



Organized 1885

West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXXIII No. 12



SAN FRANCISCO, CALIFORNIA

Friday, December 17, 2010

Corporate profits hit new record, American workers still struggling

Happy days are back! During the summer months, corporations logged their biggest profits since the government started counting way back in the age of Elvis, and the economy expanded at a slightly faster pace than previously thought. Surely, when Caterpillar and Morgan Stanley are swimming in lucre, life must be getting more wonderful for everyone.

Alas, no. Word that American businesses sucked in profits at an annualized pace of \$1.66 trillion between July and September is certainly better than the alternative. Ditto, the wholly expected news that the economy grew faster than an initially reported 2% annual rate, reaching a still modest 2.5%. But none of this has translated into the sort of job growth that will be required to cut into an unemployment rate stuck at 9.6%. Worse, there is little reason to suspect it will anytime soon.

We have been hearing for so long now, that, once companies start making real money, they will feel the urge to expand. Then, they will have lots of people, and we can stop worrying and resume shopping. Yet so far, this most recent quarter included, all we have gotten is an extended lesson in the modern workings of a stubbornly lean job market and a display of what now stands as American management's core competency: How to rack up profits and reward shareholders while keeping the cubicles empty.

At the corporate level, the Great Recession is a memory. After plunging during the last three months of 2008, when the world was recoiling at the prospect of a full-blown financial meltdown, profits have expanded snappily every quarter since, according to data compiled by Moody's Analytics. But at the household level—the realm of mortgages, credit card balances, doctor bills and soon-to-expire unemployment benefits—the worst economic downturn since the Depression remains a defining force.

We taxpayers have handed hundreds of billions of dollars to the same mortgage and insurance industry that started all the trouble with its reckless gambling. We have bailed out General Motors. We have distributed tax cuts to businesses that were supposed to use this lubrication to expand and hire.

For our dollars, we have been rewarded with the staving off of potential financial Armageddon and the stabilizing of a real economy

that was teetering dangerously toward the abyss. That certainly is something, but it falls far short of the only thing that can end this disaster on a meaningful scale: large numbers of quality paychecks.

Success for large companies has yet to trickle down. Since the end of 2008, when corporate America began enjoying the resumption of growth, profits have swelled from an annualized pace of \$995 billion to the cur-

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Somalis convicted of piracy by federal jury

A U.S. jury convicted five Somali men on November 23, of piracy on the high seas, the first such verdict in an American court in 149 years, for shooting at a U.S. Navy warship disguised as a merchant vessel in the Indian Ocean last spring.

The conviction on all counts after a dramatic trial in U.S. District Court in Norfolk, Virginia, carries a mandatory sentence of life in prison plus 80 years. Defense lawyers said they would appeal.

The five defendants stood without expression and listened to an interpreter through earphones as the court clerk pronounced them each guilty on 14 counts, including attempts to plunder a vessel and assault with a deadly weapon.

"The conviction demonstrates that armed attacks on U.S.-flagged vessels are crimes against the international community and that pirates will face severe consequences in U.S. courts," Neil H. MacBride, U.S. Attorney for the Eastern District of Virginia, said. He emphasized that Somali sea bandits had devastated normal shipping off the Horn of Africa, and that U.S. courts and warships were not the only answer. "It's an international problem, and it's going to require an international solution," MacBride said.

Defense lawyer Jon M. Babineau said in an interview that his client, Abdi Mohammed Gurewardher, was "very solemn, very sad" after the verdict. "He now knows he's going to die in a U.S. prison," the lawyer said.

The five Somalis, all in their 20s, were accused of firing AK-

47 assault rifles at the guided-missile frigate *USS Nicholas* as it patrolled for pirates more than 500 nautical miles off the east coast of Somalia last April 1.

Prosecutors said Mohammed Modin Hasan, Gabul Abdullahi Ali and Abdi Wali Dire sped up to the warship in an open skiff shortly after midnight and began shooting. They surrendered after the Navy returned fire from heavy machine guns. The other two Somalis—Gurewardher and Abdi Mohammed Umar—were captured several hours later on a so-called mother ship that carried fuel, water and other supplies.

The *Nicholas* had dimmed its running lights, slowed its speed and made other changes to resemble a cargo ship. No one was injured in the firefight.

The Somalis insisted in court that they were innocent fishermen who had been kidnapped and beaten by pirates, and then forced to attack the *Nicholas*. The real brigands, the defendants said, escaped on a third boat. But James R. Theuer, another defense lawyer, said the jury believed the confessions that the five men gave to a Navy investigator several days after their capture, and not their denials in court. "Frankly, it really came down to the confessions," Theuer said.

The five will be sentenced March 14. Whether the harsh punishment will deter others is unclear. Dozens of pirates have been convicted and jailed in Kenya, the Seychelles, the Netherlands and elsewhere, but attacks in nearby seas have barely slowed.

The last time there was a piracy trial in the United States was in 1861 and involved the

Confederate privateer *Savannah*.

Homeported in Charleston, South Carolina, the *Savannah* attacked and captured a ship at sea then attacked another ship. Much to the surprise and regret of her crew, the second vessel turned out to be a U.S. Navy warship, which turned the tables on *Savannah*, taking the ship and her crew into custody.

The crew of *Savannah* was not hanged from a yardarm after a trial at sea. Instead, a trial was ordered up and convened in a New York courtroom. The charge was piracy.

The crew of *Savannah* offered up a defense. "We're not pirates," they argued, "we're privateers." What's the difference? Piracy, as Blackstone opined in his Commentaries on the Laws of England:

...[T]he crime of piracy, or robbery and depredation upon the high seas, is an offense against the universal law of society; a pirate being, according to Sir Edward Coke, hostis humani generis. As therefore he has renounced all the benefits of society and government, and has reduced himself afresh to the savage state of nature, by declaring war against all mankind, all mankind must declare war against him: so that every community hath a right, by the rule of self-defense, to inflict that punishment upon him which every individual would in a state of nature have been otherwise entitled to do, any invasion of his person or personal property.

By the ancient common law, piracy, if committed by a subject, was held to be a species of treason, being contrary to his

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



Happy Holidays to all Hands from the Sailors' Union of the Pacific



Corporate profits hit new record continued from page 1

rent \$1.66 trillion as of the end of September. Over the same period, the number of non-farm jobs counted by the Labor Department has slipped from 13.4 million to 13 million.

The mega-banks have been emboldened to resume the dispensing of handsome bonus checks. Publicly traded companies have rewarded shareholders with dividends. But working people—or would-be working people—are still waiting for a slice of the spoils, confronting a bleak job market. Hiring remains scarce.

“Businesses remain very nervous,” says Mark Zandi, chief economist at Moody’s Analytics. “Many are having a hard time shaking the nightmare of the past several years. Other are very anxious over all of the economic and policy decisions that have been and will be made.”

Yet amid the anxiety, corporate America has evinced an impressive ability to make money. Economists celebrate this as an increase in productivity, making more stuff with less labor. Such is traditionally a harbinger of fresh economic growth and hiring. As bad times give way to better, businesses secure fresh sales by squeezing more production out of existing workers. When they run out of potential squeezes, they add more labor, and the lucky new hires scatter their paychecks at other businesses that themselves must add workers to exploit the potential of suddenly bounteous days.

That story currently seems relegated to your college economics textbook. Business has become extraordinarily sophisticated at finding ways to boost production and sales without adding to payrolls.

Manufacturing and white-collar work alike can be shifted to Asia, Latin America and Eastern Europe, where costs are lower, enabling businesses to rack up extra sales without having to bother themselves with hiring American workers. Companies can add machinery instead of bodies and achieve the same result. When pressed, they can take on temporary workers —something now happening— and still retain the flexibility to cut people loose should happy times fail to emerge.

We are stuck in an unfortunate feedback loop: The lack of hiring is crimping spending power and economic growth, making the people running businesses even less inclined to hire.

As American business leaders understand, they can only sell product if people are walking around with money, and that is dependent upon people having secure, decent-paying jobs.

For too many years, spending was enabled by borrowing against the value of homes that are currently worth less than the raw materials used in their construction. Consumers availed themselves of credit cards that landed in the mail more frequently than come-ons from Ed McMahon. For many a battered household, those days are over. Meaningful recovery is dependent upon the only factor worth repeating ad nauseum: quality paychecks.

We have long since reached the point at which the economy needs a serious jolt from the government, a concentrated focus on long-term job creation that will embolden private money to start moving again, launching new businesses that can yield lasting growth. Yet, distressingly, little appears on the way to spur this process.

The \$800 billion stimulus bill unleashed at the beginning of the Obama presidency—a mish-mash of unfortunate political compromise and real economic strategy— has largely run its course. Our

political leaders, who ought to be engaged in a crusade to get people back to work, are instead hunkered down on the sidelines, with both major parties staking out positions for a Presidential race still two years off.

Congress cannot even manage to extend unemployment benefits for formerly working people now acquainting themselves with the culinary offerings of trash dumpsters, let alone pursue an ambitious jobs program focused on more promising areas of the economy, such as renewable energy.

The Republicans who are about to control the House have placed their bets on perpetuating economic misery as the clearest path back to the White House. The Democrats who are still in charge are mostly engaged in figuring out how to make it seem like they can cut the federal budget deficit, as if it were possible to save our way back to prosperity.

Another quarter of meager economic growth has changed nothing. Another surge of corporate profits merely underscores how easily high finance can prosper even as most of the country suffers.

Your college econ professor would have pointed to today’s data and told you that it reaffirms the recovery. The economy works like the seasons. The spring may be unseasonably cool and summer long in coming, but it must be on the way, because that is how the economy works.

Yet the times keep straining that faith, while the people who are supposed to be leading the pursuit a fix engage in the only industry that has never been in recession: going on cable television and blaming the other guys.

Source: Peter S. Goodman
Huffington Post

Timely Reminder
First quarter 2011
dues are due
and payable now!

SUP Constitution
ARTICLE VI
DUES AND INITIATION FEE

Section 1. The initiation fee shall be Sixteen Hundred Dollars (\$1600.00) payable in installments with the sum of One Hundred Dollars (\$100.00) being due and owing upon the members’s admission into the Union and the balance of Fifty Dollars (\$50.00) per month for each month or part thereof in SUP-contracted vessels.

The initial installment of One Hundred Dollars (\$100.00) shall accompany the application of membership and the dues shall be One Hundred Fifty Dollars (\$150.00) per quarter, payable in advance.

Final Departures

Richard Omine, Book No. 2457. Born in Hawai’i in 1929. Joined SUP in 1967. Died in Hawai’i, November 16, 2010. (Pensioner)

Albert Keiser, Book No. 3082. Born in Pennsylvania in 1926. Joined SUP in 1943. Died in New London, Connecticut, November 19, 2010. (Pensioner)

James Sawyer, Book No. 7371. Born in Oregon in 1932. Joined SUP in 1952. Died in Seattle, Washington, November 29, 2010. (Pensioner)



AB Julian Torre, AB and delegate Dmitri Seleznev, and AB Charlie Duke in the crew lounge of the APL Singapore.

