benefits cannot be understated: More than 40,000 American-owned vessels built in American shipyards and crewed by American mariners move agricultural goods, petroleum, coal, natural gas, chemicals and other essential commodities safely and efficiently along our rivers and coastlines. The domestic maritime industry supports nearly 500,000 jobs and almost \$100 billion in economic output.**

The security importance of this law is equally, if not more important than the economic benefits. For decades, U.S. military leaders have supported the Jones Act because of its national and homeland security benefits. One remarkable, historic example came on Sept. 11, 2001, when the New York maritime community responded to unbelievable tragedy in a most astonishing manner, assisting with the largest maritime evacuation on record as it transported more than 500,000 people away from Manhattan after the attacks. Additionally, the Jones Act supports our men and women in uniform. During the conflicts in Iraq and Afghanistan, more than 90 percent of all needed material was moved to the war zones using water transportation.

The domestic maritime industry also protects America's security interests within our own borders. Our connected system of waterways links the heart of our

nation to our coasts. Without the Jones Act, vessels and crews from foreign nations could move freely on U.S. waters, creating a more porous border, increasing possible security threats and introducing vessels and mariners who do not adhere to U.S. standards into the bloodstream of our nation.

We are blessed to have fellow Americans operating U.S. vessels between our ports and on our waterways. Our mariners are best in class in their training, safety and commitment to this great land. Waterborne commerce and our nation's maritime base are vital to our nation's economy, security and quality of life.

The Jones Act should be hailed as a commercial and a public policy success. It is the critical factor that ensures a vibrant domestic maritime sector, which in turn helps propel the American economy and protect vital U.S. national and homeland security interests.

American maritime is investing in itself and leading an economic recovery. We would be wise to not get in its way."

"I again recommend a law prohibiting all corporations from contributing to the campaign expenses of any party... Let individuals contribute as they desire; but let us prohibit in effective fashion all corporations from making contributions for any political purpose, directly or indirectly."

President Theodore Roosevelt



# SUP President's Report

April 15, 2014

## PATRIOT CONTRACT SERVICES

Seven months after the Military Sealift Command awarded Patriot a five-year contract with four one-year options to operate and maintain eight Watson-Class Large, Medium-Speed Roll-On/Roll-Off (LMSR) vessels, the United States Court of Federal Claims on March 26, denied the legal challenge brought by the incumbent operator, Ocean Ships, Inc.

Since the announcement, there has been a flurry of activity in all halls to collect training certifications and other documentation required to work in the LMSRs. Shipping a sailor to these vessels is not easy given the paper work involved.

The first to call for a crew was the *USNS Sisler*. The Bosun, five ABs and three Ordinary Seamen will turn-to aboard the vessel on April 17, in Diego Garcia.

The projected turnover dates, subject to change, for the other seven ships are as follows:

<i>USNS Watson</i> -	April 30
<i>USNS Pomeroy</i> -	May 7
<i>USNS Red Cloud</i> -	May 7
<i>USNS Soderman</i> -	May 18
<i>USNS Charlton</i> -	May 23
<i>USNS Dahl</i> -	May 26
<i>USNS Watkins</i> -	June 2

In order for all SUP members to have a shot at these good paying jobs, ships have been assigned to the following ports: *Sisler* and *Dahl* to Headquarters; *Pomeroy* and *Soderman* to Seattle; *Red Cloud* and *Watkins* to Wilmington; and the *Watson* and *Charlton* to Honolulu. However, to crew these vessels, all ports will pitch-in. For example the *Sisler* was crewed by sailors from Headquarters and Seattle.

All jobs will be called in accordance with the SUP Shipping Rules, with the caveat that all seeking employment must have the required training.

Additional training classes will be held in the near future. Members interested should fill out a training enrollment form available at all halls.

The wage rates were originally published in the September 2013 issue of *West Coast Sailors*. Since the ships are now a reality, the rates, again, are as follows:

### Full Operating Status (FOS)

Rating	Wages (56 hr. week)		Supp.*	Money	
	Monthly	Daily	Wage Daily	OT Rate	Purch. Plan Daily
Bosun	\$7,407.21	\$246.91	\$87.39	\$31.20	\$27.00
AB	\$5,859.11	\$195.30	\$67.61	\$24.03	\$27.00
OS	\$4,181.94	\$139.40	\$47.65	\$19.07	\$27.00

\*Supplemental Benefits: Fifteen (15) days for each Thirty (30) worked or pro rata thereof.

