

Volume LXXXIII No. 2 •

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Friday, February 21, 2020

#### **Cornonavirus disrupts Pacific shipping President's FY 2021 budget** released with full MSP funding More than 80 blank sailings The coronavirus outbreak Tianjin and Ningbo.

to Congress its proposed budget for Fiscal Year 2021. For maritime interests, the upside is that it recommends Congress appropriates the full authorized amount for the Maritime Security Program--\$314 million-which would provide each vessel enrolled in MSP with a \$5.23 million stipend.

This amount will help offset the higher cost of operating vessels under the U.S. flag, helping to keep the 60 privately owned, militarily useful U.S.flag commercial vessels and their U.S.-citizen crews available to meet the requirements of the Department of Defense and to support American troops deployed anywhere in the world.

This budget registers another milestone in the ongoing funding challenge of MSP, whose re-design and program authorization late last year was a major victory and a critical goal of SUP political efforts. It is the second consecutive year that the MSP received full funding recognition from the White House.

The Trump budget outline is also friendly to the Ready Reserve Force with additional funding to not only support existing ships but also to bring in a pair of used commercial vessels that could be plugged into the

The Administration has sent fleet to replace two of the older vessels. The ships in the RRF fleet average 44 years old.

> Unfortunately, the Administration's proposed budget would also completely eliminate the PL 480 Food-for-Peace and the Food-for-Progress programs which provide an important source of cargo for U.S.-flag vessels.

> Both programs are covered by existing U.S.-flag cargo preference shipping requirements which mandate that at least 50 percent of these cargoes be transported on U.S.-flag commercial vessels. Cargo preference is a critically important program that, when taken in conjunction with MSP, helps maintain the strategically important U.S.-flag commercial fleet.

> The \$4.8 trillion budget is only a starting point. Rep. Joe Courtney (D-CT), who is Chairman of the House Seapower and Projection Forces Subcommittee, called it a "weak, pathetic request" and said, "like so much of the rest of the President's budget, it is dead on arrival." Over the next few weeks, Congress will hold hearings on the proposals in the Administration's budget.

The AFL-CIO released a statement expressing disappointment in the President's

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has sickened or killed scores of people and put many millions more at risk. But the immense human costs that have set China on quarantine lockdown are still uncertain as epidemiologists struggle to understand and control the spread. The economic costs are likewise undetermined, yet there is no doubt that the world economy is stressed or that the virus has wreaked havoc on global supply chains. Air travel in China is approaching a standstill and the government has declared force majeure to escape its contractual obligations relating to the purchase of liquified natural gas. Corporate tech giant Apple Inc. has warned of a virus related hit to revenue, both as a result of Chinese delayed manufacturing and reduced demand. Now comes evidence of a deep toll on container volumes emanating from the world's manufacturing hub. Blank or cancelled sailings are now routine in Chinese ports and ocean carriers are bracing for financial blows from the diminished output.

"Substantially less cargo is being moved between China and the rest of the world" said Lars Jensen, head of Denmark-based maritime research group Sea-Intelligence. "Last week we had an additional 30 sailings canceled, with 23 across the Pacific and the rest to Europe."

have been reported since late January, and there are likely more due to delays in reporting. The cancelled sailings will in the near term reduce and delay shipments into the U.S., and retailers expect a slowdown in inventory replenishment, traditionally part of the spring shipping season.

Research suggests that several European and Asian container ship operators are preparing profit warnings for the first half of 2020. Ocean carriers were optimistically expecting a return of business activity after the easing of tariff restrictions in Phase One of China-U.S. trade deal. Now a different outlook is emerging, especially the longer it goes on. "If this continues you will see a sea of red this year." said the chief financial officer of a large Asian box-ship company.

Sea-Intelligence said in a report this week that more than 350,000 containers have been removed from global trade since the outbreak of the virus led China to impose large travel restrictions at the end of the country's Lunar New Year holiday break.

Companies exporting goods into China are also facing problems because only a fraction of workers are back at work to handle goods arriving at ports. That has backed up cargo at terminals and warehouses at big gateways including Shanghai,

"It [congestion] is due to inbound shipments that have either not been cleared by customs brokers or for which delivery and pick-up services could not be arranged," said Resilience360, which monitors risks across supply chains and is owned by Deutsche Post DHL.

A broker in Singapore said there is an "acute shortage" of power plugs for refrigerated containers that move fresh produce in Ningbo because there are no workers at terminals. He said some cargo has been diverted from several mainland ports to Hong Kong, which some carriers and shippers are now using as an alternative entry point for goods that are then trucked into China.

A group representing U.S. agriculture exporters warned its members this week to ensure that ocean carriers can store their goods on arrival in China, particularly items like meat, vegetables and fruit that require refrigeration. American exporters are seeing cargo backed up even at U.S. hubs because of the congestion in China's distribution networks.

Brokers said crude and natural gas shipments are down by nearly half across China's main ports. Daily freight rates for big crude tankers have fallen to between \$10,000 and

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The House this month approved historic legislation aimed to protect workers' rights to unionize.

The Protecting the Right to Organize Act (PRO Act) was approved in a 224-193 vote. The bill, said to be one of the most comprehensive labor packages put forth in years, is not expected to move in the Republican Senate.

Republicans Reps. Brian Fitzpatrick (Pa.), Chris Smith (N.J.), John Katko (N.Y.), Don Young (Alaska), and Jefferson Van Drew (N.J.), a former Democrat who switched parties last month, voted for the bill.

The bill would make it easier for workers to certify unions, change how employers classify workers, prevent workers from being denied rights because of immigration status, eliminate state right-to-work laws and block laws that protect employees from not paying union dues, among other measures.

The legislation was introduced by House Education and Labor Committee Chairman Bobby Scott (D-Va.) and had 218 co-sponsors.

Labor lobbied for passage of the bill while business groups, including the U.S. Chamber of Commerce, the International Franchise Association and the National Retail Federation among others lobbied against it.

Top-tier Democratic presidential candidates have largely supported the bill and Sens. Bernie Sanders (I-Vt.) and Elizabeth Warren (D-Mass.) have included provisions from it in their labor policy plans.

"Make no mistake, this is the most significant step Congress has taken to strengthen labor laws in the United States in 85 years and a win for workers everywhere," said AFL-CIO president Richard Trumka, declaring the measure "the labor movement's number one

legislative priority this year." He noted that the PRO Act was an update to labor law that was long overdue.

However, U.S. Chamber of Commerce President Suzanne Clark said in a statement following the vote that the pro-business lobbying group was "disappointed."

"Members of Congress will not get a free pass on this vote just because the PRO Act will not get through the Senate."

The PRO Act now faces an uphill battle in the legislative "graveyard" of GOP Senate Majority Leader Mitch McConnell (Ky.).

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# **SUP Honor Roll**

Voluntary contributions from the membership to the following funds:

### Dues-Paying Pensioners

Donald Cushing	Book #4777
Diane Ferrari	Book #2251
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#### **Democratic Candidates Pitch Unions On Infrastructure**

Democratic presidential candidates said Sunday that the U.S. faces an urgent need to rebuild the nation's roads, bridges and highways, appealing to union workers ahead of Nevada's Feb. 22 caucuses.

Joe Biden, Pete Buttigieg, Amy Klobuchar and Tom Steyer courted several labor unions Sunday at a forum sponsored by United for Infrastructure, a nonprofit organization made up of labor unions and trade associations including the Transportation Trades Department (TTD), AFL-CIO. The SUP is a member of TTD.

The candidates said upgrading the country's aging transportation system has been a promise that President Trump failed to keep during his first term and that their own infrastructure plans could serve as a counterweight to his re-election message.

During his presidency, Mr. Trump has sought \$1 trillion in infrastructure improvements. Democrats have noted that his plan would press cities and states to provide at least 80% of the funding.

"Do you remember one of the things that he promised? Infrastructure," said Ms. Klobuchar, a Minnesota senator, recalling the president's victory speech after the 2016 election. "While Congress has kept the funding going in some of the areas, we have not seen the big infrastructure investment that he promised-not one that keeps our country competitive." The candidates have offered plans to overhaul the nation's transportation network and create construction jobs, intended in part to draw a contrast with the president, whose proposals have languished despite bipartisan attempts in Congress to forge a broad plan to repair the country's infrastructure. Organized labor has long been a political force in Nevada and plays a more significant role in the state than in Iowa and New Hampshire, which held the first two presidential nominating contests.

lion plan to rebuild roads, bridges and highways and promote a high-speed rail system. Ms. Klobuchar, who made infrastructure the subject of the first policy rollout of her campaign, would spend \$1 trillion on the projects, including \$650 billion in direct federal funding for infrastructure.

Mr. Buttigieg, former mayor of South Bend, Ind., has outlined a program to put \$1 trillion into infrastructure in partnership with states and cities, a plan that he says would create 6 million jobs. Mr. Steyer, meanwhile, has proposed dedicating \$2 trillion in public spending to promote "climate-smart" infrastructure.

The plans have also been at the center of how the candidates intend to address climate change.

Mr. Steyer, a billionaire businessman, said that if elected he would declare a climate emergency on his first day in office, and infrastructure spending would work in tandem with his climate-change agenda.

"Everything we're going to do we're going to do from the standpoint of climate," he said.



SUP deck gang of Matson's C-9 converted Ro/Con Mokihana gather on the sailors deck at coffeetime to memorialize their time onboard. L to R is AB Hamilton Parone, OS Frank Peters, bosun Brian Yost, AB Michael Haslam, AB Raul Guillen, AB Edwin Narvasa, and AB Joe Nugent in Oakland. After the delivery of new-build Ro/Con Lurline, the Mokihana laid up in Alameda CA in January and remains there in reserve status. Photo: Roy Tufono.

# Membership and Ratings Committee

The Committee met on August 1, and found the following members eligible for advancement in seniority and rating stamps in the various departments:

Name and Membershi	p Number	Seatime	Rating	Seniority
Jeffrey Titco	3304	6 Years	A.B.	А
Chris Thorsen	3305	6 Years	A.B.	А
Nick Manessiotis	6549	6 Years	A.B.	А
Kenneth Carradine	19643	1 Year	O.S.	В
Robert Austin	19644	1 Year	A.B.	В
Sherwin Bongayan	19645	1 Year	A.B.	В
Beau Blacker	19646	1 Year	O.S.	В
John Fearon	19647	1 Year	O.S.	В
Noel Matthews	2810	30 Days	O.S.	С
Aurelio Ventura	2811	30 Days	A.B.	С
Daron Johnson	2812	30 Days	O.S.	С
Ron Antikoll	2813	30 Days	A.B.	С
Edward Hervias	2814	30 Days	A.B.	С
Richard Scott	2815	30 Days	A.B.	С
Geremie Dean	2816	30 Days	O.S.	С

Membership and Ratings Committee's Report: M/S to concur in the Committee's report. Carried unanimously. Membership and Ratings Committee: Terrence Lane #4107, Xerxes Cunanan #19412 and Robert Richard #19543.



West Coast Lailors

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Mr. Biden has proposed a \$1.3 tril-

The Democratic candidates proposing infrastructure upgrades said they would pay for them largely by undoing Mr. Trump's tax cuts for businesses, along with a variety of other steps.

One funding issue the next administration may be confronted with is how to replenish the Highway Trust Fund, which gets its revenue from federal fuels taxes. The trust fund has faced a shortfall because fuel taxes haven't been raised in a quarter-century while increased vehicle efficiency has cut into gasoline and diesel consumption.

The forum Sunday, at the University of Nevada, Las Vegas, was well-attended and broadcast on C-Span and streamed live on Twitter. It was moderated by The Wall Street Journal's Gerald Seib and Jeanne Cummings. Dominic Gianocaro, #2930. Born in California in 1923. Joined SUP in 1948. Died January 26, 2020. (Pensioner)

Toshimaru Honda, #5795. Born in Hawaii in 1931. Joined SUP in 1957. Died in California, January 3, 2020. (Pensioner)

Brian Leprevost, #4101. Born in England in 1939. Joined SUP in 1978. Died in California, February 1, 2020. (Pensioner)

William Scott, #7151. Born in Missouri in 1922. Joined SUP in 1946. Died in Missouri, October 29, 2019. (Pensioner)

Carl Walters, #3619. Born in Oregon in 1923. Joined SUP in 1948. Died January 26, 2020. (Pensioner)

The membership stood for a moment of silence in memory of our departed brothers.