Cruising drunk drops anchor

In a stunning safety lapse, an intoxicated passenger single-handedly deployed the anchor of a 55,819 gross ton cruiseship, while it was underway.

According to court documents, California resident Rick Ehlert released the stern anchor at 0525 on November 27, as Holland America Line’s 1,260-passenger *Ryndam* was enroute from Mexico to Tampa.

Still wearing formal attire from the previous night’s gala dinner, Ehlert, who admitted to being drunk, entered an area marked off limits to passengers, donned work gloves and dropped the hook.

Ehlert owns a boat with a similar anchor system and was familiar with the multiple steps needed to release it, the documents said. Then at 0555, Ehlert threw a life buoy from Deck 11. *Ryndam*’s master made a public announcement at 0735, seeking information on the buoy. At 0800, the emergency alarm sounded and all passengers and crew were mustered. At 0840, all passengers and crew were accounted for. Ehlert was identified using surveillance video and was arrested when the *Ryndam* docked in Tampa, on November 28.

The FBI said *Ryndam* was not damaged but the incident “could have resulted in significant damage to the ship’s rudder or propeller, which could disable the ship’s ability to manoeuvre, or punctured the ship, which could have resulted in sinking or severe flooding”.

Ehlert is being charged with two counts: attempt to damage, destroy or disable a vessel; and attempt to cause damage to a ship likely to endanger safe navigation. Each carries a sentence of up to five years.

Filipino mariner dies in hijacked ship

A seafarer has died onboard the vessel *Polar* on November 22, Athens-based Paradise Navigation said in a statement. However, the vessel’s master was unable to inform the company of the death until November 24.

“Cause of death is thought to have been a stroke, but this is still to be confirmed. Next of kin have been informed,” the statement said. The company added that it appears that “all other crew members are safe and well.”

The 72,825 dwt, Panamanian-flagged vessel was hijacked on October 30. Paradise Navigation said it “will be making no further announcement at this time” as it continues talks with those holding the ship.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2011:

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

West Coast
Sailors

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

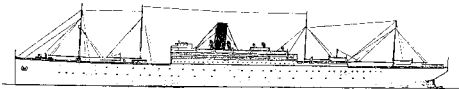
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Five containers stolen in Wilmington

Robbers attacked two employees of a Los Angeles harbor-area trucking company and stole five containers from the facility.

The theft occurred about 10:00 P.M. on November 28, at a trucking depot operated by Fast Lane Transportation in Wilmington, California, according to Norma Eisman, a spokeswoman for the Los Angeles Police Department harbor division.

The robbers arrived at the facility with their own rigs and drove off with five containers. The LAPD commercial crimes unit is investigating the robbery and did not have an immediate description of the cargo.

A security guard and a second trucking company employee were treated at a local hospital and released. The robbers told the victims that they had a gun, but they did not brandish any weapon, Eisman said.

Cargo theft is an issue throughout the nation, with California and Florida leading the country. California reported about twice as many cargo thefts this past year as Florida, the state with the second most thefts, according to FreightWatch International, a logistics security firm.

The most popular items targeted by thieves include clothing, electronics, building supplies and industrial products, according to FreightWatch.

Jones Act anti-trust ruling delayed

United States District Court Judge Daniel R. Dominguez has delayed a ruling on the approval of a \$52.25 million class-action antitrust settlement by U.S.-Puerto Rico carriers until a decision is made on the payment plan for the lawyers representing the plaintiffs in the case.

Judge Dominguez gave plaintiffs’ attorneys until January 8, to file revised proposals for fees for representing shippers in a class-action lawsuit over price-fixing by Horizon Lines, Sea Star Line and Crowley Maritime between 2002 and 2008.

The judge rejected shippers’ arguments that the class-action settlement’s provisions were unclear or that shippers should be given more time to decide whether to accept the deal. That appears to leave the legal fees as the only significant obstacle to the judge’s approval of the settlement.

Some shippers had complained that the \$25 million in fees the lawyers originally requested would eat up nearly half of the cash settlement. The lawyers argued that because the deal allows shippers to accept a two-year rate freeze in lieu of a share of the \$52.25 million, the legal fees would be a smaller percentage of the settlement’s overai cost.

Some 230 shipper entities, including related subsidiaries, have opted out of the settlement -a move that allows them to file their own suits or negotiate individual settlements with the carriers. The list includes big-box retailers such as Wal-Mart and Home Depot as well as consumer products companies such as Coca-Cola, Procter & Gamble and Kraft.

Richard Trumka statement on tax cut deal

AFL-CIO President Richard Trumka on December 7, issued the following statement on the tax cut deal reached between President Obama and congressional Republicans: “Two years ago, working Americans had high hopes that we would ultimately emerge from the deep, punishing financial debacle with a sharp focus on a fundamentally stronger, fairer and more balanced economy. Today, that vision has dimmed.

“The tax cut deal rewards Republican obstructionism by giving the wealthy the tax breaks they demanded. It throws away precious resources needed for investments in jobs and our economy on upper income tax cuts that will do very little to propel economic growth—setting up excuses for the deficit hypocrites to argue for even more cuts to programs serving working families. It lards the tax cuts for the top 2 percent with an indefensible cut in the estate tax—giving yet another bonus to the super-rich. Taken together, this package locks in the grow-

ing income inequality that has plagued our country for at least another two years—and quite possibly much longer.

“It is unconscionable that the price of support for struggling middle class families and workers who have been unable to find jobs for months and months and months is yet more giveaways for our country’s wealthiest families. Millions of jobless workers have lived in fear for months while Senate Republicans had the gall to use their hardships as political leverage for the benefit of the rich.

“The gains for the middle class and jobless workers in the deal come at too high a price.

The issue we face today is not the lack of power or opportunity. The question we have to answer is this: How do we use our power to escape caving in to Wall Street and moneyed interests? And how do we create the millions of jobs we need now and move toward a future of broadly shared prosperity?”

Regime change at MEBA

All but one incumbent was returned to office in the recently concluded election of officers for the Marine Engineers Beneficial Association.

Mike Jewell defeated Don Keefe for Union president. Bill Van Loo was re-elected secretary-treasurer, but most other incumbents were defeated by Jewell’s “MEBA United” team.

Some of the new officers are: Dave Nolan, West Coast Executive Vice President; Chris Guerra, Atlantic Coast Vice President; John Lincoln, Gulf Coast Vice President; Bob Madden, L.A. Agent; Richard Doherty, L.A. Patrolman; Patrick Anderson, Oakland Patrolman; Dave Nashif, Seattle Agent; and Jeff Duncan, Seattle Patrolman.

Jewell, a resident of Gig Harbor, Washington, began sailing with MEBA in 1982 and was elected Seattle Patrolman from 1999-2004. His last job was First Assistant aboard the Matson operated MarAd vessel *Cape Jacob*.

Warren Buffet: Don’t extend Bush tax cuts to the wealthy

Bazillionaires, listen up to one of your own!

While millionaires and billionaires are whining that the Bush-era tax cut to the rich (those who make more than \$250,000 a year) should be extended, one of America’s wealthiest men says: NOT.

In an interview with multi-billionaire Warren Buffet broadcast Thanksgiving Day, Christiane Amanpour repeats the Wall Street line about why Congress should extend the tax cuts for the rich before they expire next year. They say you have to keep those tax cuts, even on the very wealthy, because that is what energizes business and capitalism.

To which Buffet replies: “The rich are always going to say that, you know, just give us more money and we’ll go out and spend more and then it will all trickle down to the rest of you. But that has not worked the last 10 years, and I hope the

American public is catching on.”

The American people have caught on—but what about Congress? Republicans on Capitol Hill want to extend the tax cuts for those making more than \$250,000 or more a year. President Obama and most congressional Democrats want to extend the cuts for middle- and lower-income families, but not for those making \$250,000 or more.

Congress has only a few days left during this “lame-duck” session, and as AFL-CIO President Richard Trumka says, “Lawmakers should not compromise on this issue but vote to end tax cuts for the rich and extend tax cuts for the rest of us.

“The election is over and now it’s time for politicians to show courage and stand and fight on these issues for working families. Let the millionaires fend for themselves for a change.”

U.S. targets Iranian shipping companies

The Treasury Department has announced sanctions against eight more Iranian shipping companies and four executives, including Islamic Republic of Iran Shipping Lines’ (IRISL) outspoken and defiant chairman Mohammad Hossein Dajmar.

Companies newly targeted by the Treasury Department’s Office of Foreign Assets Control (OFAC) are: Ashtead Shipping, Byfleet Shipping, Cobham Shipping, Dorking Shipping, Effingham Shipping, Farnham Shipping, Gomshall Shipping and Horsham Shipping.

All are alleged by OFAC to be “front companies” for Islamic Republic of Iran Shipping Lines. Each of the eight entities bears the same address in the Isle of Man.

“As long as Iran uses front companies and other forms of deception to hide its illicit activities, we intend to expose this conduct and counteract Iran’s attempts to evade U.S. and international sanctions,” affirmed the U.S. undersecretary for terrorism and financial intelligence, Stuart Levey.

OFAC also announced sanctions against IRISL’s Dajmar and three other executives: Gholam Hossein Golparvar (managing director of Safiran Payam Darya Shipping), Hassan Jalil Zadeh (managing director of Hafiz Darya Shipping) and Mohammad Hadi Pajand (secretary of Irinvestship and director of Lancelin Shipping).

Half of seniors at risk for poverty

Here’s one big reason congressional Republicans and the deficit hawks are dead wrong about cutting Social Security benefits: According to a new study, nearly half (47.4%) of all Americans between the ages of 60 and 90 will experience at least one year of poverty or near poverty and seniors of color are twice as likely to be affected.

The study by Mark Rank, a professor of social work at Washington University in St. Louis, shows that 58% of seniors between 60 and 84 will, at some point, not have enough liquid assets to allow them to weather an unanticipated expense or downturn in income.

But if you are a senior who is black or unmarried or have less than a high school education, the likelihood that you will be poor at some point increases dramatically. Rank found that although 32.7% of white older Americans will experience at least one year below the official poverty line, the percentage for black older Americans was nearly double at 64.6%.

For unmarried seniors, the percentage experiencing poverty was 51.2% compared with 24.9% for married older Americans. Likewise, for those with fewer than 12 years of education, the percentage experiencing poverty was 48.4% compared with 20.5% for those with 12 or more years of education.