### Reduced Operating Status (ROS)

Rating	Weekly Wage	Daily Wage	OT Rate
Bosun	\$1405.00	\$200.71	\$31.20
AB	\$1101.64	\$157.38	\$24.03
OS	\$843.58	\$120.51	\$19.07

Supplemental Benefits: One and one-half (1½) days for each Thirty (30) days worked or pro rata thereof.

Medical Coverage: Group II (six months). The per manday contribution to the SUP Welfare Plan is \$75.45 in FOS and ROS.

## CALIFORNIA LABOR FEDERATION, AFL-CIO

As a Vice President of the California Labor Federation, AFL-CIO, participated in Executive Council meetings in Oakland on April 8 and 9, in preparation for the Federation's Pre-Primary Convention. The Council reviewed, discussed and acted upon all candidates running for Congress, the state legislature, state-wide offices and ballot propositions for the June 3, primary election.

In addition to making recommendations to the convention, the Executive Council discussed the Federation's 2014 legislative agenda which follows:

### 1. Protection for Workers in the New Economy

All workers deserve to be paid for their work, to

have safe workplaces, and to have the right to organize, regardless of how they are hired. Too often, employers use third-party labor contractors to force down wages and escape liability. Workers may remain temporary for years, with no guarantee of hours or assignments, no protection from retaliation, and no recourse when the labor contractor disappears without paying them. We will hold employers accountable to follow the law and stop labor contractors from serving as a shield to protect bad actors.

### 2. Shine a Light on Subsidies for Low-Wage Work

Millions of Californians live on minimum wage and work multiple jobs to make ends meet. What is even more unfair is that California taxpayers foot the bill to subsidize major corporations when they force workers onto public programs. We will require transparency on those employers that pay workers so little that they qualify for public benefits, and on how much working Californians pay to subsidize the most profitable companies in the world.

### 3. Control Health Care Costs

California has embraced the health care expansion, but we have yet to address the crisis in health care costs. Our members, unions, employers, and economy are struggling under the weight of ever-increasing health care costs. The first step is to bring transparency to what we pay for, so we can determine fair pricing. We will provide tools to our trust funds, unions, and members about health care costs and begin fighting for affordable quality coverage for all.

### 4. Build High-Speed Rail

California's high-speed rail project will bring hundreds of thousands of good union jobs to the areas of the state hardest-hit by the recession. Public investment in high-speed rail is critical to rebuild our economy and to ensure that California has adequate transportation for our growing population. We will work with the High-Speed Rail Authority to ensure that the budget provides funding to break ground on the project this year. We will also work on a state and federal level to ensure ongoing funding to complete the largest public works project in the country.

### 5. Improve Assistance to Laid-Off Workers and Stabilize the Unemployment Insurance Fund

Losing your job is hard enough, but being unable to get the help you and your family are entitled to and depend on is just wrong. We will work with the Administration to bring relief to laid-off workers by improving customer service and making the agency more responsive. We will also work toward stabilizing the Unemployment Insurance (UI) fund to reverse our reliance on borrowing and reduce our high-interest payments to the federal government.

### 6. Let Workers Earn Paid Sick Days

As California expands health care coverage, we must ensure that workers can afford to actually use their health care or take a day off when they are too sick to work. The right to earn a minimal number of sick days is a basic one that all workers should have. Those forced to work while sick risk prolonging their illness while exposing others to it as well. Paid sick days promote public health in the workplace and in schools, and save health care costs because workers will be less likely to rely on emergency care. We will pass a bill to allow all workers to earn paid sick days.

### 7. Protect Immigrant Workers

Last year, we passed the strongest laws in the nation to protect immigrant workers from retaliation when they push for better working conditions. Now we have to make sure our unions are trained to use these new laws and that law enforcement is a partner in pursuing employers who use immigration consequences to hold workers hostage. We will continue to work with our local unions, the immigrant rights movement, and worker centers to make sure that immigrant workers have the same opportunities to fight for a better life that we demand for all California workers.