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### Number of US workers represented by unions remained steady in 2019

Statistics showed that 16.4 million workers in the United States were represented by a union in 2019.

Although there was very little change from the number reported in 2018, the share of workers represented by a union-"the union coverage rate"--ticked down from 11.7% to 11.%.

The decline in the union coverage rate was caused by more workers entering the labor market, said Heidi Shierholz, senior economist at the Economic Policy Institute.

The share of workers covered by a union contract in 2019 was less than half of what it was 40 years ago, the BLS data showed.

"This is caused in large part by fierce corporate opposition spending millions

Data released by the Bureau of Labor of dollars on anti-union campaigns and lobbying the government to weaken labor laws," Shierholz said.

> A recent EPI report found that employers spend roughly \$340 million annually on "union avoidance" consultants and that companies are charged with breaking the law in 41.5% of all union election campaigns.

> "Despite attacks on unions, we've seen a surge of strikes in the last two years, showing that workers understand the importance of joining together with their coworkers to demand better wages and working conditions," Shierholz added.

> She also noted that survey data show 48 percent of nonunion workers would vote to join a union in their workplace if given the opportunity to do so.

### Growing numbers of strikes "shows people are fed up with rigged system"

Nearly half a million American workers went on strike last year, according to data released on Feb. 11 by the U.S. Bureau of Labor Statistics.

"2019 was a banner year for working people," said AFL-CIO President Richard Trumka.

"Over the past 12 months, nearly half a million workers sacrificed the comforts of today for the progress of tomorrow."

"Working people—completely fed up with an economic and political system that does not work for us-are turning to each other and using every tool at our

disposal to win a better deal."

"These strike statistics represent nothing less than a sea change in America," he said. "Solidarity works. And we're just getting started."

According to the Economic Policy Institute, 2018 and 2019 accounted for the largest two-year average of striking workers in more than three decades.

Many of the strikes that took place last year were massive, with 10 involving at least 20,000 workers.

Americans have not gone on strike in such large numbers since the mid-1980s.

### **Australian court blocks Union** action in DP world dispute

Australia's Federal Court has issued an interim injunction banning wharfies from undertaking industrial action as part of their fight for a new workplace agreement.

The court order prevents more than 1,800 workers employed at DP World Australia container terminals in Melbourne, Sydney, Brisbane and Fremantle from taking any form of legally protected industrial action until March 13, 2020.

The Maritime Union of Australia said the decision should send a shudder down the spine of all working Australians, with the Federal Court entrenching the power of foreign and local corporations and undermining the ability of workers to have any chance of standing up against workplace greed, inequality and for justice in the workplace.

MUA Assistant National Secretary Warren Smith said the Federal Court decision was just the latest in a long list of aggressive moves by DP World Australia aimed at forcing workers to accept management's demands for a new workplace agreement. "This injunction doesn't just prevent wharfies from taking legally protected industrial action, it is an alarming attack on democratic rights that will give companies open slather to strip all Australian workers of long held workplace conditions, which will effectively mean

reduced standards of living for all."

He says that in the last year, DP World management have cancelled approved holidays, attempted to strip away social benefits such as income protection, sacked workers, docked pay, prevented workers from meeting with their union representatives, canceled Christmas bonuses and threatened the mass termination of 10 percent of the workforce.

DP World Australia issued a statement saying it welcomed the Federal Court's decision. DP World Australia Chief Operating Officer Andrew Adam said the order meant it was business as usual at the terminals, and customers could be assured there would be no disruption to normal services.

DPWA sought an injunction against industrial action coordinated by the Construction Forestry Maritime Mining Energy Union (CFMMEU) on the grounds at least one of the union's claims in enterprise bargaining was not permitted under the Fair Work Act 2009. Adam said the statement by the union over local worker rights is another attempt to distract CFMMEU members' attention from its mismanagement of bargaining for new enterprise agreements at DP World Australia's terminals around Australia.

### Natural gas won't decarbonize shipping, but the fuel is here to stay

Shipping is going through its biggest change since switching from coal to heavy oil more than a century ago as it looks for new fuels that will drastically cut the industry's carbon footprint.

The effort is set to last until 2050, the deadline set by global marine regulator the International Maritime Organization to cut carbon emissions by half compared with 2008 levels.

One recent report estimated the cost of achieving that goal would run to \$1 trillion.

Vessel operators are under growing commercial pressure to make strides in protecting the environment. The maritime world's biggest shipping customers are asking for proof that their cargoes are being moved on cleaner ships as corporations look more closely at cutting their own carbon footprints.

Many shipowners and industry observers question whether the business can meet the carbon-cutting deadline, noting research on new propulsion systems is still in its early stages and that there is no consensus on what type of fuel would carry oceangoing vessels into a new, cleaner future.

Many shipowners believe that more oceangoing vessels will be powered by natural gas in the years ahead.

France's CMA CGM SA, the world's fourth-largest container ship operator, placed a big bet with a recent order for 22 ships that will be powered by liquefied natural gas, including nine megaships that will be among the world's biggest cargo vessels.

"We are fully convinced that LNG will be a key factor in our business," said Xavier Leclercq, a vice president at CMA CGM. "Our clients, the big ones, like Amazon, Walmart, Nike, IKEA, they are asking us for solutions in decarbonizing. We want to be that solution."

Other big carriers operating LNG-powered ships include Japan's NYK Line and Mitsui O.S.K. Lines, Malaysia's MISC Berhad, New York-listed tanker operator Teekay Group, and Norway- and Singapore-based crude and gas transporter BW Group.

They are throwing big investment behind LNG even though it still isn't clear how far the fuel will take ship operators toward a carbon-free future.

Liquefied natural gas is a fossil fuel and its use won't achieve the industry to meet the IMO threshold. Overall, it is estimated the use of LNG reduces C02 emissions by around 20%, according to DNV GI a Norway-based ship classification firm. Methane is the main ingredient in natural gas, and some of that is released into the atmosphere when natural gas doesn't burn fully. Methane is "far more potent as a greenhouse gas than CO2," according to the Natural Resources Defense Council, which says it is "80 times more effective at trapping heat than carbon dioxide.

Engine manufacturers and shipyards say the "methane slip" from burning natural gas is small and that they are working to produce cleaner burns. But a report released last month by the independent nonprofit International Council on Clean Transportation, and commissioned by the environmental group Stand.earth, said ships using LNG would emit more greenhouse gas than ships using conventional marine.

For ship operators, the economics of fuel play a big role.

LNG-powered vessels cost around 15% more to build than vessels burning conventional heavy oil, but filling them up is about 20% cheaper and they may get more cost-effective as natural gas production grows.

The price difference has widened since ships this year started using new fuel blends based on oil that emit less sulfur and cost roughly 50% more than traditional heavy oil.

"It pays after the investment to build such ships," Mr. Leclercq said. "I see LNG as the best available solution over the next 20 years."

There are only 746 LNG-powered ships in use and another 243 on order in a total global fleet of about 60,000 oceangoing vessels, according to data by VesselsValue. But the lack of alternative fuels means hundreds more LNG-powered ships could be built in the coming years.

Proposed power solutions like batteries, hydrogen, ammonia or biofuels are still years away from proving out, and many industry executives say privately that meeting the IMO's 2050 carbon target will be difficult. Some owners believe LNG could become the default fuel over the near term as the industry looks for cleaner alternatives.

"If we want to power an oceangoing box ship with batteries today it will take 146% of the cargo space," Mr. Leclercq said. "Hydrogen, which must be compressed or liquefied, will need six times the space and four times the weight of the current fuel storage. It will cut the ship's capacity by more than a third."

The IMO hasn't taken a position on LNG, but the fuel's use is part of its deliberations.

"LNG used as ship fuel has significantly lower emissions of sulfur oxides and particulate matter compared to fuel oil and also contributes to reductions of nitrogen oxides," a spokeswoman said. "There can be methane slip...and the IMO is considering ways to reduce it.

### President's FY 2021 budget released with full MSP funding continued from page 1

plan that proposes deep cuts to critical programs that benefit working families. They noted that the budget includes \$2 trillion in cuts from safety net programs and \$1 trillion from Medicare and subsidies for the Affordable Care Act. An AFL-CIO statement said, "Two-thirds of the proposed \$1.4 trillion tax cuts,

which would extend past 2025, benefit the richest 20% of all taxpayers." The budget also would cut Labor Department funding by 10.7%, Education Department funding by 7.8%, Energy Department funding by 8.1% and the U.S. Environmental Protection Agency funding by 26.5%.

#### **Coronavirus hits** shipping continued from page 1 \$40,000, from up to \$80,000 at the start of the year.

Shipyards are also feeling the pinch. The China National Shipbuilding Industry said more than 200 deliveries of ships under repair could be pushed back. China is the world's biggest shipbuilder, with more than 960 vessels set to be delivered this year. (See SUP President's Report on page 10 for more on coronavirus).

For ship operators, LNG is a needed stop on a long route to decarbonization even if it won't get them all way to their destination.

"The IMO goal is ambitious, but we have no other option," Mr. Leclercq said.

#### **SUP Meetings**

These are the dates for the regularly scheduled 2020 SUP meetings:

	Hdqtrs.	Branch
March	9	16
April	13	20
May	11	18
June	8	15
July	13	20
August	10	17
September	14	21
October	Tues 13	19
November	9	16
December	14	21

### **Coast Guard's post-accident drug and** alcohol testing standards are too lax

The National Transportation Safety Board on Tuesday issued a recommendation to the U.S. Coast Guard that would subject Coast Guard personnel involved in serious marine incidents to timely post-accident drug and alcohol testing as is required for merchant mariners.

Currently, Coast Guard regulations require that merchant mariners be drug and alcohol tested within specified time periods following a marine accident or serious incident while Coast Guard military and civilian personnel involved in similar events are subject to much lower, less stringent standards that only narrowly defines a timeframe for testing.

For example, although merchant mariners are required to provide a breath sample for alcohol testing within two hours of an accident, no specific timeframe for the test is provided for Coast Guard military personnel; Coast Guard civilian personnel are not required to submit to an alcohol test at all. And although the allowable blood alcohol level (BAC) for merchant mariners must be less than .04%, the Coast Guard has not specified an allowable BAC for its own personnel. The Coast Guard also does not specify a timeframe for post-accident drug testing for its military personnel, while requiring all merchant mariners to be drug tested within 32 hours of an accident.

The NTSB argues that considering Coast Guard personnel perform a number of safety-sensitive maritime roles similar to those of merchant mariners, such as operating vessels and monitoring vessel traffic, postaccident toxicological testing for Coast Guard personnel should "at least be equivalent to the standards for merchant mariners."

The NTSB's recommendation is based on investigations into five recent marine accidents including the 2007 Cosco Busan allision with San Francisco Bay Bridge, a 2008 collision between a passenger/car ferry and a coast guard cutter on Block Island Sound, and the October 2011 collision between a 799-foot-long tankship and the equally large MSC Nederland containership in the Houston Ship Channel near Houston, among others.

Specifically, the National Transportation Safety Board makes the following safety recommendations to the US Coast Guard:

Align your standards for postaccident toxicological testing of Coast Guard military personnel with the requirements specified in 46 Code of Federal Regulations 4.06-3. (M-12-8)

Align your standards for postaccident toxicological testing of Coast Guard civilian personnel, seeking appropriate legislative authority if necessary, with the requirements specified in 46 Code of Federal Regulations 4.06-3. (M-12-9)

Disseminate guidance within the Coast Guard so that commanding officers have unambiguous instruction detailing the requirements for timely drug and alcohol testing of Coast Guard military and civilian personnel whose work performance may be linked to a serious marine incident. (M-12-10)

### Use of hemp/CBD products could cause mariners to fail a drug test

The Coast Guard has issued a Marine Safety Advisory warning mariners that use of some products made of hemp or cannabidiol (CBD) may contain enough tetrahydrocannabinol (THC) to cause an individual to fail a drug test.

In accordance with 46 CFR 16.201(c), an individual who fails a chemical test for dangerous drugs must be removed from duties directly affecting the safe operation of the vessel, and is subject to suspension and revocation proceedings against his or her credential under 46 CFR part 5.

Use of hemp or CBD products is not accepted as an excuse for a THC-positive drug test result.