Representative Barbara Lee (D-California), the Congressional Black Caucus chair, has said: “Safeguarding Social Security is more imperative now than ever. Social Security keeps 20 million Americans out of poverty—many of whom are people of color. As we move into the 112th Congress...we must work together to ensure that Social Security remains intact and solvent for generations to come.”

Most American agree. In a new poll, more than eight in 10 likely voters across the political spectrum say they oppose cutting Social Security to reduce the national deficit.

Rank says we can expect greater numbers of seniors will face periods of poverty because Americans are living longer, there are fewer workers in the prime earning years and Americans have not been saving enough for retirement.

He recommends that legislators consider policies that encourage greater levels of savings among the working-age population, facilitating cooperative living arrangements among the elderly and strengthening the Social Security and Supplemental Security Income programs.

You can read Rank’s article, “A Life Course Approach to Understanding Poverty Among Older American Adults,” in the current issue of *Families in Society: The Journal of Contemporary Social Services*.

Incumbents retained at AMO

In the election results at the American Maritime Officers was the exact opposite of what transpired in the MEBA election. Incumbent President Tom Bethel narrowly defeated challenger Jack Hearn, with all other incumbents re-elected except for Great Lakes Vice President Don Cree who was defeated by John Clemons.

SUP Honor Roll

Voluntary contributions from the membership to the following funds in 2008:

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Maea Loe	45.00
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Brendan Bohannon	300.00
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Joseph Bracken.....	25.00
Roy Bradshaw	25.00
Stanley Branch	25.00
Edward Brown	50.00
George Castege in memory of Francis Castige.....	325.00
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Lee Cherry	20.00
Edward Ching	25.00
Richard Chung	25.00
George Cooney	50.00
Hugh Crandall.....	25.00
Douglas Crute	25.00
Cal Cunningham	25.00
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Robert Doyle	25.00
David Erikson	100.00
Thor Erikson.....	30.00
Anthony Figueroa.....	25.00
Erik Finneman	100.00
Russell Finstrom	25.00
James Flaherty	25.00

Ledo Forassiepi.....	20.00
Michael Fox	70.00
Oliver Franceliso	50.00
John Frankel	25.00
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John Gladstone	25.00
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Herman Hallman	50.00
John Hamann	25.00
Rex Harper	25.00
Franklin Haugen	25.00
James Hearn	25.00
Michael Henderson	25.00
Joseph Hilano	10.00
Lester Hofstad	25.00
William Holladay	25.00
John Houlihan	25.00
Shermaih Iaea	60.00
Ramero Jalomo.....	10.00
Herbert James	25.00
George Jordanides	20.00
Egon Jorgensen.....	50.00
Arthur Kardinal	25.00
James Kawasaki	25.00
Brandon Keopuhiwa	50.00
James Kerns	25.00
Francis Kim	250.00
Richard Kingsbury	25.00
James Kula	25.00
Norman Kurtz	25.00
Lawrence Kusman	25.00
Tom Larkin	50.00
Orson Larsen	25.00
Jim Larsen	50.00
Lincoln Lee	25.00
Hans Lilledahl	100.00
ILWU Local 8	25.00

Belfred Lomba.....	25.00
Armando Martinez	25.00
Joseph Marusak.....	30.00
John Masterson	100.00
Brian McCarthy.....	50.00
Mick McHenry	25.00
Joseph McShane	50.00
Joseph Meehan	50.00
Rudy Menchaca	25.00
Jack Milano	25.00
Reynold Minoli	20.00
Joe Moniz, Sr.	50.00
David Munroe	25.00
Charlie Noble	20.00
Kenneth O'Halloran	15.00
William Ofthus	50.00
Edward Pardo	25.00
John Perez	50.00
Ronald Pittman.....	25.00
George Pope.....	50.00
Robert Porteous	25.00
Jack Post	25.00
Charles Rafael	25.00
Roberto Ramirez	25.00
Rich Reed	70.00
John Rescino	25.00
Javier Riano.....	25.00
Rizal Rillo	25.00
Teo Rojas	50.00
Angelo Rossano.....	25.00
Al Rossi	200.00
Lloyd Rust	40.00
Terrence Ryan	25.00
Vincent Saltarelli.....	25.00
Greg Schauf	20.00
George Schemoon.....	50.00
Carl Schou.....	50.00
Charles Schroeder	20.00
David Shands	20.00
Andy Simkanin	25.00
Ray Simpson	25.00
Bruce Smith	25.00

Francis Smith	30.00
William Smith	25.00
Joe Smoler	10.00
Kai Sorensen	25.00
Eugene Souza	30.00
Joseph Suire.....	25.00
Vincent Sullivan	75.00
Werner Sullivan.....	25.00
John Svane	25.00
Robert Taylor.....	20.00
Eleanor Terrell	50.00
Morris Thibodeaux	50.00
Tim Thomas.....	50.00
Bruce Thompson	25.00
William Tice	25.00
Robert Torano	25.00
Joseph Valverde	25.00
Peter Villanueva.....	25.00
Colin Walker	25.00
Richard Walsh.....	85.00
Carl Walters	25.00
Richard Watkins	50.00
Michael Webb	25.00
William Wood	20.00
Bud Yost	25.00
Gerald Zinn	20.00



Sailors' Political Fund

Abe Acosta	60.00	Diane Ferrari	150.00	Jerald Komoto	200.00	Frank Portanier	100.00
Jorito Alavas	10.00	Oliver Franceliso	50.00	Thomas Koppel.....	50.00	Charles Rafael	100.00
Douglas Alexander.....	100.00	Ed Franco	50.00	Kaj Kristensen.....	50.00	Ray Ramirez	180.00
Knud Andersen.....	280.00	Louis Frazier	10.00	Hannu Kurppa	50.00	John Rawlings	50.00
Jose Angeles	30.00	Dan Gabaree	20.00	Norman Kurtz	30.00	Rich Reed	200.00
Melvin Armon	75.00	John Gabourel	100.00	John LaPollo	10.00	Ronald Reed	10.00
Pio Aujero	100.00	L. Gador	50.00	David Larsen	300.00	Emmanual Rezada.....	40.00
Emo Aulelaua	100.00	Dave Garcia	100.00	Robert Lee Jones.....	100.00	Teo Rojas	50.00
James Bailey	100.00	P.Tattoo Gardiner	150.00	John Linderman	125.00	Philip Romei	100.00
Noel Balaguer	25.00	Ben Garman	10.00	Maya Loe	20.00	Steven Ross	100.00
Brett Barthelmy	25.00	Art Garrett	50.00	Kyle Londigan	50.00	Greg Schauf	40.00
Billy Bell	50.00	Gary Gelfgren	50.00	David Larsen.....	100.00	Dmitri Seleznev	30.00
Dennis Belmonte	50.00	Dale Gibson	50.00	Gunnar Lundeborg.....	500.00	Ralph Senter	300.00
Rogelio Berioso	30.00	Ron Gill	50.00	Raul Macalinao.....	50.00	David Shands	30.00
William Berry	50.00	Allen Gonzalez.....	10.00	Juan Magana	100.00	Andy Simkanin	50.00
Archie Bickford	100.00	Juan Gonzalez	40.00	Joe Mantanona	70.00	Gabriel Sipin	15.00
Ellis Blacksmith	100.00	David Green.....	80.00	Gerry Marshall.....	50.00	Michael Smith	60.00
Brendan Bohannon	750.00	Robert Greene	280.00	Leopoldo Martinez	10.00	Paul Smith	20.00
Robert Booth.....	50.00	Clinton Gregg.....	800.00	Joseph Marusak.....	150.00	Michael Soper	60.00
Robert Bourne.....	500.00	Rolando Gumanas	10.00	Jose McDonald	50.00	Philip Spinair	50.00
Ryan Bowron	30.00	Nabeel Hafid	180.00	Ryan McLaughlin.....	100.00	Ernest Stimach	100.00
Peter Bragg.....	20.00	John Hamann	10.00	Mike McLavy	200.00	Vincent Sullivan	175.00
Christopher Bujnowski	110.00	Mark Hargus	100.00	Dave Mercer	50.00	William Sullivan	50.00
James Bukowski.....	42.00	Rex Harper	50.00	Steve Messenger	50.00	John Svane	20.00
Robert Burns	50.00	Mike Haslam	100.00	Steve Meyer	60.00	Steve Swinton	200.00
Milton Caballero	20.00	Michael Henderson	125.00	Joseph Moniz	110.00	David Sylstra.....	150.00
Marc Calairo.....	50.00	Ken Herzstein.....	100.00	Daniel Moran	200.00	Ray Tauai.....	30.00
Stephen Campbell	300.00	Jill Holleman	50.00	Jason Morris	30.00	Tulilo Tautala.....	120.00
Mark Carlsen	100.00	Kimberly Hoogendam	150.00	Dave Munroe	40.00	Robert Taylor.....	160.00
Scott Carson	80.00	Nick Hoogendam	30.00	Harry Naeole.....	20.00	Morris Thibodeaux	340.00
Norm Christianson	25.00	Thomas Hooke.....	25.00	Charley Noble	70.00	Tim Thomas.....	100.00
Reginald Clark	50.00	Phil Howell	50.00	Donald O'Halloran	25.00	Bruce Thompson	100.00
Reynaldo Clores.....	10.00	Mike Hulse	10.00	Vince O'Halloran	300.00	Julian Torre	20.00
Richard Cogswell	50.00	Mark Hurley	100.00	William Ofthus	100.00	Louie Urbano	100.00
Dave Connolly	400.00	David Ibarra	100.00	Scott Oliphant	30.00	Rene Valles	100.00
Kevin Conroy	100.00	Isnin Idris.....	50.00	Mike Orosz	50.00	Alberto Villacrusis.....	70.00
Nick Cooper	150.00	Noel Itsumaru	50.00	Miguel Palacios.....	20.00	Frank Walsh	50.00
Jennifer Corner	60.00	Marcelo Javier.....	60.00	Hamilton Parone	20.00	Michael Ward	100.00
Douglas Crute	200.00	Knud Jensen	50.00	David Partikian	200.00	Patrick Weisbarth	100.00
Steve Crute in memory of		Leszek Jeziorski	30.00	John Perez	350.00	Wil Williamson	300.00
Paul Caldwell	300.00	JanPeter Johnsson	120.00	Michael Petersen	50.00	Thomas Wilson	10.00
Colin Dewey	100.00	Rob Jones	50.00	Mark Pfaff	50.00	William Wood	100.00
Jay Dillon	100.00	Monte Kalama	200.00	Jesper Pfeil	100.00	Bernardo Yambano	10.00
Michael Dirksen	200.00	Brandon Keopuhiwa	50.00	Mike Pfleggor	30.00	Dan Ycoy	20.00
John Drolla	250.00	Czeslaw Knobbe.....	10.00	Jordon Polson.....	15.00	Antonio Ymas.....	100.00
Romaine Dudley	100.00						
Adric Durling	50.00						
Earl Eastmark	50.00						
Joe Eckert	20.00						
Kelly Eggers.....	100.00						
Mike ElMobdy.....	70.00						
David Erikson	100.00						
David Fadoul.....	200.00						

Dues-Paying Pensioners

Gordon Abbott	Book #3785
Robert Copeland	Book #4763
Romaine Dudley	Book #2593
Alexander Earle	Book #1885
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Stanley Lane	Book #4106
James K. Larsen	Book #4055
Volkert Lolie	Book #4097
Duane Nash	Book #2437
John Perez	Book #3810
Alex Romo	Book #3193
Francisco Salvatierra	Book #7498
James Savage	Book #7488
Ralph Senter	Book #7323

Somalis convicted of piracy by U.S. continued from page 1

natural allegiance,; and by an alien to be felony only...