### 8. Protect Retirement Security

Far too many workers work hard all their lives only to retire in poverty due to the lack of retirement security. Public employees have seen significant rollbacks in pension benefits and private sector workers have seen pensions frozen and companies using bankruptcy to break promises to employees. Rather than blame workers

who still have modest pensions, thanks to their Unions, we should be working toward retirement security for all workers.

The Pre-Primary Convention convened in Oakland on April 10, with delegates from California's 2.1 million Union workers debating the recommendations of the Executive Council. The SUP was represented by Dave Connolly, Colin Dewey, Diana Ferrari, Mike Koller and your secretary.

The pre-primary endorsement serves as the launching pad for the massive grassroots voter outreach efforts that will activate tens of thousands of volunteers from now until Election Day. The California Labor mobilization relies heavily on personal communication at the door, on the phone and at the work site to educate voters about key issues in the upcoming primary. Members interested in participating should contact their local labor council.

California Labor Federation Executive Secretary-Treasurer, Art Pulaski said, "Our power derives from workers coming together on nights and weekends to talk to friends, neighbors and coworkers about the importance of this year's election. "What our grassroots efforts lack in money, we more than make up for in face-to-face voter engagement. With big money perverting our political process, the labor program to engage and mobilize voters on worker issues is more important than it's ever been. We're ready to get to work electing a slate of pro-worker candidates committed to making California the best place to live, work and raise a family."

A complete list of the Federation's Primary recommendations will be published in the May West Coast Sailors and may be viewed online at the Federation's website.

## ANDREW FURUSETH SCHOOL OF SEAMANSHIP

After 12 years of volunteering his time to teach marlin-spike seamanship at the Andrew Furusetth School of Seamanship in San Francisco, SUP pensioner Romaine "The Ranger" Dudley has decided to spend more time with his kids and grandchildren.

Relieving Dudley is Brother Dave Larsen who will open the school on Thursdays and Fridays from 7:00 A.M. to 10:00 A.M. and on Headquarters meeting days from 6:00 A.M. When he is on the beach, Brother Frank Portanier will assist as he has done in the past. Again, these brothers are volunteering their time.

Thanks for your dedicated service "Ranger" and welcome aboard Dave.

It should be noted that for several years the school in San Francisco has given the final stamp of approval to the Membership and Rating Committee for candidates for Bosun. That practice shall continue.

SUP Shipping Rule 26 states, in part, that: "Candidates for a Boatswain's Stamp shall present a letter of recommendation signed by 10 members, demonstrating competency in splicing, rigging, and hand signals, and evidence of one (1) year of seetime as an SUP Delegate."

## SUPPLEMENTAL BENEFITS

At the March Headquarters meeting, Brother Robert Morgan #6519, introduced a resolution via email requesting a vote on whether Supplemental Benefits should be paid by the SIU-Pacific District Supplemental Benefits Plan, as they have since 1958, or aboard ship. It was Brother Morgan's contention that this benefit should be paid aboard ship. Ironically, this was a proposal Matson made in bargaining in 2008 and 2013, to save the company money for administrative costs.

The membership did not agree with Brother Morgan as the resolution was unanimously defeated at the Headquarters, Seattle Branch, Wilmington Branch and Honolulu Branch meetings last month.

The reasons given included that many members save their discharges and cash them when they need the money (big-ticket item purchase or for a vacation) and the fear that unemployment benefits could be jeopardized.

As your secretary reported in December 2011, the Supplemental Benefits Plan was established as a result of

*continued on next page*

bargaining with the Pacific Maritime Association on October 1, 1958, as a successor plan to the Sailors' Vacation Fund, the MFOV Vacation Fund and the Steward's Vacation Fund. The reason for establishing the Supplemental Benefits Fund was simple but farsighted. When a seaman collected vacation pay, he or she would not be able to collect vacation benefits. Currently the Supplemental Benefit is 17 days per month under the APL and Matson agreements.