Mariners wishing to avoid a positive THC drug test result should exercise extreme caution when considering the use of any hemp or CBD product because such use could result in the loss of their merchant mariner credential and immediate removal from safety-sensitive duties aboard a vessel.

because it produces an intoxicating effect on the user and poses safety risks to vessel operations. The U.S. Coast Guard prohibits THC use by mariners because of its known debilitating effects, and all U.S. Coast Guard-required drug tests screen mariners for use of THC.

Recent changes to federal and state laws have resulted in a surge in the availability of over-the-counter hemp products and CBD products throughout the United States.

Hemp products and CBD products are marketed to the general public in a number of forms, including as food and medicinal products, dietary supplements, oils, cosmetics and hair products.

In some cases, manufacturers market these products as "low in THC" or "THC-free."

Mariners should be aware that overthe-counter hemp products and CBD products have not been approved as medications by the Food and Drug Administration and are not regulated by the FDA. Therefore, users lack federal assurance of their ingredients, THC content, quality, effectiveness or safety.

## A new mathematical model predicts a knot's stability

and any activity requiring the securing of ropes, certain knots are known to be stronger than others. Any seasoned sailor knows, for instance, that one type of knot will secure a sheet to a headsail, while another is better for hitching a boat to a piling.

But what exactly makes one knot more stable than another has not been well-understood, until now.

MIT mathematicians and engineers have developed a mathematical model that predicts how stable a knot is, based on several key properties, including the number of crossings involved and the direction in which the rope segments twist as the knot is pulled tight.

"These subtle differences between knots critically determine whether a knot is strong or not," says Jörn Dunkel, associate professor of mathematics at MIT. "With this model, you should be able to look at two knots that are almost identical, and be able to say which is the better one."

"Empirical knowledge refined over centuries has crystallized out what the best knots are," adds Mathias Kolle, the Rockwell International Career Development Associate Professor at MIT. "And now the model shows why."

Dunkel, Kolle, and Ph.D. students Vishal Patil and Joseph Sandt have published their results today in the journal Science.

In 2018, Kolle's group engineered stretchable fibers that change color in response to strain or pressure. The researchers showed that when they pulled on a fiber, its hue changed from one color of the rainbow to another, particularly in areas that experienced the greatest stress or pressure.

Kolle, an associate professor of mechanical engineering, was invited by MIT's math department to give a talk on the fibers. Dunkel was in the audience and began to cook up an idea: What if the pressure-sensing fibers could be used to study the stability in knots?

Mathematicians have long been intrigued by knots, so much so that physical knots have inspired an entire subfield of topology known as knot theory—the study of theoretical knots whose ends, unlike actual knots, are joined to form a continuous pattern. In knot theory, mathematicians seek to describe a knot in mathematical terms, along with all the ways that it can be twisted or deformed while still retaining its topology, or general geometry.

"In mathematical knot theory, you throw everything out that's related to mechanics," Dunkel says. "You don't care about whether you have a stiff versus soft fiber-it's the same knot from a mathematician's point of view. But we wanted to see if we could add something to the mathematical modeling of knots that accounts for their mechanical properties, to be able to say why one knot is stronger than another." Dunkel and Kolle teamed up to identify what determines a knot's stability. The team first used Kolle's fibers to tie a variety of knots, including the trefoil and figure-eight knots-configurations that were familiar to Kolle, who is an avid sailor, and to rock-climbing members of Dunkel's group. They photographed each fiber, noting where and when the fiber changed color, along with the force that was applied to the fiber as it was pulled tight. The researchers used the data from these experiments to calibrate a model that Dunkel's group previously implemented to describe another type of fiber: spaghetti. In that model, Patil and Dunkel described the behavior of spaghetti and other flexible, rope-like structures by

In sailing, rock climbing, construction, treating each strand as a chain of small, discrete, spring-connected beads. The way each spring bends and deforms can be calculated based on the force that is applied to each individual spring.

Kolle's student Joseph Sandt had previously drawn up a color map based on experiments with the fibers, which correlates a fiber's color with a given pressure applied to that fiber. Patil and Dunkel incorporated this color map into their spaghetti model, then used the model to simulate the same knots that the researchers had tied physically using the fibers. When they compared the knots in the experiments with those in the simulations, they found the pattern of colors in both were virtually the same—a sign that the model was accurately simulating the distribution of stress in knots.

With confidence in their model, Patil then simulated more complicated knots, taking note of which knots experienced more pressure and were therefore stronger than other knots. Once they categorized knots based on their relative strength, Patil and Dunkel looked for an explanation for why certain knots were stronger than others. To do this, they drew up simple diagrams for the well-known granny, reef, thief, and grief knots, along with more complicated ones, such as the carrick, zeppelin, and Alpine butterfly.

Each knot diagram depicts the pattern of the two strands in a knot before it is pulled tight. The researchers included the direction of each segment of a strand as it is pulled, along with where strands cross. They also noted the direction each segment of a strand rotates as a knot is tightened.

In comparing the diagrams of knots of various strengths, the researchers were able to identify general "counting rules," or characteristics that determine a knot's stability. Basically, a knot is stronger if it has more strand crossings, as well as more "twist fluctuations"-changes in the direction of rotation from one strand segment to another.

For instance, if a fiber segment is rotated to the left at one crossing and rotated to the right at a neighboring crossing as a knot is pulled tight, this creates a twist fluctuation and thus opposing friction, which adds stability to a knot. If, however, the segment is rotated in the same direction at two neighboring crossing, there is no twist fluctuation, and the strand is more likely to rotate and slip, producing a weaker knot.

They also found that a knot can be made stronger if it has more "circulations," which they define as a region in a knot where two parallel strands loop against each other in opposite directions, like a circular flow.

This warning applies to hemp and CBD products in any form, including those that are taken by mouth and those that are applied to the skin.

THC is the primary psychoactive component of the Cannabis sativa plant. Hemp and marijuana are different strains of the Cannabis sativa plant and both contain varying concentrations of THC and CBD. THC is considered a dangerous drug

As a result, mariners using these products put themselves at risk of having a THC-positive drug test result. It remains unacceptable for any U.S. Coast Guard credentialed mariner or other safety-sensitive worker aboard a vessel subject to U.S. Coast Guard drug testing regulations to use THC.

Let the nation and the world know the meaning of our numbers. We are not a pressure group, we are not an organization or a group of organizations, we are not a mob. We are the advanced guard of a massive, moral revolution for jobs and freedom.

- A. Philip Randolph, 1963 March on Washington for Jobs and Freedom

By taking into account these simple counting rules, the team was able to explain why a reef knot, for instance, is stronger than a granny knot. While the two are almost identical, the reef knot has a higher number of twist fluctuations, making it a more stable configuration. Likewise, the zeppelin knot, because of its slightly higher circulations and twist fluctuations, is stronger, though possibly harder to untie, than the Alpine butterfly—a knot that is commonly used in climbing.

"If you take a family of similar knots from which empirical knowledge singles one out as "the best," now we can say why it might deserve this distinction," says Kolle, who envisions the new model can be used to configure knots of various strengths to suit particular applications. "We can play knots against each other for uses in suturing, sailing, climbing, and construction. It's wonderful."

#### Hundreds of coronavirus cases confirmed aboard Yokohama cruise ship 2,000, while confirmed cases top 72,000.

Diamond Princess, the Princess Cruises' ship under quarantine in Yokohama, has become the site of the highest number of coronavirus infections outside China.

Five hundred forty-two cases had been confirmed as of Tuesday among the 3,711 passengers and members of the crew.

In mainland China, the number of deaths attributed to the virus is nearing

### **OPEIU organizes new internet workers**

Crowdfunding platform Kickstarter PBC became the first white-collar tech workforce to organize a union when the National Labor Relations Board certified the Office and Professional Employees International Union as the workers' labor representative.

Accountants, creative content directors, and senior software designers were among the employees who voted, 47-36, for union representation, the NLRB said Tuesday after votes were counted in the agency's Brooklyn, N.Y., office. Kickstarter, a funding platform for creative projects including films, games, music, art, design, and technology, had 88 employees eligible to vote.

"To my knowledge, this is the first time full-time, white-collar tech workers have organized an NLRB-sanctioned union. But it comes amidst an uprising of mass collective organizing and action across the tech industry—in white-collar jobs, blue-collar jobs, and across white- and blue-collar jobs," said Veena Dubal, a University of California Hastings associate law professor.

"I think that this win for workers reflects two important things. One, it shows that white-collar workers in the tech industry can and will find ways to form collective structures to best reflect their needs and visions. And two, the win underscores the importance and promise of worker self-organizing in the tech industry," Dubal added.

OPEIU Local 153 asked Kickstarter to

voluntarily recognize the union, which was declined, prompting mail balloting that started Jan. 23.

As the West Coast Sailors' goes to

press, Japanese officials dealing with the

Diamond Princess reported even worse

numbers and began releasing passengers.

public that hackers have created bogus

sites about the virus to spread malware

and steal login credentials.

Cybersecurity experts are warning the

"So many people worked incredibly hard to earn Kickstarter's employees a seat at the table, and now they have one. Kickstarter is now a place for collective action through and through," Clarissa Redwine, a former Kickstarter employee who helped organize the workforce and was terminated last fall, tweeted after the vote.

The vote means the union and company will start negotiations on a first contract. Kickstarter CEO Aziz Hasan said the company supports and respects the staff's decision "and we are proud of the fair and democratic process that got us here."

"We've worked hard over the last decade to build a different kind of company, one that measures its success by how well it achieves its mission: helping to bring creative projects to life. Our mission has been common ground for everyone here during this process, and it will continue to guide us as we enter this new phase together," Hasan said.

The new Kickstarter United union said its goals are equitable compensation across all positions, creating equal pay for equal work, along with diversity and inclusion in hiring, professional growth, and product development.

Kickstarter, since launching in April 2009, has helped raise \$4.8 billion to successfully fund 177,558 projects.

### Second cruise ship held in quarantine for coronavirus testing

Another cruise ship has been quarantined in response to suspected cases of the Wuhan coronavirus. Officials in Hong Kong have denied permission to disembark to the vessel World Dream and are testing the 3,600 people on board for signs of infection.

Three previous passengers who had been aboard World Dream between January 19 and 24 were diagnosed with the illness after they left the ship, operator Genting Cruise Lines said in a statement. About two dozen crewmembers of the World Dream have recently reported minor cold symptoms, according to Hong Kong's health department. Three others reported symptoms of a fever and have been transferred to shore for isolation and potential treatment. Local officials are also attempting to locate 200 Hong Kong residents who were on board during the World Dream's previous voyage and have since returned home, according to Leung Yiu-Hong, the chief port officer of Hong Kong's health department. The World Dream is the second cruise ship quarantined this week over fears of coronavirus infection. On Monday, the Diamond Princess was held at an anchorage off Yokohama after a former passenger tested positive for the disease. After testing people with flu-like symptoms and those who have had contact with the known infection case, Japanese

authorities identified 10 more individuals from Diamond Princess who tested positive, and they were evacuated by the Japan Coast Guard for treatment and isolation on shore. The individuals affected included one American national, three people from Japan, three from Hong Kong, two Australian nationals and one crewmember from the Philippines.

Japanese officials reported that many additional people tested positive for coronavirus aboard Diamond Princess.

# New poll contradicts earlier surveys of A's stadium plans

A new poll shows that Oaklanders favor the Athletics staying at the Coliseum instead of moving to the Howard Terminal site where the team plans to build a new stadium, contradicting previous polling results.

The East Oakland Stadium Alliance, which is actively campaigning for the A's to stay at the Coliseum, commissioned the poll.

Five hundred Oakland residents were surveyed. They preferred the Coliseum to the new site, with 62% favoring the Coliseum and 29% choosing the Howard Terminal location. According to the poll, 63 percent of respondents don't believe the claim that the new stadium would be entirely privately funded.

A poll conducted by the Oakland A's in July 2019 that surveyed 1,000 Oakland residents had almost the exact opposite result. Of those surveyed, 63% favored building a privately funded downtown stadium and 29% opposed it. When given more details and the Howard Terminal

plan, 74% of respondents supported the new stadium and 20% opposed it.