On the other hand, a privateer is an entirely different kettle of fish. A privateer is, well, a pirate with authorization to carry out his work from a government.

It should be noted that U.S. Constitution allows for the issuance of “Letters of Marque and Reprisal” —U.S. Constitution, Article I, Sec. 8 cl. 11:

The Congress shall have Power...To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water

Letters of marque and reprisal are permission issued to someone to commit what would otherwise be acts of piracy.

The crew of *Savannah* claimed to be privateers. They argued that they had been issued letters of marque and reprisal by their government, the Confederate States of America and were thereby committing acts of war in the fight between the CSA and the USA and were not, therefore, pirates.

The U.S. government, however, had a differing view and put the crew on trial for piracy.

Through much of the first year of the

Civil War, the government in Washington continued to regard the conflict as merely an insurrection, and that the Confederate government had not legal standing. According to the view of the Lincoln administration, the letters of marque issued by Confederate President Jefferson Davis or the seceded states had no legal force, and the privateersmen who relied upon them did not represent a legitimate authority. Taking merchant vessels on the high seas therefore was piracy, which the penalty for upon conviction was death.

The trial of the 13 members of the crew of the *Savannah*, including her captain, Thomas Baker, began on October 23, 1861, and from the start attracted wide public notice. The mere fact of the trial drew outrage in the Confederacy, where the government threatened retaliation, life for life. To increase pressure on Washington, the Union prisoners of war who would have been executed in retaliation were selected and their names made public.

As the *New York Times* reported on October 29, 1861:

“Mr. Sullivan, for the defense, said the issue of the cause was narrowed

down to a simple point. It was proved that the defence did capture a brig on the ocean, which brig belonged to citizens residing in the State of Maine, and the cargo belonged to citizens in the United States. That the counsel would admit it had been proved, further, the persons who captured the brig and cargo alleged they did so in the name of the Confederate States of America, and by authority derived from them. Upon that simple fact. .. rose the sole point of dispute. The intent of the prisoners was to comply with the regulations prescribed by their government, not to steal and rob. He next considered the right of the Confederate States to issue letters-of-marque, taking the ground that the United States had recognized their government in all their dealings, and consequently the right to issue letters of marque should also be recognized. Considered by impartial minds, the attitude of the Government towards the prisoners was inconsistent with its position towards the Confederate States.”

Apparently some of the minds on the jury were “impartial” for the case resulted in a hung jury.

ESU Office Assignments

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



DECEMBER 2010

Official Publication of the Exxon Seamen's Union

EXXON CEO Tillerson receives a 40% bonus bump

For at least the last 10 years and three rounds of negotiations, the ESU has been continually told by SeaRiver Maritime (owned affiliate of ExxonMobil) management that ExxonMobil does not pay out annual bonuses, like our competitors ConocoPhillips and Chevron.

Apparently, the does philosophy does not apply to ExxonMobil's CEO, Rex Tillerson who was not only granted a 8% increase in salary for 2011 but also a huge jump of 40% in his BONUS. According to a regulatory filing with the U.S. Securities and Exchange Commission, Mr. Tillerson, was granted a bonus of \$3.36 million, up sharply from his bonus of \$2.4 million paid in 2009 and also will receive a salary of \$2.39 million in 2011, up from \$2.2 million this year.

On top of all that Exxon's board of directors also granted Tillerson 225,000 shares of restricted stock which half the shares may not be sold for five years, and the balance must be held for 10 years, the filing said. His total haul amounts to \$21.4 million for 2011.

Which bring us back to the beginning question of a BONUS, after reading the ExxonMobil proxy for 2009, one comes away with the conclusion that if in fact SeaRiver management is telling us the truth that ExxonMobil does not believe in bonuses, then Mr. Tillerson and the entire executive board for the company are setting a real bad example for the rank and file blue collar workers within the Corporation.

It is well known that in today's corporate environment large companies CEO's receive huge amounts in compensation; this has been a point of discussion and numerous debates among economists, politicians and blue collar workers, and yes we realize that we can't all be CEO's but where did it get so lopsided with compensations. According to numerous surveys done in the past years it can be seen by examining the increased divergence between CEO pay and a typical worker's pay over time. In 1965, U.S. CEOs in major companies on average earned 24 times more than a typical worker; this ratio grew to 35 in 1978 and to 71 in 1989. The ratio surged in the 1990s and hit 298 at the end of the recovery in 2000. The fall in the stock market reduced CEO stock-related pay (e.g., options), causing CEO pay to tumble to 143 times that of the average worker in 2002. Since then, however, CEO pay has recovered and by 2007 it was 275 times that of the typical worker. In other words, in 2007 a CEO earned more in one workday (there are 260 in a year) than the typical worker earned all year.

To put this in perspective, if the minimum wage had increased as quickly as CEO pay since 1990, it would today be \$15.71 per hour, more than twice the current minimum wage of \$7.25 an hour.



MS Jonathan Straley or also known as "Junior" to his fellow shipmates poses for a picture onboard the *SR Wilmington*. MS Straley was on his last assignment with SeaRiver due to a reduction of surplus employees that was announced in April. As per the ESU Contract, MS Straley opted to stay and work for six months instead of taking an equivalent layoff allowance in June. The ESU and the entire membership wants to wish "Junior" all the best with his future endeavors and we are hopeful that conditions might change whereby he could rejoin the fleet at a later date. While employed he demonstrated a solid work ethic and was good natured to all, a mark of a good shipmate.

ESU election results

On December 6, 2010, the ESU office received the election results from the American Arbitration Association (AAA) in New York. The ESU mailed a total of 134 ballots to the membership and the AAA office received 91 ballots. Of the ballots received by the AAA 3 ballots were not counted because one did not have any identification on the return envelope and two ballots were duplicate voters.

The voting results are as follows:

Vice President/Treasurer	
Kevin Conroy	32
Leo DeCastro	56
Blank	0
Deck Trustee	
Pat Campbell	48
Aaron Rathbun	40
Blank	0
Engine Trustee	
Will Ackley	Unopposed
Steward Trustee	
David Franklin	28
Kurt Kreick	60
Blank	0

Ship Representative Election

S/R American Progress	
Rudy Benavides	Unopposed

The Union congratulates the winners of the election and would like to express our thanks to all the candidates who were willing to step forward and serve their union.

One of the most important aspects of the election process is the electorate, for it is you, the rank and file members that insure the union's success or failure. It is you, the membership, through the democratic process of casting your vote that determines the future direction of your union.

In this election, 33% of the eligible voters failed to exercise their right to vote and two elective positions were unopposed. Voter apathy sends the wrong message, all ESU members are urged to

become involved and participate in their union. Let us strive to have 100% participation in all future elective endeavors. The ESU extends its thanks to those members that demonstrated their support for the Union by exercising their right to vote.

As in past elections, the current election was held under the auspice of the American Arbitration Association (AAA). The ESU Constitution and By-laws mandate in Article V, Section 7, Paragraph A, that; *All elections and referenda shall be held by secret ballot. Such ballots shall be forwarded to the American Arbitration Association or some similar outside organization qualified to conduct elections, and they shall be responsible for the conduct of the election...*

The AAA, founded in 1926, is the obvious choice to provide this service to the ESU. With 34 offices in the United States, and Europe, the organization is well respected and experienced in overseeing democratic elections. The AAA guarantee's that their administration of elections will be based on observance of applicable federal and state laws and adherence to democratic practices. Further, they offer a higher level of certainty that the voting membership of the Union will be allowed to participate fairly.

At no time does any ESU officer or member have access to submitted ballots. The American Arbitration Association keeps all ballots in their possession at all times during and after the election, protecting the sacred concept in a democratic society of the right to a secret ballot.

The ESU is only one of many organizations that rely on the integrity of the AAA to insure the legitimacy of its voting process. Among their prestige's and long list of organizations that use the organizations election services are; Association of Professional Flight Attendants, Studio Electrical Lighting Technicians, Screen Actors Guild, Transport Workers Union of America, and the American Nurses Association.

The ESU position on Preference of Watch

Recently the question has again arisen about who has the preference of watches when joining a vessel or changing watches. Some members have assumed that the choice of watches is a bargaining unit or a company service seniority right. However, this is not now, nor has it ever been the case.

Changing of watches and preference is based on shipboard seniority and is found in Article IX, paragraph 1G, on page 36 of our collective bargaining agreement. When joining a ship, the Union's position that the preference of watch would go to the first person signing aboard. The only exception to this policy is in those instances when a number of relief's are joining at the exact same time, then the most senior on the seniority list would have the preference of available watches.

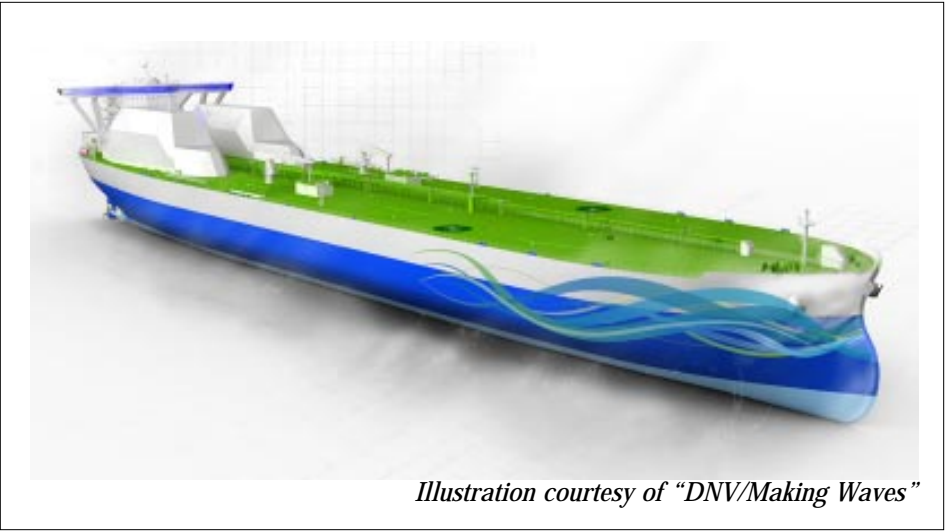
2011 Holiday Schedule

(As per the CBA, Article IV)

New Year's Day, Fri., Dec. 31	Labor Day, Mon., Sept. 5
Martin Luther King Day, Mon., Jan. 17	Columbus Day, Mon., Oct. 10
President's Day, Mon., Feb. 21	Veterans Day, Fri., Nov. 11
Memorial Day, Mon., May 30	Thanksgiving, Thurs., Nov. 24
Independence Day, Mon., July 4	Christmas Day, Mon., Dec. 26

DNV introduces “Triality”

Det Norske Veritas (DNV) is an independent foundation with the purpose of safeguarding life, property, and the environment. It’s history goes back to 1864, when the foundation was established in Norway to inspect and evaluate the technical condition of Norwegian merchant vessels, since then it has become a world recognized Classification Society just like it’s counterpart US based ABS (American Bureau Shipping). DNV in a recent press release in London, introduced their new crude oil tanker concept “Triality” that is fuelled by liquefied natural gas, it also has a hull shape that removes the need for ballast water and will almost eliminate local air pollution.