Since the Supplemental Benefits Plan is a Trust established in collective bargaining under the General Rules, the Trust would have to be dissolved in collective bargaining by the SUP, MFOV, SIU-Marine Cooks, APL and Matson. This could not be done by the SUP alone as Brother Morgan suggested in his resolution. If the Unions were foolish enough to propose this—which the companies would readily accept as it would save them money—the benefit would be paid but most likely would be called vacation pay to the detriment of the membership.

## QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2, of the SUP Constitution, a Quarterly Finance Committee shall be elected at today's Headquarters' meeting to review the finances of the Union for the first quarter of 2014, and report back to the membership at the May membership meetings.

In the event the Committee cannot be filled today, recommend that when the quarterly audit is completed, which will be in about three weeks, necessary Committee members be shipped off the hiring hall deck as per past practice. The Quarterly Finance Committee will turn-to on Monday, May 12, at 8:00 A.M.

## APPEALS COMMITTEE

Brother Paul Calais #4781, was brought up on charges on December 2, 2013, by Wilmington Branch Agent Mark Hurley, for violating Article XIX, Section 6, of the SUP Constitution. Section 6 states:

**“Any member found guilty of failure to treat any office of the Union while discharging his/her duties with due respect and consideration shall be subject to such penalty as the Trial Committee shall recommend and the Union determine.”**

A Trial Committee, comprised of Tom Larkin #4065, Duane Nash #2437, Richard Stinson #7510, Grant Wegger #3637, and Joseph Wolf #3546, after a hearing at the Wilmington Branch, January 16, found Calais guilty and (1) fined him \$1,000; (2) banned him from registering at the Wilmington Branch for two years, and (3) placed Calais on three-years probation and added that “any offenses during that term of probation will result in a new trial.”

The findings of the Trial Committee was read at the February Union meetings as per Article XVIII, Section 6, of the SUP Constitution. A majority of those voting at Headquarters and the Branches concurred with the Committee's report.

Calais notified your secretary that he desired to appeal the Trial Committee's decision as per Article XVIII, Section 8, of the Constitution. Since Calais was employed aboard the *R.J. Pfeiffer*, he asked for and was granted a delay for an Appeals Committee hearing. Calais is no longer employed. The Appeals Committee will convene on May 12.

## GOOD FRIDAY

All SUP halls on the West Coast will close at Noon on April 18, in observance of Good Friday. Under the Agreements with APL and Matson, unlicensed personnel shall be granted a three-hour holiday between Noon and 3:00 P.M. Overtime shall be paid when required to work during those hours.

The Honolulu Branch will be closed on April 18, as it is an ILWU Local 142 holiday. Therefore, it is a holiday for Matson ships in port and for those working under the SUP/Matson Maintenance and Extra Maintenance Agreements.

For APL vessels in East Coast ports on Good Friday, it is a holiday in accordance with the ILA Agreement.

## ACTION TAKEN

Quarterly Finance Committee: Nominated and elected: Diane Ferrari, Paul Fuentes, Kaj Kristensen, Arthur Thanash and Paul Calais. M/S to accept. Carried unanimously.

Appeals Committee: Nominated and elected Diane Ferrari, Paul Fuentes, Frank Portanier, Arthur Thanash, Roy Tufono and Dave Larsen as an alternate. M/S to accept. Carried.

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

*Gunnar Lundeberg*

## Legislation benefits U.S. Merchant Marine *from page 1*

Garamendi, in a recent op-ed piece published on the CNN website argued, “The U.S. should be prudent in exporting this natural resource, which has led to resurgence in domestic manufacturing, but I believe that the liquefied natural gas we do send overseas should be shipped on U.S.-flagged tankers and crewed by U.S.-licensed and unlicensed mariners.”

A recent report by Ernst and Young noted that, “Almost two dozen U.S. LNG export projects have been proposed and as many as another dozen have been proposed in Canada. Seven U.S. projects, with a total of about nine billion cubic feet per day of export capacity (equivalent to more than 12.5% of current U.S. natural gas production) have received full export approvals. Approved export project capacity could top 10 billion cubic feet per day by the end of 2014.”

H.R. 4005 was introduced in the House of Representatives by Coast Guard and Maritime Transportation Subcommittee Chairman Duncan Hunter (R-California), along with Transportation and Infrastructure Committee Chairman Bill Shuster (R-Pennsylvania) and Transportation and Infrastructure Committee Ranking Member Nick Rahall, II (D-West Virginia).