The powerful interests in favor of the project prefer their own poll results. "As you can see from our own poll results, Oakland voters overwhelming support a downtown ballpark, including one at Howard Terminal," said Oakland A's President Dave Kaval in a statement. "The Oakland Chamber of Commerce also recently conducted their own poll with similar results to ours."

The Oakland Chamber of Commerce polled 601 Oakland residents at the end of October and beginning of November last year. Their poll found that 59% of respondents supported building a new, privately funded downtown stadium and 34% opposed it.

When given more information, these numbers rose in favor of the project with 68% supporting and 24% opposing a new Howard Terminal stadium.

### **Pangolins identified as potential** intermediate host of coronavirus

of a study by South China Agricultural University, who announced their discovery of a 99 percent genetic match between the new corona virus (2019-nCoV) and a strain of the virus found in pangolins.

Human infection with 2019-nCoV has potentially fatal consequences, with currently more than 600 fatalities out of tens of thousands of cases reported globally.

Suspicion as to the source of the outbreak has focused on a seafood market also illegally selling wildlife in the Chinese city of Wuhan, the epicenter of the outbreak. In response, authorities in China announced on January 26 a temporary ban on all wildlife trade in the country, with immediate effect. Bats are also suspected hosts of coronavirus.

Last week, a study published by Nature found the probable origin of the virus in bats. Such a link had previously been found to the viruses behind Severe Acute Respiratory Syndrome (SARS) and Middle East Respiratory Syndrome (MERS). In the case of SARS, Civets were identified as an intermediate host in the jump of the virus from bats to people.

Pangolins are considered the most widely trafficked mammal in the world. Trade involves all eight species, four of which are native to Africa and four in Asia. With reported steep declines in Asian populations, the animals have increasingly been trafficked from Africa to Asia where they are consumed as food and for their supposed medicinal properties. Pangolin scales

Media in China are reporting the results in particular are believed by some to treat a range of ailments from problems with lactation in women through to asthma and skin conditions.

> Evidence is mounting about the circumstances under which viruses are likely to mutate such that they gain the ability to cross the species barrier into humans, say experts. These are basically unsanitary, cramped conditions where animals are kept in close proximity to each other and also to people. Such conditions are prevalent at poorly-regulated or illegal wildlife markets.

> Research published in 2017 found an average of 20 tonnes of pangolins and their parts trafficked internationally every year. The study was released in the wake of the world's largest ever pangolin seizure, when China announced the seizure of 11.9 tonnes of scales from a ship in Shenzen.

> In July 2018, Hong Kong's Customs and Excise Department seized over seven tons of pangolin scales in a shipping container that arrived from Africa bound for mainland China.

> Last year, 14 leading courier and logistics companies in China signed a voluntary code of practice to refuse delivery of illegal wildlife and products to demonstrate their commitment to curbing illegal trade in wild animals and plants. Signatories of the voluntary code are: EMS, SF-Express, ZTO-Express, UTO-Express, TO-Express, Yunda-Ex-

They will be transferred to a medical facility ashore for treatment.

The Diamond Princess' 2,666 passengers include about 428 American nationals. All are expected to be quarantined on board for at least the next two weeks, and the ship's crew are making provisions for a long stay. Some Americans have elected to be evacuated by the United States and undergo a new quarantine at American military bases. The delay has caused fear and confusion.

In mainland China, the number of confirmed cases has reached 28,000 and the number of fatalities has risen to more than 2000. The numbers may represent an undercount: shortages of testing kits, laboratory services and hospital capacity have been reported in Hubei province, the epicenter of the outbreak, and health experts believe that many additional cases are not being identified. China has changed its reporting standards twice.

press, Deppon-Express, Best-Express, JD-Logistics, ZJS-Express, Suning-Logistics, China Air Express, DHL and FedEx.



U.S. maritime policy is based on 3 time-tested requirements established on common sense and the best interests of American industry and workforce. Any vessel transporting goods or passengers within America's shoreline must be:





## **Report: U.S. sealift lacks personnel, ships, strategy**

An aging and inactive government fleet dependent on a shrinking pool of merchant mariners to get underway is how a new report describes the U.S. military's strategic sealift capability.

The Center for Strategic and Budgetary Assessments took an in-depth look at the health of the nation's maritime industry – including the fleet of U.S.-flagged ships in the sealift fleet, the public and private shipyards asked to build and maintain the vessels and the workforce expected to serve aboard the fleet.

If a large-scale troop build-up were needed to occur quickly overseas, the U.S. strategic sealift capability would be unlikely to meet the Pentagon's dry cargo, munitions or tanking needs, according to the report's authors, Bryan Clark, a senior fellow at CSBA; Timothy Watson, a research fellow at CSBA; and Adam Lemon a former research assistant at CSBA and currently a staffer for Sen. Tom Cotton (R-Arkansas.).

"To effectively compete, the U.S. government should stop considering the commercial and national security contributions of the maritime industry as largely distinct," the report concludes. "Instead, the United States should adopt a new approach that recognizes the inherent linkage between the two and fosters a healthier private maritime industry that can support U.S. national security."

If the Pentagon were to mobilize a large expeditionary force quickly, the first wave of ships carrying equipment to theater would come from two sources – the 46 vessels in the U.S. Department of Transportation Maritime Administration (MARAD) Ready Reserve Force and the 15 vessels in the Military Sealift Command (MCS) surge fleet of fast sealift and large Medium-speed roll-on/ roll-off ships.

U.S.-flagged commercial ships would then be hired by the Department of Defense to conduct sustainment sealift – the resupply of forces and gear to the theater. If needed, the Pentagon would also charter foreign-flagged ships to deliver supplies.

The U.S. strategic sealift capability is facing a myriad of challenges, including an aging fleet comprised of ships in many cases more than three-decades-old, an aging workforce to crew the ships and work in the yards building and maintaining the fleet and insufficient numbers of vessels in the fleet. These problems have been forming for decades, without a unified strategy were used, the report estimates the Pentagon would still need to charter about a half-million square feet of additional cargo capacity on either U.S. or foreign-flagged ships.

Part of the shortage is because the existing fleet is old. Part of the shortfall was caused by a decades-long decrease in the number of U.S.-flagged ships, caused by a combination of tax policy, competition against state-subsidized foreign shipping lines and changing global economics.

The Department of Defense's fuel tanking capacity is even more dire, according to the report. The Pentagon has access to about 10 percent of the tankers needed to supply an overseas force. The Pentagon would need to hire 76 more fuel tankers to meet the anticipated demands of fueling a force.

"DoD's sealift capacity gaps will likely only worsen. Most government sealift ships will need to be retired during the next decade, and DoD's fuel requirement is expected to grow as military services adopt operational concepts that rely on distributed forces and maneuver to improve survivability and lethality," according to the report. "The gap in cargo and tanker capacity will require either recapitalizing and expanding the MSC and MARAD surge sealift fleets or bringing more oceangoing commercial ships under U.S. flag."

The report's authors call for establishing a national maritime strategy to address the various reasons why the nation's sealift capacity is in such poor shape.

Already, the benefits of a unified strategy can be seen by looking to China, the report states. The Chinese government has invested heavily in building the People's Liberation Army Navy, the Chinese Coast Guard, the People's Maritime Militia, and heavily subsidized state-owned shipping companies. The result is the world's largest government and commercial fleets. The Chinese government, through its Belt and Road Initiative, has also gained port access around the globe for commerce, logistics and naval operations.

"In contrast to China's integrated maritime strategy, during the past few decades the United States has adopted a predominantly military strategy designed to synchronize missions and capability priorities between the U.S. Navy, Marine Corps, and Coast Guard, but not at the whole-of-society level," the report states.

The U.S. must expand participation in the Maritime Security Program – which provides U.S.-flagged ship operators with stipends to help defray the costs associated with being part of the U.S. sealift capability.

### ILWU court decision looms and Unions nationwide await outcome

The union that handles every shipping container that crosses West Coast docks is bracing for a court decision that could change the outlook for labor nationwide.

The International Longshore and Warehouse Union traces its roots to a 1934 strike that claimed the lives of strikers, sometimes marked on a sidewalk in front of Local 10, the organization's San Francisco chapter. The ILWU's motto — "An injury to one is an injury to all" — attests to the wariness and solidarity of its 15,000 waterfront members, blue-collar workers that already face other threats, such as port automation.

Few of those workers could have imagined that an obscure feud over two dockside jobs in Portland could cause such trouble. But a \$94-million federal jury award Nov. 4 to ICTSI Oregon Inc., a cargo terminal operator, has forced union leaders to warn that a filing for Chapter 11 bankruptcy protection is possible.

ILWU attorneys during a Feb. 14 hearing in Portland argued to persuade U.S. District Judge Michael Simon to reduce the award, which dwarfs the San Francisco-based union's declared assets. Judges tend to be reluctant to overrule juries.

If Simon lets the award stand, it could provide a dangerous precedent, said Donald Marcus, president of the International Organization of Masters, Mates & Pilots, a Maryland-based but national licensed-mariners' union. "It's an attack on the trade union movement and could have very negative repercussions for union workers and labor generally," he said.

"We won't recognize labor on the West Coast in the maritime industry if the ILWU is no longer there and at the forefront," Marcus said. "They set the whole tone and pace of progressive unionism for maritime labor."

The award could embolden employers, as organized labor deals with setbacks including the Supreme Court's 2018 Janus ruling that public employees cannot be forced to pay dues or fees to support their unions. The ILWU's predicament reminds some labor managers of the pre-1930s era, when judges hit unions with fines and injunctions before Congress passed federal protections.

But in Portland it was a jury of six women and two men, not a judge, who ruled for ICTSI Oregon and set the award amount. And ILWU leaders had displayed unusual defiance at a time when its prosperity seemed assured, riding on booming trade at West Coast ports.

The ILWU has parlayed its handling ocean cargo worth trillions of dollars to land lucrative labor contracts with the Pacific Maritime Assn., an employers' group of shipping lines and terminal operators Enrique Razon has plenty of money for legal fights.

The ILWU pushed ICTSI Oregon to give it the jobs after the company signed a lease with the Port of Portland in 2011 to begin running the container yard.

ICTSI said it could not reassign the jobs because the port controlled them. During four years of slowdowns, international shipping lines stopped calling on the terminal. ICTSI paid the port \$20 million to get out of its lease and sued the union, listing that amount and other losses as damages. The ILWU continues to dispute the validity of the claim.

If Simon upholds all or part of the award, the ILWU could appeal. But unless the union managed to post bond, ICTSI could start attaching the organization's bank accounts for incoming dues money.

A Chapter 11 filing by a union on the scale of the ILWU would be unprecedented, bankruptcy attorneys said. Previous filings involved local Teamsters and service workers chapters in California and Texas.

The ILWU is liable for 55% of the jury award — less than \$3,500 per longshore member, a relatively low figure, but in caucus meetings so far, members have opposed individual assessments. Its Portland chapter is on the hook for the rest.

Union President William Adams told members in a Dec. 5 memo that a bankruptcy would not affect their contracts, working conditions, pensions, savings plans and health benefits. He wrote that union leaders would "be alert for any employer or politician who thinks they can take advantage of this temporary setback."

ILWU attorney Dan Jackson argued that ICTSI grossly inflated its estimate of economic damages. He also said ICTSI had not shown that the slowdown was solely motivated by the illegal motive of putting pressure on a third party, as opposed to other ongoing disputes with ICTSI.

Judge Simon could leave the jury award as is, reduce the amount, or order a new trial that would focus just on the damages. After three hours of legal arguments by the two sides,

Simon didn't say how he's likely to rule, but at various points he did say he found some of ILWU's arguments persuasive. One expert witness called by ICTSI had cherry-picked data to inflate damage calculations, and his model had assumed that ICTSI could raise prices and still increase volume, in violation of accepted economic theory.

ILWU has said ICTSI is trying to get the union to pay for losses that members weren't responsible for, and reimburse for profits that the company wasn't likely to make.

The Port of Portland had been losing money at Terminal 6 for years; partly the cause that privatized the terminal in the first place resulting in a 25-year lease agreement with ICTSI. Terminal 6 has several disadvantages that make it less than competive with other West Coast ports: It's far upriver from the ocean, and shipping channels in the Columbia River aren't deep enough for the new generation of bigger more cost-effective cargo ships. No other terminal operator has stepped in since ICTSI ended operations in 2017. If Judge Simon finds that the jury damage award isn't supported by evidence of real economic damage, he could reduce the award to \$27.6 million: \$20 million for equipment ICTSI had to abandon when it ended operations at Terminal 6 and money it owed the Port to terminate its lease agreement; plus up to \$7.6 million in direct damages due to lost productivity during the period in question.

to address them, according to the report.