DNV CEO Henrik O. Madsen, who presented the new concept in its VLCC version in London, says: “I am convinced that gas will become the dominant fuel for merchant ships. By 2020, the majority of owners will order ships that can operate on liquefied natural gas (LNG). As a leading class society, DNV has an important role to play in finding more environmentally friendly solutions for the shipping industry, and I’m proud of what has been achieved for the crude oil tanker segment through this innovation project that we are presenting today.”

As its name indicates, it fulfils three main goals: it is environmentally superior to a conventional crude oil tanker, its new solutions are feasible and based on well known technology, and it is financially attractive compared to conventional crude oil tankers operating on heavy fuel oil.

Less harm to the environment

The Triality concept VLCC has been compared to a conventional VLCC. Both ships have the same operational range and can operate in the ordinary spot market. Compared to the traditional VLCC, the Triality VLCC will:

- emit 34% less CO2
- eliminate entirely the venting of cargo vapours (VOCs)
- use 25% less energy

Less harm will also be caused to the health of people living close to busy shipping routes and ports as NOx emissions will be reduced by more than 80% while emissions of SOx and particulate matter will fall by as much as 95%. The new concept tanker has two high pressure dual fuel slow speed main engines fuelled by LNG, with marine gas oil as pilot fuel. The next phase of the Triality concept development will review the use of dual fuel medium speed engines and pure gas engines.

No ballast water

A traditional tanker in unloaded transit needs ballast water to obtain full propeller immersion and sufficient forward draft to avoid bottom slamming. The new V-shaped hull form and cargo tank arrangements completely eliminate the need for ballast water in the VLCC version. There will also be much less need for ballast water on other kinds of crude oil tankers, such as Suezmax, Aframax and smaller ships. The new hull shape results in a reduced wetted surface on a round trip and has a lower block coefficient and thus a more energy efficient hull. A VLCC in unloaded transit will normally carry between 80 000 and 100 000 tons of sea water containing organisms that can cause damage when released into foreign ecosystems. In addition, a lot of fuel is needed just to transport this extra water. And finally, the initial coating and later maintenance of ballast tanks during operations are among a shipowner’s main concerns. The Triality VLCC can collect and liquefy more than 500 tons of cargo vapours during one single round trip. These liquefied petroleum gases will then be stored in deck tanks and up to half will be used as fuel for the boilers during cargo discharge, while the rest can be returned to the cargo tanks or delivered to shore during oil cargo discharge.

“Triality is a concept vessel and a ship builder will need to prepare a detailed design before the first Triality crude oil tanker can be constructed. The Triality concept is based on well known and proven components and systems, so in principle a Triality crude oil tanker introducing all or some of the innovative elements in the concept can be designed today. I am convinced that the Triality concept will create great interest among ship builders and crude oil tanker operators, so that the first Triality crude oil tanker will leave a shipyard before the end of 2014,” concludes DNV CEO Henrik O. Madsen.

Happy Holidays to ESU Members and their Families

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

Review of Weingarten Rights during investigatory interviews

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

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

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

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

The employee may request union representation before or during the interview. After the request, the employer must choose from among three options:

- 1.) Grant the request and delay questioning until the union representative arrives.
- 2.) Deny the request and end the interview immediately or
- 3.) Give the employee a choice of:
 - (a) having the interview without representation (usually a mistake) or
 - (b) ending the interview.

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

Ship reports

S/R American Progress

The *American Progress* continues the trade between Valdez and the Puget Sound area.

AB Doug Esminger filling in as Temporary Ship Representative and reporting everything is going well. Apparently there were some disruptions to the internet service but that was promptly taken care off.

Kodiak

The vessel continues to run between the Valdez, Alaska Terminal and the San Francisco Bay area terminals. AB Steve Bowles filling in as Temporary Ship Representative and reports everything going well, no issues.

S/R Long Beach

The *Long Beach* continues in cold lay-up, in Labuan, Malaysia. There are no crewmembers assigned to the vessel at this time. Future plans for the vessel are unknown at the present time.

Sierra

The vessel continues on the Valdez, Alaska to San Francisco run. The El Segundo trip has not materialized yet. Regular Ship Representative Thor Floreen went home and MS Shannon Wegner took the Rep. duties. Shannon stays in touch with the ESU and reports no major issues, just some questions about certain procedures aboard, but those concern are being addressed and hopefully have been resolved since Captain Scrooge went home.

S/R Wilmington

Board officer visited the vessel in Beaumont, TX on December 14. The vessel continues the MOGAS run between Beaumont, TX and FL. Regular Ship Representative Jeff Harris left the duties to MS Ein Cooley. The gang is staying busy and no beefs.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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President/Secretary John Straley

Vice President/Treasurer Leo DeCastro

Board Member at Large Joe Bernavich

Board Member at Large John McCarthy

Deck Trustee Pat Campbell

Engine Trustee William Ackley

Steward Trustee Kurt Kreick

But Maersk Line Vice President Soren Andersen countered: "To be honest, I was pretty surprised when I saw this strong reaction. To me, it just says that we need to work more closely together, in order not to get this sort of negative reaction in what is fundamentally a positive mention." Asked if he accepted that Engelstoft had been insensitive, he replied: "I don't want to comment specifically on Nautilus's message, but we had a positive intention. If we had not celebrated, then that would have been wrong."

Court blocks employer request in port of Los Angeles employee-driver case

The United States 9th Circuit Court of Appeals has denied a request by the American Trucking Associations (ATA) for an expedited hearing of its appeal in the Port of Los Angeles clean-truck case. This, decision will most likely push the case deep into next year.

Unless the 9th Circuit reverses its own ruling, the hearing involving the Port of Los Angeles concession requirements, including a mandate that harbor trucking companies begin to phase employee drivers into their fleets, will not take place until the late spring or summer of 2011.

A preliminary injunction issued by U.S. District Court Judge Christina A. Snyder prohibiting the port from enforcing the employee-driver concession requirement within the clean-truck program will remain in effect until the 9th Circuit hears the case and issues its ruling later in the year.

Last month, Judge Snyder ruled that certain concession requirements within the port's clean-truck program most likely violate federal preemption law which prohibits state and local entities from regulating motor carriers engaged in interstate commerce. However, in a victory for the port, she sided with Los Angeles in its argument that the port competes with other ports for cargo and therefore falls under and exception to federal preemption law as a market participant.

On appeal, Judge Snyder confirmed her ruling, but granted ATA's request for an injunction prohibiting the port from enforcing the employee-driver mandate until the 9th Circuit hears the case. The

port had published an implementation schedule in which harbor trucking companies by December 31, 2011, would have to begin hiring employee drivers, and must have 100% employee drivers within two years.

Labor and environmental interests strongly favor the employee-driver mandate, which would allow unions to organize the drivers. Most drivers now are classified as independent contractors, and Unions, by law, can only organize companies with direct employees.

If approved in Los Angeles, the employee-driver mandate could spread to ports in other labor-friendly cities such as Oakland, Seattle, New York and Newark, which are on record supporting the Los Angeles plan.

The ATA, with the support of the port, had asked the 9th Circuit to require that the parties file their briefs in late December this year so the case could be heard two months earlier than the appellate court had docketed.

The 9th Circuit indicated there is no need for an expedited hearing with Judge Snyder's injunction in place. ATA had claimed irreparable harm to its members who would have had to begin hiring drivers next year in order to meet the port's deadline to begin phasing in employee drivers. However, with the employee-driver mandate enjoined, there is no need to expedite the case, the 9th Circuit indicated.

The ATA is expected to ask the appellate court to reconsider its decision.

Three boys feared lost are rescued in Pacific

Three teenagers who were adrift in the South Pacific for 50 days have been found alive by a fishing vessel, officials in Auckland, New Zealand announced on November 25.

The two 15-year-olds and one 14-year-old, from the Tokelau Islands (a territory of New Zealand), had long been presumed dead when their small aluminum dingy was spotted on November 24.

"As we got closer, we could see that it was a small craft," Tai Fredricsen, the first mate of the fishing vessel, the *San Nikuna*, said: "We could see that it was three occupants inside. And I could bring the vessel right up beside them, and I asked them, do they need any help? And they replied, yes, they do."

The boys were identified as Samuel Pelesa and File Filo, both 15, and Edward Nasau, 14. They had been rowing in the Atafu Atoll in the Tokelau Islands, a remote sprinkling of islets approximately 300 miles north of Samoa.

After several days of local searches, the New Zealand Air Force searched the area by plane, and also failed to find them.

Fredricsen said the boys had 20 coconuts on board when they disappeared,

which they ate within the first two days. For the next 48 days they survived by capturing water during the night, and catching and eating fish and a "sea bird."

The teenagers were very thin, but in good spirits, Fredricsen said. "Their bones were protruding from underneath their skin," he said. "But mentally and spiritually, very high."

An air force spokesman, Squadron Leader Kavae Tamariki, said the chance of finding the boys had been remarkably slim. "It's only a small dot to try and pick them up on the radar," he said.

On Atafu, residents were celebrating. "It's a miracle," said Fuimanu Kirifi, adding that everyone was "quite overwhelmed by the news."

The *San Nikuna* took the boys to Suva, in Fiji, for hospital treatment.

Fredricsen said the rescue was a matter of sheer luck. "This area where we actually found them, it's very infrequently traveled by vessels," he said. "It's not a major route for any ship or anything. Our general course was toward American Samoa," he added. "It's just by chance we were coming toward New Zealand to unload."

UN renews Somalia anti-piracy resolution

The United Nations Security Council has renewed its resolution authorizing states and regional organizations to cooperate with Somalia's transitional government in the fight against piracy for a further 12-month period.