# Vice President's Report

April 2014

**USNS Sisler:** Ryan McLaughlin, Bosun and J. Pat Nicholas, delegate. This first of the Watson-Class ships to turnover was crewed with almost no notice and without sufficient lead time to do new physicals. Despite intense pressure and innumerable obstacles SUP sailors coolly stepped up to the demand and turned to on the other side of the world without a hitch.

**USNS Watson:** Randall Pruitt, Bosun and Eduardo Zepeda appointed interim delegate until a delegate can be elected onboard. Honolulu Branch filled most of the jobs on the first day of dispatch in another impressive display of SUP hiring hall potency and efficiency.

**USNS Red Cloud:** Pat Meagher, Bosun and Wendy Joseph appointed interim delegate until a delegate can be elected on board. Wilmington Branch turned to with nearly all billets filled on the first day. Bosun advanced to earlier fly out. The Watson-Class dispatch is complex and difficult, and all ships have suddenly compressed timelines for turnover, but SUP agents and members are pulling together to complete all the tasks on time and without exception.

**USNS Pomeroy:** Mike Thomsen, Bosun. Seattle Branch taking the lead here on a no notice call for the Bosun to join in a New Jersey yard followed the gang a few days later. Calling *Soderman, Charlton, Dahl* and *Watkins* soon.

**APL Belgium:** Noel Isumaru relieved by Chris Halberg as delegate. Crew squared away Company job order error on arrival in New Jersey: kudos to Brett Lange for making an adjustment. Clarifications on port of engagement policy, stores overtime. Working on opening a dedicated crew mess.

**APL Singapore:** Dale Gibson, delegate. Questions on medical eligibility and weekend lifeboat overtime, see Section 15B(2) of the General Rules.

**APL Philippines:** Marc Calairo, delegate. Sailor fined and disciplined for overseas termination.

**APL Agate:** Mike Henderson, delegate. In at Port Elizabeth, NJ with no disputed time. Dirty water issue persists but bottled water is widely available and engineers steadily replacing potable water piping.

**APL Coral:** Aaron Weibe, delegate. Clarification on watchstanding transiting Suez Canal.

**Moku Pahu:** Phil Romei, delegate. Emailed report indicates things in good shape on departure from Maui for late April arrival in Crockett. Expected layup of two weeks before next sugar run.

**Matsonia:** Tom Koppel, delegate. Crew called back for at least two China runs. Clarification on return protocol regarding rooms and watches. Clarification on bunkering payment.

**SNLC Pax:** Rebecca Fisk, delegate. Efforts to stand up ship email service successful after several attempts. Some storing issues still being worked out. Tools and 110 converters needed. Clarification of contract status of the MOU versus the MSC contract or RFP. Like *Sisler* and the other Watson class ships, restriction to ship lifted with valid TWIC on naval bases.

**USNS Gilliland:** Neil Zapatos, delegate. Request for documents fulfilled. In good shape in Baltimore.

**Mahimahi:** Ricky Pangan, delegate. No problems in Oakland. Jim Clay is the Bosun.

**Mississippi Voyager:** David Fadoul, delegate. Considerable interest in Watson-Class ships. Management should remember that U.S. merchant seamen are not in military or flag-of-convenience service where mariners are contractually bound to the ship. Coastwise tankship operations are the most demanding in the U.S. merchant marine; if the money and/or conditions are better elsewhere, sailors will always upgrade.

**California Voyager:** Bill Fisher, delegate. Boarded on arrival from Florida in Richmond and found a Step 1 grievance on the one-man watch denied by the captain. Accordingly, re-wrote and elevated same to Step 2 and filed with the company.

*Dave Connolly*

## Striking truckers reach deal in Vancouver

Groups representing drayage drivers in the Port of Vancouver, British Columbia, said on March 26, they had reached a deal to end a month-and-a-half-old strike.

“We did it,” said a posting on the Facebook page of the United Truckers Association of British Columbia. “Back to work deal has been signed.”

The group is said to represent about 1,000 independent owner-operators.