In September, the U.S. Transportation Command tested the ability of the nation's maritime Ready Reserve Force to set sail on short notice. However, only about 40 percent of the vessels deemed ready to sail left port, according to retired Rear Adm. Mark Buzby, the administrator of MA-RAD. Buzby detailed the exercise during an appearance at the 2020 Surface Navy Association symposium.

Part of the problem, according to the CSBA report, is the U.S. Merchant Marine is short by about 2,000 mariners to properly crew ships if the MSC, MARAD and MCS Surge Sealift Fleets were all activated to deliver equipment and resupplies during a prolonged U.S. military engagement.

The fleet also doesn't have enough ships to operate during a prolonged period. If all available MSC and MARAD ships The U.S. needs to attract more people to become merchant mariners and to stabilize the workforce at shipyards.

U.S. officials should consider replacing the government-owned prepositioning fleet with MARAD-chartered commercial ships. The ships in the prepositioning fleet would then join the MSC surge fleet, which would be assigned to MARAD.

"The U.S. government can continue misallocating increasingly scarce funds on a flawed model. Or, guided by a new national maritime strategy, the nation can adopt a whole-of-society approach to cultivating a vibrant maritime industrial base that spurs innovation and enhances American prosperity and security," the report concludes. operatoro.

As contract renewals approach, negotiations sometimes stall, leading to massive freight backups at the West Coast's 29 container ports. For leverage, the union has developed "working to rule" into an art form, using legal literal interpretation of regulations.

In Portland in 2012, Simon wrote in his jury instructions, union members drove trucks slowly, parked vehicles to block containers and reported bogus mechanical problems. But this time, instead of dealing with the coastal employers' group, the ILWU was up against a subsidiary of Manila-based International Container Services Inc., a global port operations giant aiming to establish a U.S. beachhead.

The company has attracted criticism, which it disputes, for maintaining substandard wages and working conditions in less-developed countries. (Attorneys for ICTSI Oregon wouldn't comment on the record, citing the ongoing litigation.) Yet one thing is certain: The company headed by Filipino billionaire

For some, the dispute can be seen as an outgrowth of problems stemming from the privatization of public assets.

### **Bouchard ordeal evokes 19th century Supreme Court decision**

By Sal Mercogliano

On July 7, 1895, the barque Arago arrived in San Francisco with four of its crewmembers in irons. The deckhands had jumped ship while in Portland, Oregon prior to the ship embarking on a cruise down to Chile. The master of the vessel signed out warrants for their arrest and had the men returned to the ship, but they refused to work. Upon arrival at the Golden Gate, he turned them over to the authorities for breaking their shipping articles. The case worked its way through the courts on the legality of a justice of the peace delivering the crewmembers to the master of a vessel, with a final decision determined by the Supreme Court on January 25, 1897 in Robertson v. Baldwin 165 U.S. 275, better known in history as the Arago Decision.

A hundred and twenty-three years later, the crews on board the tugs Kim M. Bouchard and Danielle M. Bouchard, along with other tugs of Bouchard Transportation Company, find themselves in a similar situation. Much like the crewmembers of Arago, those on board the two tugs find themselves prisoners upon their vessels. In this case, it is not the master of the tug keeping them on board. Instead it is the Coast Guard's Captain of the Port who have threatened the crew with felony charges and the loss of their merchant marine credentials if they abandon the vessel.

The two tugs have been held out at anchorages since November 26. Bouchard Transport experienced financial issues in the past, and this latest round resulted in the ships being told to anchor and await further orders. Not only did those orders not arrive, but neither did pay for the crew after January 1, according to a local 12 News report citing an anonymous crew member. A month later, two crew apparently paid \$1,100 to have a launch pick them up in Sabine Pass and return them to shore, while the remaining mariners all threatened to leave the ship as their 35-day tours ended.

In response to this, Captain J. M. Twomey (USCG), Captain of the Port of Port Arthur, issued letters to the masters on February 10, 2020. Citing the Code of Federal Regulations, he mandated that the ships maintain proper watches to safeguard the tugs and their cargoes. Violation of the order could result in a civil fine of \$94,219 and a Class D felony, punishable by up to six years in prison and a fine up to \$250,000 per individual. In Port Aransas, Barbara E. Bouchard received a ping articles, are not in conflict with the Thirteenth Amendment forbidding slavery and involuntary servitude, and it cannot be open to doubt that the provision against involuntary servitude was never intended to apply to such contracts. The contract of a sailor has always been treated as an exceptional one and involving to a certain extent the surrender of his personal liberty during the life of a contract.

Indeed, seamen are treated by Congress, as well as the Parliament of Great Britain, as deficient in that full and intelligent responsibility for their acts which is accredited to ordinary adults, and as needing the protection of the law in the same sense in which minors and wards are entitle to the protection of their parents and guardians...The ancient characterization of seamen as "wards of admiralty" is even more accurate now than it was formerly.

In other words, mariners surrendered their Thirteenth Amendment rights when they signed shipping articles and required special protection under the law. This decision, along with others in the Progressive Era, led to wholesale changes in the maritime industry. Senator Robert LaFollette pushed through the Seamen's Act in 1915, giving protections to mariners and, supposedly, reversing the 1897 Supreme Court decision regarding the status of merchant mariners. It was followed by the Merchant Marine Act of 1920, specifically Section 31 that allowed crew to demand one-half of their pay owed to them when in port. It goes on to say, "Any failure on the part of the master to comply with this demand shall release the seaman from his contract."

A century later, the crews on board Bouchard Transportation Company tugs find themselves in a situation akin to John Bradley, Philip Helzen, Morris Hansen, and Robert Robertson at the end of the nineteenth century. In the present day, the crewmembers are not being held by the masters, but instead by their own government, specifically the United States Coast Guard. Bouchard forfeited their rights to direct the crews on board the vessels when their contracts ended, and they failed to pay them. The US Coast Guard should seize the vessels, make the necessary arrangements to secure them and their cargo, and release the crews.

Unfortunately, this story is not uncommon to mariners around the world. Many find themselves subjected to foreign laws, dealing with international companies, and very little protection. The legislation that overturned the Arago Decision and aimed to prevent this from happening in the United States, does not appear to be helping the mariners on board Bouchard tugs. For all practical purposes, they are indentured servants and their Thirteenth Amendment rights remain, once again, in question. It will take judicial action to alleviate this issue; maybe a future Bouchard Decision will finally put to bed the Arago Decision for American merchant mariners.



The SUP deck gang in the Matson Aloha-class containership Daniel K. Inouye in Oakland From L-R AB Ed.Pastalero, (Bosun Teofilo Rojas, OS-D'Marco Horton. F-R AB Jaime Acosta, AB and Delegate Dave Erickson, and AB Alan Peightal. Photo: Roy Tufono.

### Work stoppages reach highest level in nearly two decades

Labor unrest reached its highest level in nearly two decades with 25 labor-related work stoppages—including strikes and lockouts—involving 1,000 or more workers in 2019, the Labor Department said Tuesday.

That was the most since 2001 and came during a year of solid economic growth and the lowest unemployment rate in a half century. Labor disputes tend to increase when the job market is tight and workers feel they have more leverage; the unemployment rate fell to a half-century low in 2019.

The level of labor disputes has moved higher in the past two years—driven by work stoppages by teachers—and is well above the record low of five in 2009, the year the recession ended—despite union membership falling in the past decade. The total number of strikes last year was small compared with the hundreds that occurred annually in the 1960s and 70s.

Richard Trumka, president of the 12.5-million-member AFL-CIO labor federation, said workers are frustrated because they don't think they are receiving benefits from a record stock market and the longest economic expansion on record. "After decades of seeing flat wages, benefits taken away and pensions taken away, workers are ready to stand up and fight back," he said in an interview.

Strikes can be costly to businesses and workers in the form of lower revenues, productivity and lost wages. In total, 3.24 million days of labor were lost to labor disputes last year, the most of any since 2004, the Labor Department said. "There are the direct costs of disruption such as mothballing facilities and stopping supplier deliveries, as well as the competitive losses in market share, sales, and profits," said Douglas Holtz-Eakin, president of the American Action Forum and former economic adviser to Republican Sen. John McCain and President George W. Bush. "Unfortunately, in a strong labor market, there are lower costs to labor and the probability of a strike goes up." Most of the 425,500 workers involved in labor disputes last year and 13 of the work stoppages came in the education sector, including walkouts of public-school teachers in Chicago, Denver and Los Angeles.

The UAW strike was the first at GM since 2007, and the longest nationwide walkout at the company in a half-century. The work stoppage crippled GM's U.S. manufacturing operations and dented the auto maker's earnings by \$3.6 billion last year. The effects also rippled through the broader economy, resulting in temporary layoffs for thousands of other workers as the strike dragged on.

New GM hires received higher starting pay, temporary workers got a path to fulltime status and employee health-care contributions stayed at roughly 3%—far lower than the private-sector average—under terms that ended the strike.

Chris Eubanks, a UAW-represented worker at GM's assembly plant in Orion Township, Mich., said he expected more out of the new contract after the extended walkout. He is still feeling the personal financial toll after falling behind on bills during the strike. The UAW paid striking workers \$275 a week, a fraction of their normal pay.

Still, he said the strike was a necessary action. "We really do have to fight, because they won't willingly give us what we deserve," Mr. Eubanks said.

A GM spokesman declined to comment.

"General Motors was in a relatively good financial position...and settled on an agreement that controlled their labor costs going forward," said Marick Masters, a management professor who studies labor relations at Wayne State University in Detroit.

While the labor market remains tight, separate data released Tuesday suggested it might be loosening a bit, which could affect worker leverage. There were 6.4 million job openings at the end of December, a 14.9% drop from the same month in 2018 and the largest annual drop since December 2009, the Labor Department said. Still, the number of job openings has exceeded the number of unemployed Americans, which stood at 5.75 million in December, for 22 consecutive months. "The trend in job growth has remained strong through January," said J.P. Morgan economist Daniel Silver. "But the recent decline in job openings signals that job growth could slow at some point."

similar notice, but she was pier side and not at anchor. It is probable that all other Bouchard vessels were given like warnings.

At the end of the nineteenth century, the Supreme Court heard the appeal from the mariners of the Arago. The Sailors' Union of the Pacific funded their suit through the local courts, to its final appeal in Washington D.C. The question before the court was can a master have a mariner arrested for breaking their contract? The decision handed down by the justices stated:

Insofar as they require seamen to carry out the contracts contained in their shipSalvatore R. Mercogliano is an associate professor of history at Campbell University in Buies Creek, North Carolina and teaches World Maritime History. This article first appeared in Gcaptain.com



The United Auto Workers' 40-day walkout at General Motors Co.'s plants was the largest strike started last year, resulting in 1.33 million days of cumulative lost labor. Corrections & Amplifications

Last year, around 32,000 Chicago Public School teachers struck for 11 days in October. An earlier version of this article incorrectly stated the strike occurred this year. (Feb. 11, 2020)

# New sculpture at Port of Oakland honors merchant mariners



A new sculpture honoring the lives and sacrifices of merchant mariners now welcomes visitors to the International Maritime Center at the Port of Oakland. The sculpture, called "Sea Remembrance," is a work by SUP member and sculptor James King, bosun in Cape Trinity.

"Sea Remembrance," a turning ellipse with a circular but oblate central negative space, defined by threaded, contoured and curving surface reminiscent of heavy cable on ships, is now installed in the Port of Oakland as abstract sculpture.

"Seafarers make costly sacrifices being away from home at sea for months at a time," said Margaret Reasoner, an official with the Oakland chapter of the International Maritime Center. "The sculpture honors them for their hard work and perseverance, and serves as a memorial for the mariners who gave their life at sea," Reasoner said in a press release Friday announcing the sculpture's unveiling.

The artist, James Allen King, is a merchant mariner sailing on deck with the Sailor's Union of the Pacific. His duties include rigging and maintaining the ship's gear, anchors, cables and all the other systems and equipment on deck.