The November 23 vote provides a legal basis for armed forces to enter Somalia's territorial waters and use "all necessary means" to tackle the problem, including deployment of naval vessels and military aircraft and the seizure and disposal of boats, vessels, arms and related equipment used by pirates. The 15-member body also reiterated its condemnation of all acts of piracy and armed robbery against vessels in the waters off the Somali coast.

According to figures by the International Maritime Organization, over 438 seafarers and passengers and 20 ships were held by pirates as of November 4, an increase of almost 100 hostages in less than a month.

MarAd confirms al-Qaeda link to Japanese tanker

Islamist terrorists with loose ties to al-Qaeda were responsible for an explosion on or in proximity to Japanese very large crude carrier *M Star* in the Strait of Hormuz in July, an advisory note from the Maritime Administration has confirmed. The development brings an end to months of speculation over the incident, which some industry sources were keen to play down as an accident, perhaps attributable to a freak wave or an old mine.

One seafarer was hurt as a result of the attack and there was some damage to the tanker, although there was no oil spill and no disruption to other shipping.

MarAd describes the claim of responsibility on the part of a group calling itself the Abdullah Azzam Brigades as valid. It adds that AAB remains active and is capable of conducting further attacks in a wide area including the southern Middle East Gulf and the western Gulf of Oman. However, the statement offers no further details and restricts itself to general recommendations for all ships in these waters to maintain vigilance and to report suspicious activity.

One former armed forces expert, basing his judgment on photographs, told *Lloyd's List* at the time: "My reckoning is that the blast was approximately 10 feet away from the hull, on an inward course. But it detonated prior to laying alongside the hull. The vacuum from the detonation ripped the lifeboat off and shattered the windows. The guy just did not have enough high explosive to penetrate."

AAB is based largely in the Egyptian Sinai and Lebanon and is made up mainly of Arabs who once fought with Iraq-based al-Qaeda leader Abu Musab al-Zarqawi, killed in 2006.

Maersk plans to operate 18,000 teu container ships

Maersk Line is in the final stages of negotiation with shipyards for a series of 18,000 teu containerships. Letters of intent could be signed before the end of the year, according to *Lloyd's List*.

A considerable amount of design work still has to be completed, with several South Korean yards in the running for an order that could be worth close to \$2 billion. The ships would be of revolutionary design, with new propulsion systems, possibly fueled by liquefied natural gas (LNG), and other technological advances that would considerably reduce slot costs and cut emissions.

Speculation flared again late last month, when *Korea Economic Daily* reported that South Korea's DAEWOO Shipbuilding & Marine Engineering was lining up a 20-ship order with AP Moller-Maersk worth \$4 billion. Reports that the two sides were in discussion about a \$4 billion contract appear to be wide of the mark, with the most likely outcome a 10-ship order initially with each ship costing somewhat less than \$200 million apiece.

DAEWOO has competition, though, with other shipbuilders also on the shortlist. All are thought to be from South Korea, with none from China.

Maersk pioneered the supersized containership, with *Emma Maersk* the first of a new class of vessel, with a declared capacity of 12,500 ten. Eight sisterships, built by AP Moller-Maersk's Odense shipyard, were delivered between 2006 and 2008. Other lines are only just catching up, with Mediterranean Shipping Company taking, delivery this year of its first 14,000 teu ships, and CMA CGM now receiving its 13,800 teu newbuildings.

Emma Maersk is 1,302.49 feet long and 185.04 feet wide, and the ships that Maersk is expected to order next would be bigger both in length and breadth since there would be limitations to container stack heights. Engines on the new ships would probably be smaller than the 80,080 kw, 12-cylinder main engine on *Emma Maersk*. With slower service speeds expected to remain the norm, most ships in service today are considered to be overpowered.

Industry observers anticipate the new ships would operate in the Asia-Europe trades where Maersk's sister company APM Terminals would be well-positioned to install a new generation of cranes at key facilities to handle these leviathans.

Anti-trust lawsuits against Matson and Horizon dismissed

A United States District Court has dismissed for a second time a class-action shipper lawsuit accusing Matson Navigation Company and Horizon Lines of price-fixing on routes between the U.S. mainland and Hawai'i and Guam.

U.S. District Judge Thomas S. Zilly of Seattle dismissed the lawsuit this month on grounds that the filed-rate doctrine precludes antitrust claims related to tariffs filled with a federal regulatory agency. He said the shipper could take their case to the Surface Transportation Board, which has jurisdiction over domestic shipping rates.

Zilly dismissed the original lawsuit in May of last year but allowed the plaintiffs to file an amended version. The amended version tried to argue that some shipments comprised bulk cargo or forest products that are exempt from rate regulation. Zilly said those claims were essentially the same ones he rejected in the original class-action suit. He also said the plaintiffs failed to support their claims that the carriers participated in an antitrust conspiracy.

The lawsuits were filed in the wake of the Justice Department's 2008 announcement of a criminal investigation into price-fixing in domestic shipping covered by the Jones Act.



SUP President's Report

December 13, 2010

AMERICA'S CUP

The challenge of safeguarding America's cabotage laws and our work is an ongoing struggle.

In October, reported that the SUP, MFOW, IBU, MM&P and the MEBA had successfully, with the assistance of Speaker Nancy Pelosi, removed a provision from the *Term Sheet for Hosting the 34th America's Cup in San Francisco* that would have exempted the race from the Jones Act.

However, on November 23, the Port of San Francisco circulated a memorandum to the Port Commission analyzing the impact of the America's Cup event on the Port and a resolution supporting the event. The memorandum incorporated three separate exhibits.

Exhibit B, entitled *34th America's Cup Host City and Venue Agreement*, contained a section that broadly called for a waiver of American cabotage. Section 1.2(d) of Exhibit B stated:

"All necessary federal legislative or regulatory actions as are necessary to authorize foreign-built and/or flagged racing support and spectator vessels to lawfully undertake race related activities (including the transport of spectators) for the Event."

This section suggests a waiver of the Passenger Vessel Services Act of 1886, which would allow foreign-flag and foreign-crewed vessels to transport passengers in San Francisco Bay.

On November 30, before a special Port Commission meeting on the America's Cup, MFOW President Anthony Poplawski and your secretary spoke with representatives of the San Francisco Mayor Gavin Newsom's office and the Port and expressed our objections to Section 1.2(d).

Ms. Kyri McClellan, Project Manager for the America's Cup from the Mayor's Office of Economic and Workforce Development said that the section only referred to foreign-flag "mega" yachts that would transport corporate sponsors. Neither Poplawski or your secretary bought that argument.

At the Port Commission meeting itself, public comment was requested with Poplawski and your secretary speaking in favor of San Francisco hosting the America's Cup but in opposition to Section 1.2(d). Ours were the only voices in opposition to this provision, as all the other attendees at the packed commission meeting were falling all over themselves to support the America's Cup with no thought or consideration for U.S. merchant mariners who make a living transiting San Francisco Bay. At the conclusion of the meeting, the Port Commission voted to support the America's Cup resolution containing Section 1.2(d).

The discussion of the section continued after the Port Commission meeting with representatives of the Mayor's office suggesting that a meeting to clarify the issue be held at City Attorney Dennis Herrera's office.

The meeting took place on December 6, in San Francisco City Hall. In addition to Poplawski and your secretary (who also represented the IBU), labor representatives were Captain Ray Shipway (MM&P), Christian Yuhás (MEBA), Richard Meade (ILWU Local 10), Ian Lewis (UNITE HERE Local 2) and F.X. Crowley (IATSE Local 16).

From the Mayor's office Ms. McClellan, Martha Cohen, and the Mayor's Chief of Staff Steve Kawa. From the Port of San Francisco, Peter Dailey, Deputy Port Director for Maritime. From private industry, Tom Escher, President of Red & White Fleet. From Speaker Pelosi's office, Legislative Assistant Nicole Rivera. From BMW Oracle Racing, Chief Operating Officer Stephen Barclay, and Craig Thompson, Chief Executive Officer of the America's Cup Event Authority. And City Attorney Dennis Herrera, Deputy City Attorney Jesse Smith and Robert Maerz, Chief Attorney for Government Oversight and Complex Transactions.

Herrera, who worked for the Maritime Administration under President Clinton, then represented American Ship Management serving as a Trustee of the SUP

Welfare Plan and the Pacific District Pension Plan prior to being elected, opened the meeting by stating that cabotage was the "holy grail of American maritime policy" and that all in attendance should understand the position of the Unions.

Herrera then asked Ms. McClellan of the Mayor's office to explain Section 1.2(d). It was apparent from the outset that she nor the other representatives of the Mayor's office had the slightest clue about American cabotage laws: The Jones Act and the Passenger Vessel Services Act. Your secretary, at the request of Herrera, explained those laws and their critical importance to maritime labor.

Mr. Barclay of BMW Oracle was then called on by Herrera to give a presentation on the mechanics of the race. Barclay said the race in San Francisco will be the culmination of races held around the world in ports in Europe, the Middle East and Asia. The racing yachts and their proprietary support vessels will be transported in one ship which will take them to the various venues, including San Francisco.

After pointed questioning from Herrera, it was concluded by all that BMW Oracle and the America's Cup Event Authority would not violate either the Jones Act or the Passenger Vessel Services Act. However, the Unions insisted and Herrera agreed that Section 1.2(d) had to be completely rewritten.

The meeting then adjourned and reconvened the following day (December 7) with Dan Bernal, District Director for Speaker Pelosi, and Tim Paulson, Executive Director of the San Francisco Labor Council joining the participants. At the meeting, Herrera and his staff offered draft language to substitute for that contained in Section 1.2(d). After a thorough discussion the document was amended to the satisfaction of all parties. The new language in Section 1.2(d) reads:

"In consultation with San Francisco maritime labor organizations, explore the need for necessary federal legislative or regulatory actions to allow (1) foreign built and/or flagged racing vessels and race support vessels proprietary to the Event (such as race tender vessels dedicated to supporting the participating racing vessels and vessels needed to officiate the race), to lawfully engage in Event related race activities and (2) foreign built and/or flagged vessels to transport spectators within San Francisco Bay, solely for purposes of satisfying official Event sponsorship commitments or to provide opportunities to view the race regattas, but in any case as to clauses (1) or (2) above not for the purpose of transporting spectators or other passengers for hire, as required by United States cabotage laws."

In short, the consultation for federal action is moot as that "consultation" was done at the meetings facilitated by the City Attorney. This was a victory for maritime labor that could not have been achieved without the intervention of City Attorney Herrera, Speaker Pelosi and the backing of all the Unions that comprise the San Francisco Labor Council.