Unifor, Canada's largest Union, represents about 250 employee drivers and said it had “reached an agreement with the federal and provincial governments and Port Metro Vancouver that will ensure a return to work at the port—and the end of debate regarding back-to-work legislation,” that was being fast-tracked through the provincial legislature.

“We have been clear from the very beginning that negotiation is the only way to achieve labor peace,” said Jerry Dias,

Unifor's national president. “Forced-work legislation would have been defied by our members. I have a moral and legal obligation to act in the best interest of our members and I was not about to ask our members to be put in harm's way by returning to work. Defiance was the only option on the table for our union.”

The office of British Columbia Premier Christy Clark said the parties in the dispute had adopted a “refined joint action plan to address truckers' concerns” and that a federal mediator would meet with all parties, including UTA and Unifor leaders, “immediately upon the resumption of full operations to review, finalize and act upon the plan within 90 days.”

The government said with the agreement, it “is not proceeding with pending legislation that would have ordered a cooling-off period in the Unifor job action.”

# SUP Branch Reports

## Seattle

March 17, 2014

Shipped during the period: 2 Boat-swains to Navy bottoms filled by a B and C seniority members. 1 Able Seaman job shipped and filled by an A-card. 9 standbys went to 2 A-cards and 7 B cards.

Registration: 6 A cards for a total of 17; 11 B cards for a total of 33; 3 C cards for a total of 10.

### Ships Checked

Matson vessels *MV Manoa* and *SS Maui* called twice in Seattle with little or no problems. The *APL Coral*, the *USNS Waters* and *USNS Gilliland* called Seattle for SUP/MFU crew replacements.

I represented the SUP at the King County Labor Council Executive Board meeting.

I attended meetings with the Manufacturing Industrial Council and the Seattle Marine Business Coalition regarding Storm Water Runoff and the potential Puget Sound "No Discharge Zone". Both of these issues are well meaning environmental projects put forward without any regard to proper science or the negative financial impacts to maritime companies, terminal operators, and those of us who work on or around the water. We agree that these issues must be addressed, but our local political leaders must slow this process down.

Both Seattle's SUP sailors and the MFOWW QMED's have been completing training for the Watson-Class surge in hiring. This is a much needed employment opportunity for all of our members but in particular here in the Northwest. If you are a member and may qualify for training in these bottoms, ask your Union Agent for an application. Without the training or recertification of past training, you don't have a choice when we post these jobs on the Board. The answer is no!

Vince O'Halloran  
Branch Agent

## Wilmington

March 17, 2014

Shipping for the period: Bosun: 2, AB: 6, AB Maint: 3, OS: 2, Messman: 1 and Standby: 41. Total jobs shipped: 55.

Registrations: A: 34, B: 27; C: 10, D: 22.

### Ships Checked

*APL Philippines, Maunawili, APL Singapore, Maunalei, Mahimahi, RJPfeiffer, APL Korea, Manukai.*

Represented the SUP at the first Harbor Labor Coalition Meeting of 2013, and the March MTD meeting. Awaiting news on the Patriot ships, but anticipate hearing any day now. However, the paperwork is ready to be filled out. Once that is done, physicals can be taken. Hopefully, once you get the job, all you will need to do is get your flight itinerary.

This year Maritime Day is on Thursday, May 22. It is also the 25th anniversary of our monument in San Pedro. Let me know if you would like to go to the luncheon. We can usually find seats for whoever wants to attend.

Happy Easter.

Mark Hurley, Branch Agent

## Honolulu

March 17, 2014

Shipped the following jobs in the month of March: 1 Bosn steady, 1 Bosn relief, 3 AB Day steady, 1 AB Day return, 2 AB Watch steady, 1 AB Watch relief, and 1 AB Maint steady. The shipping jobs were filled by 6 A cards, 3 B cards, and 1 C-card. Shipped 27 standby jobs. The standby jobs were filled by 5 A card, 1 B card, 19 C cards, and 2 D cards.

Registered in March: 9 A cards, 5 B cards, 7 C cards, 0 D cards. To date totaled registered: 10 A cards, 11 B cards, 10 C cards, 3 D cards.