### **First Nation protests Prince Rupert rail**

With concerns growing over fuel shortages and layoffs, Canada's Prime Minister Justin Trudeau came under increasing pressure Tuesday to end a rail blockade by Indigenous protesters that has shut down the eastern operations of Canada's largest freight railway and curbed passenger rail service across the country. The blockade by First Nations people opposed to an oil pipeline started in the west, but now the protest has now spread to the east.

While Canadian National Railway said it has successfully sought a court order to end a blockade in Vancouver and two in Vaughan, Ontario, the railroad said Saturday the illegal blockage of CN tracks at Tyendinaga, Ontario, continues because court orders have yet to be enforced. CN said the shutdown of its eastern Canadian network would continue until the blockades end.CN said Saturday the illegal blockage of tracks at Tyendinaga, Ontario, continues because court orders have yet to be enforced.

Canadian National Railway intermodal rail service serving the Port of Prince Rupert in British Columbia is continuing without interruption after resuming late last week, according to port officials. CN's eastern network is "more or less shut down," with limited trains operating in the Halifax/Montreal corridor, Hapag-Lloyd told customers in a Tuesday advisory. The carrier said it was exploring options to divert cargo out of Halifax.

APL told customers Tuesday that blockades at Vancouver and Belleville, Ontario, are delaying rail shipments, affecting vessel and terminal operations. Coming in midst of coronavirus scheduling problems, the effectiveness of Prince Rupert as a major alternative port to U.S. west coast terminals has been called into question.

### ATTEND YOUR MONTHLY SUP UNION MEETINGS!

Editor's Note: To receive the West Coast Sailors via first-class mail it's \$25

### Welfare Notes February 2020

#### **REMINDER ACTIVE MEMBERS AND PENSIONERS**

When submitting claims for reimbursement, please be sure the following is submitted with <u>ALL</u> receipts:

- Patient's name
- Date of service
- Description of service or itemized bill . If you have other insurance, you must submit your EOB (explanation of benefits)
- Register receipts without the above information will be denied.
- Proof of payment (bank statement, canceled check or paid receipt)
- Pensioners-please separate your claims from your spouse's claims,
- Balance due bills are not acceptable without the itemization portion of the bill

#### YOU HAVE 90 DAYS FROM THE DATE OF SERVICE TO SUBMIT YOUR CLAIMS FOR REIMBURSEMENT

Michelle Chang, Administrator mcsupsiupd@sbcglobal.net Patty Martin, MPP Plan, 401(k) and Death Benefits martinpatty59@sbcglobal.net Gina Jew, Claims gina@marinersbenefits.org Michael Jacyna Eligibility mjacyna67@sbcglobal.net Training Representative Berit Eriksson 206-551-1870 berittrainrep@sbcglobal.net 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

### From the SUP Constitution

"We the Seaman of the Pacific Coast, members of the Coast Seamen's Union and Steamship Sailors' Union, having been organized separately since 1885... have determined to form one union which shall be based upon the following principles:

Whatever right belongs to one member belongs to all members alike, as long as they remain in good standing in the Union.

First of this rights is right of each member to receive fair and just remuneration for his or her labor, and to gain sufficient leisure for mental cultivation and physical recreation...

We consider it our right to receive healthy and sufficient food, and proper forecastles in which to rest.

We consider it our right to be treated in a decent and respectful manner by those in command. We consider it our right of engagement without the interference of crimps. We hold that the above rights belong to all seamen alike, irrespective of nationality or creed and

Recognizing the foregoing as our inalienable rights, we are conscious of corresponding duties to those in command, our employers, our craft and our country and it is among our objects

To use our influence individually and collectively for the purpose of maintaining and developing skill in seamanship and effecting a change in the maritime law of the United States, to aid the development of a merchant marine and a body of American seamen, to support a journal which shall voice the sentiments of the seafaring class.

To assist the seamen of other countries and other bona fide labor organizations and

To regulate our conduct as a Union and as individuals so as to make seamanship what it rightly is – an honorable and useful calling.

per year U.S. mail; \$50 per year international.

### Receive the *West Coast Sailors* via First Class Mail



San Francisco CA 94105



The USNS Red Cloud arrives for shipyard period in Bayonne NJ. The Red Cloud is part of the Watson-class fleet of Large Medium Speed Roll on/Roll off ships operated for the Military Sealift Command by Patriot Contract Services with SUP sailors on deck. In the distance to the right is the Verrazano Narrows Bridge spanning between Staten Island and Brooklyn at the entrance to New York Harbor.

# **California Labor's Primary COPE Endorsements**

United States Representatives in Congress Congressional District 1 Audrey Denney (D) Congressional District 2 Jared Huffman (D) Congressional District 3 John Garamendi (D) Congressional District 4 Refer to Executive Council

Congressional District 5 Mike Thompson (D) Congressional District 6 Doris Matsui (D) Congressional District 7 No Endorsement Congressional District 8 Chris Bubser (D) Congressional District 9 Jerry McNerney (D) Congressional District 10 Josh Harder (D) Congressional District 11 Mark DeSaulnier (D)

Congressional District 12 Nancy Pelosi (D) Congressional District 13 Barbara Lee (D) Congressional District 14 Jackie Speier (D) Congressional District 15 Eric Swalwell (D) Congressional District 16 Esmeralda Soria (D) Congressional District 17 Ro Khanna (D) Congressional District 18 Anna Eshoo (D) Congressional District 19 Zoe Lofgren (D) Congressional District 20 Jimmy Panetta (D) Congressional District 21 T.J. Cox (D) Congressional District 22 Phil Arballo (D) Congressional District 23 Kim Mangone (D) Congressional District 24 Salud Carbajal (D) Congressional District 25 Refer to Executive Council

Congressional District 26 Julia Brownley (D) Congressional District 27 Judy Chu (D) Congressional District 28 Adam Schiff (D) Congressional District 29 Tony Cardenas (D) Congressional District 30 Brad Sherman (D) Congressional District 31 Pete Aguilar (D) Congressional District 32 Grace Napolitano (D)

Congressional District 33 Ted Lieu (D) Congressional District 34 Jimmy Gomez (D) Congressional District 35 No Endorsement Congressional District 36 Raul Ruiz (D) Congressional District 37 Karen Bass (D) Congressional District 38 Linda Sanchez (D)

Congressional District 39 Gil Cisneros (D) Congressional District 40 Lucille Roybal-Allard (D)

Congressional District 41 Mark Takano (D) Congressional District 42 Regina Marston (D) Congressional District 43 Maxine Waters (D) Congressional District 44 Nanette Barragan (D)

Congressional District 45 Katie Porter (D) Congressional District 46 Lou Correa (D) Congressional District 47 Alan Lowenthal (D) Congressional District 48 Harley Rouda (D) Congressional District 49 Mike Levin (D) Congressional District 50 Ammar Campa-Najjar (D)

Congressional District 51 Juan Vargas (D) Congressional District 52 No Endorsement Congressional District 53 Georgette Gomez (D) California State AssemblyAssembly District 1 Elizabeth Betancourt (D) Assembly District 2 Jim Wood (D) Assembly District 3 No Endorsement Assembly District 4 Cecelia Aguiar-Curry (D) Assembly District 5 No Endorsement Assembly District 6 Jackie Smith (D) Assembly District 7 Kevin McCarty (D) Assembly District 8 Ken Cooley (D) Assembly District 9 Jim Cooper (D) Assembly District 10 Mark Levine (D) Assembly District 11 No Endorsement Assembly District 12 Heath Flora (R) Assembly District 13 Christina Fugazi (D) Assembly District 14 Tim Grayson (D) Assembly District 15 Buffy Wicks (D) Assembly District 16 Rebecca Bauer-Kahan (D)

Assembly District 17 David Chiu (D) Assembly District 18 Rob Bonta (D) Assembly District 19 Phil Ting (D) Assembly District 20 Bill Quirk (D) Assembly District 21 No Endorsement Assembly District 22 Kevin Mullin (D) Assembly District 23 No Endorsement

Assembly District 24 Marc Berman (D) Assembly District 25 DUAL: Anna Song (D)/ Anne Kepner (D)

Assembly District 26 Drew Phelps (D) Assembly District 27 Ash Kalra (D) Assembly District 28 Evan Low (D) Assembly District 29 Mark Stone (D) Assembly District 30 Robert Rivas (D) Assembly District 31 Joaquin Arambula (D) Assembly District 32 Rudy Salas (D) Assembly District 33 No Endorsement Assembly District 34 No Endorsement Assembly District 35 Dawn Addis (D) Assembly District 36 Jonathon Ervin (D) Assembly District 37 Cathy Murillo (D) Assembly District 38 No Endorsement Assembly District 39 Luz Rivas (D) Assembly District 40 James Ramos (D) Assembly District 41 Chris Holden (D) Assembly District 42 No Endorsement Assembly District 43 Laura Friedman (D) Assembly District 44 Jacqui Irwin (D) Assembly District 45 Jesse Gabriel (D) Assembly District 46 Adrin Nazarian (D) Assembly District 47 Eloise Gomez Reyes (D) Assembly District 48 No Endorsement Assembly District 49 Ed Chau (D) Assembly District 50 Richard Bloom (D) Assembly District 51 Wendy Carrillo (D) Assembly District 52 Freddie Rodriguez (D) Assembly District 53 Miguel Santiago (D) Assembly District 54 Sydney Kamlager (D) Assembly District 55 Andrew Rodriguez (D) Assembly District 56 No Endorsement Assembly District 57 Lisa Calderon Assembly District 58 No Endorsement Assembly District 59 Reggie Jones-Sawyer (D) Assembly District 60 No Endorsement Assembly District 61 Jose Medina (D) Assembly District 62 Autumn Burke (D) Assembly District 63 Anthony Rendon (D) Assembly District 64 Mike Gipson (D)

Assembly District 65 Sharon Quirk-Silva (D) Assembly District 66 No Endorsement Assembly District 67 Jerry Carlos (D) Assembly District 68 Melissa Fox (D) Assembly District 69 Tom Daly (D) Assembly District 70 Patrick O'Donnell (D) Assembly District 71 No Endorsement Assembly District 72 No Endorsement Assembly District 73 Scott Rhinehart (D) Assembly District 74 Cottie Petrie-Norris (D) Assembly District 75 No Endorsement Assembly District 76 Tasha Boerner-Horvath (D)

Assembly District 77 Brian Maienschein (D) Assembly District 78 Chris Ward (D) Assembly District 79 No Recommendation Assembly District 80 Lorena Gonzalez (D) California State SenateSenate District 1 No Endorsement Senate District 3 Bill Dodd (D) Senate District 5 Susan Eggman (D) Senate District 7 Marisol Rubio (D) Senate District 9 Nancy Skinner (D) Senate District 11 Scott Weiner (D) Senate District 13 DUAL: Josh Becker (D)/ Shelly Masur (D) Senate District 15 David Cortese (D) Senate District 17 John Laird (D) Senate District 19 Monique Limon (D) Senate District 21 Kipp Mueller (D) Senate District 23 DUAL: Kris Goodfellow (D)/ Abigail Medina (D) Senate District 25 Anthony Portantino (D) Senate District 27 Henry Stern (D) Senate District 28 Elisabeth Romero Senate District 29 Josh Newman (D) Senate District 31 Richard Roth (D) Senate District 33 Lena Gonzalez (D)

Senate District 35 Steven Bradford (D) Senate District 37 Katrina Foley (D) Senate District 39 Toni Atkins (D)

Yes on Prop 13 - Education Finance

### **Tom Larkin -- SUP poet and American maritime hero**

On the Monroe, my second trip, Oh this poor old rusty ship. The paint is bleeding, it's mighty thin. And there are places it's never been. Lashings are neglected, the wires dry, It's almost enough to make me cry. To make some overtime, it's almost a fight, They run on a budget and it's mighty tight. Up through the Aleutians where the cold winds blow, Work out on deck in the rain and snow. nd Tom Larkin Now the weather's warm and the sun is out. But you can't turn-to or the Mate will cry We're over our budget, and that's no lie.





Friends, family, and shipmates of recently departed Tom Larkin gathered at the SUP Wilmington Hall for a celebration of his six decades dedicated to the seagoing life and the Sailors' Union of the Pacific.