On December 8, Poplawski and your secretary attended a meeting of the San Francisco Board of Supervisors Budget and Finance Committee to make sure that the language agreed to was included—which it was. Then Brother Poplawski on behalf of the affected Unions publicly thanked those who had been part of the process to resolve concerns regarding American cabotage. He also stated that organized labor supported the America's Cup and San Francisco's bid to host the event.

The lesson learned from this exercise was that the Union must be ever vigilant when American maritime law is being discussed by those who know nothing about it.

SAN FRANCISCO BAR PILOTS

Negotiations with the San Francisco Bar Pilots began on November 19, for the agreement covering Marine Personnel. Subsequent bargaining sessions were held on November 29, December 7, and December 10.

Representing the SUP in the Marine Personnel bargaining, (depending on their work schedules), are Jim Kolm, Delegate Mike Koller, Jim McFetters, Bosun Leo Moore, Delegate Terry O'Neill, Steve Ross, Mike

Sposeto, Dave Stuhlbarg, Vice President Dave Connolly and your secretary. As of today's meeting, negotiations for the Dispatchers have not commenced.

The bargaining team for the Pilots is led by Captain Bruce Horton, Port Agent, along with Captain Dave McCloy, Captain Ray Ridens, Captain Steve Teague, Business Director John Cinderey, Marine Superintendent Chris Johnson and Human Resources Manager Claudia Hernandez.

As the membership will recall, the agreements with the Pilots expired December 31, 2009, but were extended twice due to poor economic conditions caused by the global recession. The first extension was until March 1, 2010. When conditions failed to improve, the agreements were again extended until the end of the year with all terms and conditions of the January 1, 2007-December 31, 2009 agreement, remaining status quo.

The key issue in bargaining for the Union is health care. The Pilots have thus far agreed to increase contributions to the SUP Welfare Plan by \$9.94 per manday retroactive to October 1, of this year. The Pilots have also tentatively agreed to pay \$40,655.34 in delinquent contributions to the Plan for the period from January 2010 through September 2010, although the Plan office has not yet received the funds. The Pilots are also delinquent in contributions to the Plan in the amount of \$21,632.45 for the year 2009.

From the first bargaining session in November through the one held on December 10, Captain Horton has refused to pay the second amount stating that the Union was not timely in notifying the Pilots of the 2009 deficiency and accusing the Union of "breaching the agreement," specifically Section 10. That section states that, in addition to the regular monthly contribution, the contribution rate will be reviewed quarterly and compared to the actual cost of benefits for Bar Pilot participants, and "upon presentation of the supporting data and the administrator/consultant's conclusions, the San Francisco Bar Pilots agrees to make such additional contributions as are sufficient to maintain the benefits."

Your secretary contacted Welfare Plan Administrator Michelle Chang and Plan attorneys from the law firm of TruckerHuss and informed them of the position of the Pilots. On December 6, Administrator Chang wrote to Captain Horton demanding payment. The letter states in part: **"The Bar Pilots' refusal to pay the maintenance of benefits contribution for 2009 and 2010 has no legal basis and in fact violates federal law, specifically the Employee Retirement Income Security Act (ERISA) and the Labor Management Relations Act (LMRA). Section 10 contains no language requiring presentation of the consultant's data to the Bar Pilots within a specific time frame."**

The letter continues: **"Please be advised that if the outstanding balance of \$62,287.79 is not paid in full within ten (10) days of this letter, this matter will be referred to legal counsel, and an action will be filed in federal court under ERISA Sections 502(g) and 515 to recover the delinquent contributions and seek other available relief. Under these provisions, the Bar Pilots will be liable not only for the past due contributions, but also interest, liquidated damages and any attorneys' fees incurred by the Plan. Thus, delaying payment will only increase the Bar Pilots' exposure."**

The Pilots have not responded to the letter but have indicated they will attend the regularly scheduled meeting of the SUP Welfare Plan Board of Trustees on December 14, presumably to discuss the issue.

In other bargaining developments, the SUP and the Pilots have tentatively agreed to a few minor changes to the marine personnel agreement that are not economic in nature.

The Pilots have continued to state that their business is down substantially from what it was in 2007, which the Union has independently verified. The Pilots also claim that their net income declined 27.1% from 2006 through 2010 while operating expenses increased by 26.3%. Part of that increase, they assert, is that wages and benefits for all Marine Personnel employed have increased by 19.1% in the aggregate over the same

continued on next page

President's Report continued

period. Therefore, the Pilots proposed a two-and-a-half year agreement (January 1, 2011 through June 30, 2013) with wages and overtime frozen at the January 1, 2009 rates. The Union has not responded to this proposal.

Future bargaining sessions are scheduled for December 20, and 28, with other dates possible as the agreements covering Marine Personnel and the Dispatchers expires on December 31.

PATRIOT CONTRACT SERVICES

This month Patriot Contract Services informed the Union that the Military Sealift Command (MSC) had ordered activations of the *USNS Gordon*, *Gilliland* and *Shughart*. The *Gordon* and *Gilliland*, temporarily homeported in Newport News Virginia while their Jacksonville, Florida berths and channels were dredged, were activated today to Full Operating Status for the return trip to Jacksonville.

It must be noted that Vice President Connolly, Seattle Branch Agent Vince O'Halloran, Wilmington Branch Agent Vern Johansen, Honolulu Branch Agent Mike Dirksen and Workforce Development Director Berit Eriksson worked long hours to ship fully trained and vetted crews for this short-term but important activation.

The *USNS Shughart*, homeported in Violet, Louisiana, is scheduled to enter a Bayonne, New Jersey shipyard for routine maintenance shortly after Christmas. The *Shughart* will keep a Repair Availability crew during the yard period.

Following the *Shughart* activation, the *USNS Yano* will be activated for the same reason in first quarter of 2011.

As the membership will recall, Patriot responded the MSC Request for Proposal (RFP) to operate and maintain the T-5 tanker *USNS Lawrence H. Gianella*, with the SUP, MFOW and SIU-Marine Cooks submitting competitive wage scales, etc. Regrettably on November 12, the company notified the Unions that it had decided not to pursue the RFP through the final proposal revision stage of the bidding process. One can only surmise that Patriot dropped out because it didn't think it could win the award due to lack of tanker operating experience.

Unfortunately there is also a de-activation on the horizon. The *Cape Jacob*, operated by Matson Navigation Co. for the Maritime Administration since 2005, is slated be laid up in Suisun Bay in February or March of 2011. The *Jacob*, like the *USNS 1st Lt. Harry L. Martin* (operated by Patriot) is part of the U.S. Navy's Military Sealift Command Pre-Positioning Program.

CHEVRON SHIPPING COMPANY

Last month Chevron Shipping Company took delivery of the Double Eagle-Class petroleum product tanker *Florida Voyager* in Mobile, Alabama. The *Florida* was built by Newport News Shipbuilding in Virginia as the *Seabulk Pride* in 1998. This single-screw diesel, double-hulled ship has a length overall of 600 feet, 5 inches and a beam of 105 feet, 8 inches. She has a deadweight tonnage of 46,094 tons, a design draft of 36 feet and 9 inches with a cargo carrying capacity of 342,000 barrels. Chevron has the ship on long-term bareboat charter from Seabulk and will operate her in the West Coast trades.

In addition to the *Florida*, Chevron's U.S.-flag fleet is comprised of the *Washington Voyager*, *Mississippi Voyager* (ex-*Seabulk Mariner*), *California Voyager* (ex-*HMI Brenton Reef*) and *Oregon Voyager* (ex-*Seabulk Energy*).

The Sailors' Union represents all unlicensed personnel in the U.S.-flag fleet.

MATSON NAVIGATION COMPANY

The company notified the Union that it plans to break-out the *Lihue*, *Lurline*, *Matsonia* and *Maui* next year to relieve vessels being drydocked.

Tentatively, the *Lihue* will operate for four months beginning in March, relieving first the *Maunalei*, then the *Maunawili*, *Manukai*, *R.J. Pfeiffer* and *Manulani* on the China/Long Beach run.

Beginning in September for the *Matsonia* and in October for the *Lurline*, both will operate through December 2011 relieving the *Mokihana* for three months and the *Manoa* for a month (December).

The long-idled *Maui* is also scheduled to operate during December.

MARITIME LABOR CONVENTION

As reported last month, attended a meeting in October in Washington, D.C. with the Coast Guard and the other maritime Unions to discuss the Maritime Labor Convention 2006 (MLC 2006) which was adopted by the General Conference of the International Labor Organization to codify in a single document all standards of existing international maritime labor conventions, as well as fundamental principles incorporated in other international labor conventions. The October meeting reviewed Title 1 of the MLC 2006 which enumerates minimum requirements to work in a ship.

On November 16, attended a meeting at AFL-CIO Headquarters in Washington, D.C., on Title 2 of the MLC 2006 which covers conditions of employment for seafarers: employment agreement, wages, hours of work and rest, shore leave, repatriation, manning levels, compensation for a vessel sinking and career and skill development opportunities.

The other labor attendees who reviewed Title 2 for compliance with current U.S. laws, regulations or practices included AMO Government Relations Director Mike Murphy, MEBA Secretary-Treasurer Bill Van Loo, MM&P Vice President George Quick, MM&P Government Relations Director Klaus Luhta and SIU-AGLIWD/NMU Secretary-Treasurer Dave Heindel. The Coast Guard was represented by Mayte Medina, Steve Hubchen and Ram Nagandran.

It is anticipated there will be a meeting early next year to review Title 3 of MLC 2006 which covers accommodations, recreational facilities, food and catering. Will attend, Union business permitting.

OAKLAND TWIC CENTER

Last month the Union was notified that the Oakland Maritime Support Services (OMSS) TWIC Enrollment Center would be consolidated with the Pendleton TWIC Enrollment Center effective November 29.

The consolidated location is: 350 Pendleton Way, Oakland, near the intersection of Hegenberger Road and Edgewater Drive. The hours of operation are Monday through Friday, 8:30 A.M. to 4:30 P.M.

HOLIDAYS

Christmas Eve: All SUP halls will be closed on Friday, December 24, Christmas Eve, which is a Pacific Coast ILWU holiday. Therefore, it is a recognized holiday under the APL and Matson agreements. It is a holiday for vessels in West Coast ports on that day and for those working under the Maintenance Agreements.

Christmas Eve is also a holiday for APL vessels in East Coast ports as it is an ILA holiday.

Christmas Day: Since Christmas Day falls on a Saturday this year, all SUP halls will be closed on Monday, December 27, as it will be observed that day under all SUP agreements with the exception of those working under the SUP/Matson Maintenance Agreements in Honolulu. In Honolulu, those working under the Maintenance Agreements will observe Christmas Day on Friday, December 24, in accordance with Section 12(c) of the Maintenance Agreements as ILWU Local 142 will observe the holiday on that day.