### Ships Checked

I visited the *Manukai, Maunalei, Manulani, RJPfeiffer, Manoa, Maui, Mokihana, Mahimahi*, and the Paint and Rigging gang. All are running with few or no beefs.

I represented the SUP at the Hawaii Ports Maritime Council meeting. It looks like the minimum wage in Hawai'i will be raised to \$10 per hour, over the next four years (2018). For a state government (state senators and state congressmen and con-

gresswomen) that is over 90% Democrats, they don't seem to give a damn about the working poor. As for the working Union people trying to make a living wage, the only time I hear from them is when they want the SUP to endorse their campaigns or contribute to their pockets. I am not talking about Hawaii's U.S. Senators or U.S. Congresswomen. The two I know (Mazie Hirono and Colleen Hanabusa) care about the working people of the United States and Hawaii. I see them fighting for the Jones Act, Social Security benefits, benefits for the unemployed, among other values that labor stands for.

The SUP has started crewing up the Watson-Class ships. This is going to change shipping in the SUP as we know it. Within the next two years all of the C and D cards who have taken the LMSR training and ship on these Watson-class ships will be getting their B cards and their AB tickets. They will be qualified to compete for Matson, APL, and Watson-Class ships. In Honolulu alone that is 18 new B cards. The B and C cards of the SUP who don't take the LMSR training will only have the Matson and APL jobs to compete for. I'm just saying that if you are a B or C card (or even an A book) you should seriously think about taking the LMSR training and making the commitment to support the SUP and our troops. I see all of the bumper stickers and yellow ribbons saying support our troops and that is what these ships do. These ships are not on the front line or on the front page, but without the supplies that these ships provide, our U.S. troops would be hurting or without. Mahalo,

Michael Dirksen, Branch Agent

## Crew was asleep during 2013 ship grounding

The owner of a cargo ship that ran aground on the Farne Islands, off the coast of Northumberland, England, has been fined \$100,000 for safety violations.

The six-man crew of the 262-foot *MV Danio* were apparently asleep when it hit rocks at the islands, over a year ago. The Newcastle Crown Court heard how the vessel sailed for 90 minutes with all crew asleep. They only woke up when the *Danio* smashed into rocks beneath the Longstone Lighthouse, but still waited an hour before alerting the British Coast Guard.

According to BBC News, prosecutors from the Maritime and Coastguard Agency (MCA) said the *Danio* had a "very basic" bridge navigational watch alarm system, which should rung to alert the crew they were approaching the lighthouse. However, it had been switched off and with the crew asleep, the vessel was left sailing for miles on autopilot using an unapproved navigation system.

The German firm Cux Ship Management previously admitted two safety breaches under Merchant Shipping Regulations. The company was also ordered to pay additional court costs of more than \$20,000.

As a result of this incident, the operator has instructed that the bridge alarm must not be turned off in future, and that measures are now in place to make sure all crews employed are correctly qualified.

## SUP member joins pension ranks

The following SUP members joined the ranks of pensioners, bringing the total number of SUP members to 374:

**Peter T. Gardiner**, 65, Book No. 3011, joined SUP in 1981, 13 years seetime.

## ATTEND YOUR UNION MEETINGS

## Dispatcher's Report

Headquarters—March 2014

Deck	
Bosun.....	1
Carpenter.....	0
MM.....	11
AB .....	6
OS .....	3
Standby .....	34
Total Deck Jobs Shipped .....	55
Total Deck B, C, D Shipped.....	30
Engine/Steward	
QMED .....	0
Pumpman.....	0
Oiler.....	0
Wiper.....	0
Steward .....	0
Cook .....	0
Messman .....	0
Total E&S Jobs Shipped.....	0
Total E&S B, C, D Shipped .....	0
Total Jobs Shipped - All Depts. ....	55
Total B, C, D Shipped-All Depts. ....	30
Total Registered "A" .....	23
Total Registered "B" .....	39
Total Registered "C" .....	16
Total Registered "D" .....	28



The *APL Pearl* crew in March, enroute to Singapore, from the bottom left: SUP Delegate Scott Hudson, AB Denny Silva, Bosun David Ibarra, AB Robert Bradley, AB Jose Duran, and AB John Pancho.