Red Bell, Wally Stephens, Keith Miller, George Jackson (instructor), John Ferr



SUP crew in President Roosevelt in 1994 protest the APL gag order on termination of Capt Rick Nelson (reinstated) who flew the American Revolutionary War flag during APL re-flagging threats. Tom Larkin with "Don't Tread on Me" flag replica.

What a life! We all work hard, there is little rest, Each one of us is put to the test. Someone once said, there's a place called hell

On the Madre working bell to bell. Watched by eyes throughout the day, Just to be sure we earn our pay. When in port the spies come down Just to be sure we're not standing around. Dogging doors each and every night Just to be sure we're backed up tight. There are a lot of places I'd rather be Than on the Sierra Madre out at sea.



# **SUP PRESIDENT'S REPORT**

#### CORONAVIRUS

From the mid-January outbreak and rapid spread of the deadly new strain of coronavirus in China, the Union mobilized to protect the safety of its members. To fight infection and contamination, we called for immediate access to any necessary medical treatment as well as the best methods of prevention and protective equipment.

Moreover, in letters on January 24th and in other communications, the Union demanded a range of information and action from shipowners, making an effective emergency response plan both a catalyst and a goal of comprehensive crew safety. And despite the backdrop of widespread fear and quarantine, we reminded shipowners that the Union would enforce its contract language on restrictions to ship and true to its intent remain opposed to any arbitrary or otherwise inappropriate restriction. Sailors are entitled to reasonable and customary embarkation and disembarkation in non-affected ports.

Coronavirus is a highly contagious respiratory illness that can lead to pneumonia, which can be severe. Signs and symptoms of infection can include fever, cough and shortness of breath and sometimes sore throat. Information about the illness and methods of prevention and treatment were immediately disseminated to all agents and posted in our Halls. Briefly, they include frequent washing of hands, using alcohol based hand sanitizers, avoiding close contact with people who show symptoms, avoiding uncooked or undercooked meat and eggs, and seeking on symptoms immediate medical care.

The shipboard guidance and emergency plans that emerged from APL and Matson management after our informational demand responded in part to our recommendations and concerns, including the speedy medical guidance on infection prevention, contingency planning, and distribution of protective equipment for hand and respiratory hygiene, such as masks, gloves and sanitizer. Moreover, the prophylactic measures at Chinese marine terminals especially the screening and limitation of interior space access of terminal workers, surface disinfection, as well as ship stores sourcing safeguards, and other port call protections remain in the Union focus. APL also cancelled scheduled Chinese shipyard periods for President Wilson and President FD Roosevelt. Both Matson and APL guidance noted the likelihood of restrictions to ship and their intent to deny associated claims, although Matson delivered the *R.J Pfeiffer* to a Chinese yard without crew limitations.

There is much fear and uncertainty about the virus, and although the emergency will likely fade, there is also a real and immediate danger. On January 24, the U.S. Coast Guard (USCG) issued a Marine Safety Information Bulletin (MSIB), noting precautions on ship arrivals required by law for notification of sick or deceased crew or passengers and potential quarantines. On January 30, the World Health Organization declared the coronavirus a Global Health Emergency of International Concern, acknowledging the risk extended far beyond China. The next day President of the United States is sued an Executive Order banning all non-citizen travel from China to the U.S. subject to certain exemptions. Then the Center for Disease Control issued a China travel warning Health Notice - Level 3. The U.S. State Department followed that by raising its "Do Not Travel to China" warning to Level 4. Major airlines cancelled all flights to and from China, and any travelers to the U.S. from the outbreak epicenter in Wuhan, China are being quarantined in military bases for the incubation period of 14 days. On February 3, the USCG issued its second MSIB on the topic, clarifying that U.S. citizens in U.S.-flag commercial ships that have called in Chinese ports but are without symptoms will be allowed normal entry and disembarkation subject to certain conditions. Foreign-flagged commercial ships will be allowed entry but non-citizen crews will be restricted to ship. In Los Angeles, U.S. Customs and Border Patrol imposed then backed away from U.S.-flag restrictions in President Cleveland on orders from the Captain of the Port, but the Coast Guard considers it a hazardous condition under 33 CFR 160.216 if a crew member was in China within the past 14 days and is brought onboard

the vessel during transit.

Cruise ships have been quarantined in Hong Kong and Yokohama. Back in China, some experts estimate more than 700 million people remain in quarantine as the virus plays havoc with economies, supply chains, airlines and shipping. Our status as itinerant international workers put us squarely in the midst of the crisis. So we confront the epidemic with resolve and steady dedication to the task, just as we do the dangers of war or the routine daily hazards of our maritime labor. But we deserve a safe and humane workplace and the Union is determined that shipowners satisfy that responsibility.

#### SAN FRANCISCO BAR PILOTS

After dozens of preliminary meetings and bargaining sessions over a three-month period including a marathon final day of meetings, collective bargaining with the San Francisco Bar Pilots for a new contract ended on January 14, 2020.

The result was a four-year agreement retroactive to January 1, 2020 and carrying through December 31, 2023 with increases of 4% in the first year, 3% in the second and third years, and 2% in the final year. Additional economic impact came to bear in work rule improvements in the context of an increased workload. New meal break rules and compensation for missed meals, for example, complemented by better use of a wider relief pool, more rest facility options, and scheduling improvements should help ease some of the strain on the run boats. A garbage handling premium, an improved vacation conversion option, and a cost of living protection among other minor improvements in a concession-free deal been met with the approval by the members employed there. Therefore Mr. Chairman, on behalf of the Negotiating Committee, I recommend ratification of the Agreement. [Attachment 8]

Shortly after bargaining for the Marine Personnel concluded, bargaining for a separate unit, the Dispatchers, commenced. After another series of preparatory caucuses and communications, the Union and the Company began formal talks in the first of eight sessions on morning of January 23, 2020. Proposals addressing workload, cost of living, transportation, wages, retirement, holiday pay, work rules, vacations, meal breaks, night shifts, and schedules were presented and debated. In the end, the parties agreed to a four-year term with increases of 4% retroactive to January 1, 2020, with 4% in the second year, and 3% in each of the following years. There were additional improvements in vacation overlap scheduling, shift differential of 5% for night dispatchers, a meal breaks provision and associated compensation, an increase holiday rate premium, and a cost of living protection. On behalf of the members of the Committee including Chief Dispatcher Peter Winter, Austin Warriner, Matt Henning and in consultation with the other dispatchers, Mr. Chairman, I recommend ratification of the Agreement. [See Attachment 10] Almost every member of both units was directly involved in these negotiations and the results bear the mark of the resolve that comes with the unity of the rank-and-file. Shortly after the conclusion of bargaining the Trustees of the SUP SFBP 401(k) Plan, (SUP VP Matt Henning and myself), were informed that our previous cost control initiatives helped reduce Schwab participant fees for those accounts associated with the Morningstar managed feature from between 5 to 25 basis points (depending on account balance amounts) beginning on April 1, 2020.

#### Agreement.

To be clear, it is a condition of employment under the preferential hiring clause of Section 2 of the SUP Work Rules that the contracting company employs SUP dues paying members shipped from the Union's hiring halls. Shipping Rule No. 11 confirms that "all jobs in all ratings shall be called through the SUP hiring hall." Shipping Rule 18 requires that "all vacancies occurring in the ship shall be filled by the SUP dispatch office." Furthermore, violators must at minimum forfeit the job or shipping card and well as endure a suspension of registration rights under Article XIX of the SUP Constitution.

The case in question appears limited in scope, and there may be mitigating factors, but to ignore these basic dispatch rules is to defy the principles of fairness and transparency that are embedded into our rotary shipping system. It's unacceptable, and we will take such action as may be appropriate and keep the membership informed.

#### FOSS MARITIME CO.

As reported in January, the SUP collective bargaining agreement with Foss Maritime Company expires on February 29, 2020. The membership will recall that in late 2019 the Union made formal notification to the Company of the Union's intent to bargain a new contract. The Company responded favorably but given the uncertainty of the marine fuels business asked on two different occasions if an extension or short-term agreement was acceptable to the Union. Following communication with many members employed at Foss, I related our willingness to consider all proposals and we agreed to set February 14th as the date for commencement of bargaining. Will keep the membership informed on progress.

#### **READY RESERVE FORCE**

The Union's Ready Reserve Force contracts, stemming from the 2015 Memorandum of Understanding between the SIU-Pacific District Unions with Patriot and Matson covering 10 ships, required the parties to meet and negotiate the pricing for Option Period 1 (Years 5 and 6). The ships are the Admiral Callaghan, Cape Orlando, Cape Taylor, Cape Trinity, Cape Texas, Cape Victory and Cape Vincent for Patriot, and the Cape Henry, Cape Horn, and Cape Hudson for Matson.

In August of 2019, the Unions agreed to submit a three percent (3%) increase for each of the option years. In October of 2019, the Unions were notified that the U.S. Maritime Administration (MARAD) had objected to the Union's proposed total labor cost increases as not "fair and reasonable." After more discussion, maritime labor (AMO, ARA, MEBA, MFOW, MMP, SIU and SUP) officially objected to the MARAD position and its interpretation of the Service Contract Act and the Federal Acquisition Guidelines and voiced those concerns in a meeting with MARAD in Washington on December 12, 2019.

#### MATSON NAVIGATION CO.

The Union learned last week that a uncredentialled standby worker who was neither a registrant or member turned to for work aboard a Matson ship under SUP contract without SUP dispatch. The preliminary investigation indicates that besides a variety of potential violations of labor, immigration, and port security law, the incident runs afoul of the SUP Work Rules and the SUP Shipping Rules contained within our Matson

The Union has since then been engaged in a constructive but so far incomplete discussion with the MARAD and contracted companies. On January 14, 2020, the MFOW and the SUP submitted new pricing of 2.5% of total labor cost in each of the option years effective January 27, 2020 and January 27 2021. The situation however remains unresolved as we await the response of MARAD. Will keep the membership informed.

#### CHEVRON SHIPPING CO.

Beginning on Martin Luther King Day, another SUP Negotiating Committee met at Headquarters to finalize proposals and preparations toward bargaining with Chevron Shipping Co. Comprised of Thor Erikson, Ron Gill, SUP Vice-President Matt Henning and myself the Committee in a concentrated period of four days collected, vetted, debated, wrote and prioritized a broad portfolio of proposals.

On January 21, the Committee met at SUP Headquarters in San Francisco with Company management

### SUP President's Report continued

representatives including Assistant Fleet Manager Chad Culbertson, labor relations and crewing specialist Stella Gonzales, Senior Labor Relation Counselor Courtney Janes, Matt Cox Human Resources Analyst, and Capt. Amanda Wallace, Riding Superintendent. Towards the renewal of the collective bargaining agreement with Chevron, both sides exchanged proposals and debated the issues that generated them as well as all other aspects of seagoing employment at Chevron.

The Company declined to accept most of them, such as a Union security clause, for example, designed to strengthen the voice of sailors in Company ships. At the same time, the Committee rejected Company initiatives to revive the one-man watch, limit shore leave, eliminate the hour-for-hour anchor watch, and introduce new bridge maintenance responsibilities for the helmsman/lookout on watch, among other things.

Late on January 23 the parties reached a three-year Agreement that includes increases in each year (retroactive to February 1st) of 2.5%, 2.75% and 2.75% on all wages and an additional 1% increase in bosun and steward base wages. The full package includes a \$1.00 per billet training contribution for the first time, an increase in the Industry Fund of .50 to \$5.50, change to bosun and steward titles, upgrades to washers and dryers, a new provision for culinary work clothing and gear, as well as other minor improvements and clerical changes. The deal also renews the appendices covering our Maintenance Agreement, Catering Superintendents, and Ordinary Seaman/ Apprentice Agreement.

In general, it was hard bargaining, as expected in a negative business environment for major oil companies. The corporation announced in December that despite a profit of more than \$12 billion for 2019 a major restructuring was under way due mainly to upstream charges. Management at the table said that Shipping had posted a net loss of more \$823 million over the last ten years. The U.S.-flag operation had contributed a negative \$50 million over the last three years and was projected to lose another \$3.3 million for 2020. In that light our concession-free gains are substantial, and the Committee is confident that nothing was left on the table. Mr. Chairman, they recommend ratification and I so move. [See Attachment 10]

#### HOLIDAYS

Lincoln's Birthday: This holiday falls on Wednesday, February 12, in accordance the agreements with APL, Chevron, Matson and the San Francisco Bar Pilots.