New Year's Eve: All SUP halls will be closed on New Year's Eve, Friday, December 31, which is a Pacific Coast ILWU holiday. It is a holiday for APL and Matson vessels in West Coast ports on that day and for those working under the Maintenance Agreements.

New Year's Eve is also a holiday for APL vessels in East Coast ports as it is an ILA holiday.

New Year's Day: Since New Year's Day falls on a Saturday this year, all SUP halls will be closed on Monday, January 3, 2011 as it will be observed that day under all SUP agreements.

However, in Honolulu those working under the Maintenance Agreements will observe New Year's Day on Friday, December 31, as ILWU Local 142 will observe the holiday on that day.

Martin Luther King, Jr.'s Birthday: All SUP halls will be closed on Monday, January 17. This is a holiday under all SUP contracts except those with Chevron and Foss. Due to the holiday, the Branch meetings will be held on Tuesday, January 19.

ACTION TAKEN

M/S to concur with the President's report in its entirety. Carried unanimously.
Gunnar Lundeberg

Vice President's Report

December 2010

USNS Martin: Barbara Shipley, delegate. In preparation for Operation Cobra Gold, this ship recently served as a Roll-On/Roll-Off Delivery Facilitator (RRDF) in an exercise in the waters off Saipan. Using the ships 118 ton twin pedestal crane, an embarked U.S. Navy Cargo Handling Battalion successfully discharged, assembled, operated, and back loaded, nine, 90 ton floating causeway sections, and a 110 ton jet-pump propelled warping tug. While not actually on the gear, the SUP deck department, because of their expertise in cargo operations, provided cargo safety watches, crane support, cargo lashing and unlashng supervision, and opened and closed all cargo hatches. In preparation for the discharge, the deck gang rigged and deployed 35 Yokohama fenders, and provided all logistics support for the 96 embarked Navy crew.

Bosun Paul Harsany, along with AB's Shipley, Mike Thomsen, Mike Staley, Nick Manessiotis, Jeff Martinez, Chris Cupan, Arnold Slossen, and OS's Andy Facundo, Winston Hunt, Jose Duran Jr., and Reggie Clark met every one of the many challenges with SUP-style seamanship.

USNS Waters: Thomas Cook, delegate. In this contract ship smartness is a critical performance measure which means that maintenance overtime is in most cases mandatory. On a mission in the Pacific.

USNS Gordon: Jonathan Clarke, delegate. First to activate from Newport News for Jacksonville. A mix of old hands and new members turning to. All halls participating in this all-important activation.

USNS Gilliland: Jack Forde, delegate. Followed *Gordon* to new home at Blount Island in Jacksonville.

USNS Shughart: Jaime Acosta, delegate. Headed to the yard in Bayonne NJ after Christmas.

USNS Yano: Anthony Orr, delegate. Crew working maintenance overtime. May follow the *Shughart* to the yard sometime in the first half of 2011.

Cape Jacob: Randy Fogle, delegate. Participating in exercise off Saipan but headed for the boneyard.

APL Agate: Mark Relojo, delegate. Original dispatches to a particular rating (such as AB/dayworker and AB/watchstander) are maintained throughout

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SUP Branch Reports

Seattle

November 15, 2010

Shipped during the period: 2 Boat-swains shipped and filled by B and C members to Navy bottoms; 8 Able Seaman jobs filled by 3 A's to steady slots and 1 A to a relief, 1 B to a steady and 1 B and 2 C's to Navy bottoms.

Registered during the period: 3 A cards for a total of 18; 6 B cards for a total of 23; 4 C cards for a total of 14.

Ships Checked

Matson vessels *Kauai* and *Manoa* called twice with little or no trouble. The *President Polk* and *President Jackson* called in New York with Seattle gangs and reported "no beefs". The Patriot Contract Services vessels *USNS Martin*, *USNS Waters* and *USNS Shugart* called for sailors. Take the training, these are good jobs!

I represented the SUP/MFU at the following meetings: the Seattle Freight Mobility meeting; the King County Executive Board meeting; the Alaska Way Viaduct Replacement Committee meeting; the Washington State Labor Council's annual charity luncheon at the Catholic Seaman's Club. A meeting with ILWU Local 19 and Washington Department of Transportation's Freight Direc-

tor, Barbara Ivanov, on freight mobility projects affecting the Seattle waterfront.

The Seattle Branch wishes "all hands" a safe and happy holiday season!

Vince O'Halloran, Branch Agent

Wilmington

November 15, 2010

Shipped a total of 76 jobs—the breakdown is as follows: 4 Bosun- 2 Steady, 2 Return; 4 AB/Dayman-1 Steady, 3 Relief; 10 AB/Watch- 8 Steady, 2 Relief; and 58 standbys. Registration: Class A 30; Class B 24; Class C 11.

Ships Checked

Manulani, *Maunalei*, *Maunawili*, *Mokihana*, *Mahimahi*, *Manukai*, *R.J. Pfeiffer*, *Philippines*, *Korea*, *Thailand*, *China*, *Singapore* and the *USNS Waters*: no problems.

Attended and represented the SUP at the following meetings; American Merchant Marine Veterans Memorial Committee; Los Angeles Labor Day Parade Committee; Maritime Trades Port Council; and the LA County Federation of Labor.

Would like to extend a joyful holiday season to all SUP members and their families.

Vern Johansen, Branch Agent

Honolulu

November 15, 2010

Shipped the following jobs during the month of October: 2 AB-day, 3 AB-watch, 1 AB-day return. The regular jobs were filled by 6 A cards.

Also shipped 19 standby jobs this month. The standby jobs were filled with 5 A cards and 14 B, C, and D cards.

Registered during the month of October: 1 A cards, 2 B card, 3 C cards, and 2 D cards. To date totaled registered: 14 A cards, 3 B cards, 3 C cards, and 4 D cards.

Ships Checked

Manukai, *Maunawili*, *R.J. Pfeiffer*, *Mokihana*, *Manoa*, *Maunalei*, *Mahimahi*, *Manulani*, and *Kauai*. All with few or no beefs. Paint and Rigging gang running smoothly with Monte Kalama as Bosun.

During the month, I represented the SUP at the Hawai'i Ports Council monthly meeting, which includes the Hawaii Ocean Safety Team (HOST) meeting, the State of Physical Infrastructure in Hawai'i meeting at which U.S. Congresswoman Mazie Hirono was a guest speaker, and a "Mahalo Luncheon" hosted by U.S. Congresswoman Colleen Hanabusa (elect). This was Hanabusa's way of saying mahalo to everyone who donated time and money and voted for her in this year's election.

The Honolulu membership wishes all our SUP brothers and sisters and their families a Mele Kalikimaka (Merry Christmas) and a Hauoli Makihika Hou (Happy New Year).

Michael Dirksen
Branch Agent

San Francisco Business Agent

December 13, 2010

Kauai— Richard Goen, delegate; Bob Jones, bosun: Running smoothly in deck department. Finally getting a new steward and cook. This should solve their problems with the food.

Mahimahi— Paul Barbour, delegate: In from Honolulu. No disputes, good crew. Sailing turkey day for Los Angeles.

Mokihana— Rich Reed, delegate: New bosun John Benson. Good gang, no disputes. Made twice.

APL Philippines— Dan McDonald, delegate: Visited at Middle Harbor Terminal. No disputes. Good gang and bosun. Will re-hook the T.V. antennae.

Worked in front office.

Bill Berger

Dispatcher's Report

Headquarters—Nov. 2010

Deck	
Bosun	3
Carpenter	0
MM.....	2
AB	12
OS	1
Standby	7
Total Deck Jobs Shipped	25
Total Deck B, C, D Shipped	7
Engine/Steward	
QMED	0
Pumpman	0
Oiler	0
Wiper	0
Steward	0
Cook	0
Messman	0
Total E&S Jobs Shipped	0
Total E&S B, C, D Shipped	0
Total Jobs Shipped - All Depts. ...	25
Total B, C, D Shipped-All Depts. .	17
Total Registered "A"	39
Total Registered "B"	17
Total Registered "C"	17
Total Registered "D"	26

Hawai'i Congresswoman to Democratic leadership post

Congresswoman Mazie K. Hirono (D-Hawai'i) announced on November 30, her unanimous election to the Democratic Steering and Policy Committee in the 112th Congress (2011-2012). Congresswoman Hirono was elected by her 21-member Region 2 caucus, comprised of the Democratic members of Congress from Northern California, Hawai'i, Guam, American Samoa, and the Commonwealth of the Northern Marianas.

The Democratic Steering and Policy Committee is responsible for making committee assignments and policy recommendations. It consists of the elected party leadership, members elected by region from the party membership, members appointed by the leadership, and the ranking members of the Appropriations, Budget, Energy and Commerce, Rules, and Ways and Means Committees.

"We have not had a member from Hawai'i elected to this Committee in more than 15 years, since Patsy T. Mink served in 1993-1994," said Congresswoman Hirono. "I look forward to this opportunity to help direct the policy agenda of the House Democratic Caucus. As a member of this committee, I will develop even closer relationships with leadership, which will give me increased opportunities to advocate for Hawai'i."

The Democratic Steering and Policy Committee is chaired by the Democratic leader —Speaker Nancy Pelosi now, Minority Leader Pelosi in the upcoming Congress— who is assisted by two co-chairs —currently George Miller of California and Rosa DeLauro of Connecticut.

Vice President's Report continued

the life of the dispatch. Switching to billets temporarily opened by departing crew is prohibited.

APL Korea: Dmitri Seleznev, delegate. In at Oakland with no problems. Ernesto LeCarnaque is the bosun.

APL Singapore: Gary McDeavitt, delegate. Mess deck reefer still of inferior size and construction. After notification and inquiry from the Union, some welcome replacement of stateroom carpet and chairs.

APL Turquoise: Roger Berioso, delegate. Ship headed for layup and reflagging in Singapore. Clarification on mates doing sailors work. Restriction claims in Karachi no good—government failure to issue shore passes as well as statement of explanation is a de facto government order of restriction.

President Truman: Kelly Eggers, delegate. MFOW Vice President Bill O'Brien made the ship in New York. No beefs.

Florida Voyager: Dave Purgannan, delegate. Newest SUP ship in the Chevron fleet called at Richmond Long Wharf after finishing conversion in a Gulf yard. Gang worked hard to clean up this ship which appears to be in better shape than some of the others. Bob Turner is the bosun and Big Mo the steward.

San Francisco Bar Pilots: Mike Koller, Terry O'Neill, delegates. Negotiations underway with progress being made.

Dave Connolly

Support the
Sailors'
Political Fund

Wilmington Branch holiday party



On December 11, the annual SUP/MFOW holiday luncheon was held at the Wilmington Branch. Pictured from left to right are SUP Branch Agent Vern Johansen, Clyde "Red" Bell and his wife Patrica, Dorothy Larkin and Tom Larkin.