Presidents' Day: All SUP halls will be closed Monday, February 17, in accordance with the Agreements with APL, Foss, Matson and Patriot Contract Services. Due to the holiday, Branch meetings will be held Tuesday, February18.

Washington's Birthday: This holiday, which also falls on Saturday, February 22, this year, is observed under the Chevron Agreement, and for all Marine Employees and Dispatchers employed by the San Francisco Bar Pilots.

#### **ACTION TAKEN**

M/S to ratify SFBP Dispatchers agreement. Carried unanimously.

M/S to ratify SFBP Marine Personnel agreement. Carried unanimously.

M/S to ratify Chevron agreement. Carried unanimously.

M/S to concur in the balance of the President's report in its entirety. Carried unanimously.



#### Dave Connolly

### VICE PRESIDENT'S REPORT

Ships checked:

APL President Kennedy- Jennifer Corner, delegate. Several members returning from trip off. David Ibarra, bosun.

President Cleveland- Reginald Clark, delegate. Majority of crew just joined in Wilmington. No major beefs. Marc Calairo, bosun.

President Truman-Gabriel Sipin, delegate. Investigation ongoing, with shore restriction due to Coronavirus. Dale Gibson, bosun.

APL Gulf Express- Marc Dulay, delegate. Continuing run in Persian Gulf. James Linderman relieving Aaron Weibe as bosun.

APL Guam- Clarification with pay due to drills exceeding one hour. Ben Ashton, delegate.

USNS Sisler- Ed Zepeda, delegate. At anchor in Diego Garcia for the foreseeable future. Jon Clark relieving Jeff Nicholas as bosun.

USNS Dahl- Eduardo Rojas, delegate. At anchor in Saipan, possibly heading for Guam then Korea. Xerxes Cunanan bosun.

USNS Watkins- Jonathan Pampilon, delegate. RAV status back in Bayonne shipyard. Camilo Moreno Jr., Bosun.

USNS Red Cloud- Activated to take ship into yard with no issues. All billets filled within 24 hours. Gearoid De Cleir, bosun.

Cape Vincent- Napoleon Ramon, delegate. Finished trip to Saudi Arabia and back in Beaumont, Texas on Jan 13th. Jordan Polon, bosun.

Cape Henry- ROS status in San Francisco. Yvette Cavan, bosun.

Cape Hudson- Mark Relojo, bosun. Recently departed Okinawa, Japan and heading for Thailand. Clarifications on pay increase. Expected to be 2.5% retro January 27, 2020.

Mississippi Voyager- Rory Alexander, delegate. In and out of Richmond Long Wharf with no beefs. Matt Frazier, bosun.

Florida Voyager- Staying on the US West Coast for the near future. Ken Dooley, bosun.

Texas Voyager- Chris Thorsen, delegate. Continuing run between Fort Lauderdale, FL and Pascagoula, MS. Boarded in Pt. Everglades. Full discussion of new contract terms and conditions. Romio Racoma, bosun.

California Voyager- Scott Oliphant, bosun. Boarding in Port Canaveral, FL after a delay due to berth congestion as WCS goes to press.

Reminder for all hands to inspect their documents for impending expirations. Worked in the front office and assisted with negotiations at Foss, Chevron and SFBP.

Matt Henning

# **Bulker captain missing**

and regional partners are searching for the master of a Panamanian-flagged bulk carrier who has gone missing about 174 miles northwest of Chuuk, Federated States of Micronesia.

At 5:44 p.m., Tuesday, JRSC Guam watchstanders received a report from Rescue Coordination Center Australia watchstanders stating they received a call from the first mate of the 751-foot Rising Wind reporting the vessel's 47-year-old master was missing. The master was last seen in his cabin, feeling ill, wearing a dark-blue winter jacket, brown pants and slippers.

Upon realizing the master was missing,

The U.S. Coast Guard, U.S. Air Force deployed the Super Hercules aircrew from Anderson Air Force Base, Guam, to support in the search. JRSC Guam watchstanders are also assessing the availability of any Automated Mutual Assistance Vessel Rescue System (AMVER) ships in the region to assist.

> "In cases such as this one, we often rely on our partners in the region to coordinate effective searches and cover vast areas," said Petty Officer 1st Class Colby Anderson, a Joint Rescue Sub-Center Guam watchstander. "The Air Force is augmenting our air asset with another aircraft to cover more search area faster than we can do alone."

An Air Station Barbers Point HC-

In the galley aboard the Mississippi Voyager at Richmond Long Wharf stands Steward Amelia Geist alongside messperson/steward assistant Ahm Bohannon. The SUP represents all three unlicensed departments in Chevron's U.S.-flag ships. Photo: Matt Henning.

the Rising Wind's crew, which was enroute from Japan to Australia at the time of the incident, turned the vessel around and began retracing their course. JRSC Guam watchstanders diverted the Air Station Barbers Point Hercules aircrew from a maritime domain awareness flight nearby and reached out to the Air Force 36th Wing for assistance.

The Air Force agreed to assist and per hour and seas up to 13 feet.

130 Hercules aircrew, Air Force 36th Wing C-130J Super Hercules aircrew, and the crew of the Rising Wind are conducting searches of the area. JRSC Guam watchstanders are coordinating with local partners and also reaching out to good Samaritans in the region to assist.

The weather on scene is winds of 8 miles

# **ATTEND YOUR MONTHLY SUP UNION MEETINGS!**

# **SUP BRANCH REPORTS**

## WILMINGTON

#### January 2020

Shipping: Bosun: 7, AB/W: 12, AB/D: 12, OS/STOS: 3, GVA/GUDE: 0, and standby: 50 for a total of 84 jobs shipped.

#### Registered: A: 23 B: 43 C: 5 D: 6

Ships checked: Daniel K. Inouye, R. J. Pfeiffer, Manulani, Manulei, Lurline, Manoa, Kaimana Hila, Maunalei, President Kennedy, President Truman, President Roosevelt, President Eisenhower, President Cleveland.

Shipping has been very good in Wilmington, rotary jobs on Matson and APL turning over every week and activations of Military ships by Patriot. This time of year is the best for junior members who want to ship out.

When your dispatch is complete, clean your room before leaving the ship.

Keep your dues current and be sure to check your documents, dues and document must be current to ship. When you get new documents let me know so I can update your records. This is your Union participate, come to meetings, read the *West Coast Sailors* and stay informed.

Leighton Gandy, Branch Agent

### HONOLULU

#### January 2020

Shipped the following jobs in the month of August: 2 Bosn steady, 2 Bosn return, 5 AB Day steady, 2 AB Day relief, 7 AB Watch steady, 1 AB Watch relief, 0 AB Maint, and 4 OS Watch steady. The shipping jobs were filled by 6A cards, 11 B cards and 6 C cards.

Shipped 18 standby jobs. The standby jobs were filled by 1 A cards, 3 B cards, 8 C cards, and 6 D cards . Registered in Honolulu: 11 A cards; 30 B cards; 6 C cards; 9 D cards.

Ships checked: I visited the *RJ Pfeiffer, Maunalei, Manoa, Mokihana, Mahimahi, Maunawili, Kaimana Hila, DK Inouye* and the Paint and Rigging gang. All are running with few or minor beefs.

APL Guam-no major beefs, APL Saipanno major beefs, USNS Charlton-no major beefs, USNS Watson-no major beefs.

I represented the SUP at the Hawaii Ports Maritime Council meeting, and the Hawaii AFL-CIO executive board meeting.

I would like to thank everyone who has been donating to the SUP Political Fund. This is a Presidential election year and we will need all the help we can muster to try and check the anti-union lobbyists and anti-union politicians from taking back our rights and benefits that we have worked so hard for over the years. Steady as she goes!

# SEATTLE

#### January 2020

Seven Navy AB's shipped, one steady billet and six to activations, filled with 3 B cards and 4 D registrants; one C member OS to activation; one Maunawili relief AB Dayman to a permit; four Standby AB's taken by 1 C and 3 D cards. Registered: 5 A cards for a total of 8; 15 B cards for a total of 21; 1 C card for a total of 3; 2 D cards for a total of 6.

Shipping in Seattle was slow this month, but due to the prior full crew activation of *Pomeroy* all crew is timed out at once, so I expect February to pick up. Permits don't be picky; we have plenty of time when paid off to have fun and do as we please. Sailors have ideas of the ideal cruise, but your bank accounts don't share that dream. Make money and seniority while the opportunities present themselves. Bend a Sheep Shank before the line parts and you will become an A card talking about the good old days when sailing was fun.

Some members were caught off guard when they didn't realize they were in arrears. Members check your current quarter paid, Delegates check the joining crew membership book, and all hands be prepared to pay dues to the agent meeting your ship.

Brendan Bohannon, Branch Agent

#### Dispatcher's Report Headquarters—January 2020

#### Deck

DECK
Bosun 3
Carpenter0
MM 4
AB
OS9
Standby 14
Total Deck Jobs Shipped 39
Total Deck B, C, D Shipped 31
Engine/Steward
QMED0
Pumpman0
Oiler0
Wiper 0
Steward 0
Cook0
Messman0
Total E&S Jobs Shipped0
Total E&S B, C, D Shipped 0
Total Jobs Shipped - All Depts

### BUSINESS AGENT'S REPORT

#### October 12, 2019

*Maunawili:* Doug Boe, Delegate. Robert Morgan, Bosun. In good hands. In at Oakland #62 for a short stay. Ship sailed with no issues on the southern triangle for sometime now.

*Mahimahi:* Gerry Marshall, Delegate. Mike Worth, Bosun. Ship arrived late in the evening. Matson called for Stand-bys on arrival to assist with Coast Guard inspection. The gang worked though the late night to complete and passed the inspection with flying colors.

**Daniel K. Inouye:** Dave Ericksen, Delegate. Teofilo Rojas, Bosun. Running smooth. In at Oakland #62 Middle Harbor terminal. Members taking trips off should leave rooms clean and soogie it out. Especially if you're a smoker, that's common courtesy and good seamanship.

*Mokihana:* Michael Haslem, Delegate. Brian Yost, Bosun. Ship discharged final cargo and then shifted forward to Berth 60 for expected long-term layup. Ship had a clean pay-off, no beefs.

*Admiral Callaghan:* Dennis Sumague, Bosun. Continued maintenance work. Ready to activate if needed.

*Cape Orlando:* Taufiq Wasel, Bosun. On-going maintenance work to keep her ready to activate at any given time.

*Cape Henry:* Yvette Cavan, Bosun. Continuing maintenance work getting her back up to standards since the fire last year. There's talk of activating in a month.

*Cape Horn:* Robert Leeper, Bosun. In at Pier #50. Keeping up the Maintenance work ready to activate if needed.

*President Eisenhower:* Michael Weber, Delegate. Dave Reinking, Bosun. In at Oakland #56 SSA Terminal. In from a 42 day trip. Clarification on overtime, in good hands.

*President Wilson:* Dimitri Seleznev, Bosun. In at Oakland #56 SSA terminal. Ship sailed for the far east with no beefs.

*San Francisco Bar Pilots:* Big Mike Koller, Delegate. Leo Moore, Bosun. In at Pier #9. Finished up Negotiations with the Bar Pilots last week.

These activations come when we least expect them. It is vital to the Union that we fill these jobs. Members that step up show loyalty and dedication. It does not go unnoticed. Worked in the front office and dispatched.

Roy Tufono



The Schuyler Line Navigation Company's product tanker PAX at anchor off Wake Island in the western Pacific awaiting berth. Because of continuous high performance in challenging conditions, the PAX contract with the Military Sealift Command and operated through Patriot Contract services has been renewed and extended

Remember to check your documents and anything with less than six months to expiration you should start the renewal process.

Michael Dirksen, Branch Agent



Total B, C, D Shipped-All Depts 3	1
Total Registered "A" 2	2
Total Registered "B" 4	1
Total Registered "C"	7
Total Registered "D" 1	0

DEFEND THE JONES ACT



and operated through Patriot Contract services has been renewed and extended multiple times. The ship is crewed with tanker-qualified and trained members of the Sailors' Union of the Pacific on deck. PAX calls routinely in Japan, Kwajalein, Okinawa, and recently delivered aviation fuel cargo to Brisbane, Australia.

