



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXVIII No. 6 583

SAN FRANCISCO, CALIFORNIA

Friday, June 24, 2005

Pension benefit increased for future retirees in July

In negotiations initiated by the SUP, the MFOW, and the SIU-A&G Marine Cooks on June 23, American Ship Management and Matson Navigation Company agreed to a Union proposal to increase the SIU-Pacific District Pension Plan benefit by \$71.00 for those retiring on or after July 1, 2005, at age 60 or older with 25 years seetime. This will raise the pension benefit from \$1020 per month to \$1091 per month.

The increase will also be applicable on a pro-rata basis to those retiring on or after July 1, that have less than 25 years seetime, are younger than 60, or those who retire due to disability.

The benefit increase was triggered by the provisions of Section 30(e) of the General Rules of the collective bargaining agreements with both companies in which the actuary of the Pension Plan determined there were surplus funds available due to an increase the value in Plan investments.

The full breakdown and explanation of the benefit increase will be in next month's *West Coast Sailors*.

Chinese oil firm trumps Chevron bid for Unocal

A state-controlled Chinese oil firm is challenging Chevron's plans to buy Unocal, touching off an international fight over petroleum at a time of dwindling reserves and soaring prices.

The China National Offshore Oil Company announced on June 22, a cash offer of \$18.5 billion for Unocal, an El Segundo, California, company with net proven oil reserves of 1.7 million barrels with holdings in Azerbaijan, Thailand, Indonesia and Burma.

But their struggle also raises sensitive political questions for China and the United States.

"I do not believe it is in the

best interest of the United States to have Unocal owned by the Chinese national government," said Congressman Richard Pombo (R-CA) in a prepared statement. "I am afraid that such an acquisition would come with disastrous consequences for our economic and national security."

The offer from China National Offshore would pay Unocal stockholders \$67 per share, a three percent premium over the stock's closing price of \$64.86. In contrast, Chevron's offer amounts to \$65 in cash, plus 1.03 shares of Chevron common stock for every Unocal share.

In a statement on June 22, Chevron touted its offer, saying it would give Unocal shareholders both cash up front and a continuing stake in a profitable oil firm. The statement also suggested that the foreign bid could be tied up by regulators, while Chevron's was a sure thing.

"A transaction with Chevron is highly likely to close, which the CNOOC proposal must undergo in extensive regulatory process in the United States and elsewhere," Chevron's statement read.

Unocal said it would evaluate the new proposal but added that its corporate board already had recommended the Chevron deal to its shareholders.

The SUP represents all unlicensed personnel in Chevron's U.S.-flag tanker fleet.

Matson's stonewalling prompts SUP strike vote: health care is the issue

In a coastwise vote held at Union Headquarters on June 17, and at the Seattle, Wilmington and Honolulu Branches on June 20, the membership of the Sailors' Union of the Pacific unanimously voted in favor of authorizing a strike against Matson Navigation Company—if necessary.

Two issues prompted this action: 1) Matson's failure to meet its contractually mandated financial obligations to the Union's health and welfare plan and, 2) Matson's refusal, thus far, to finalize a tentatively agreed to wage settlement covering the

vessels *Chief Gadao, Ewa, Kauai, Lihue, Lurline, Mahimahi, Maui, Manoa, Matsonia, Mokihana, and R.J. Pfeiffer*. In other words, Matson's refusal to complete the negotiated wage increase is because of their reluctance to pay what it owes to the SUP Welfare Plan.

SUP President Gunnar Lundeberg declared the situation unacceptable: "Despite the efforts of the Union to resolve its difference with the company, Matson's representatives remain unyielding, deaf to reason, and dangerously non-committal to a negotiated settlement. The SUP

will continue good faith discussions in the expectation that all issues will be settled. Meetings are scheduled and proposals are being exchanged. However, the Union will take all appropriate action to defend its interests."

For more information on the Matson situation, see the President's Report on Page 10. As the situation develops, SUP members should stay in close contact with Headquarters or the Branch Agents of their home ports for the latest information.

The Strike Resolution is as follows:

STRIKE RESOLUTION

WHEREAS, the members of the Sailors' Union of the Pacific and their families depend on health care benefits provided by employer contributions to the SUP Welfare Plan, and;

WHEREAS, without proper contributions the benefits provided by the Sailors' Union of the Pacific Welfare Plan could be reduced, and;

WHEREAS, employers participating in the Sailors' Union of the Pacific Welfare Plan are contractually obligated to make the contributions necessary to sustain the Plan, and;

WHEREAS, the Sailors' Union of the Pacific contends that Matson Navigation Company has failed to meet its obligations to the SUP Welfare Plan, and;

WHEREAS, the Sailors' Union of the Pacific has repeatedly demanded that Matson Navigation Company pay the money it owes to the Plan, and;

WHEREAS, Matson Navigation Company acknowledges that it owes money to the Plan but has thus far refused to pay, and;

WHEREAS, Matson Navigation Company has refused thus far to finalize the tentative wage settlement for the 071, Ro-Ro, C-8 and C-9 class vessels with the Sailors' Union of the Pacific due to its intransigence on the SUP Welfare Plan deficit issue, and;

WHEREAS, Matson Navigation Company's action call into question its willingness to bargain new Maintenance Agreements with the Sailors' Union of the Pacific prior to June 30, 2005, and;

WHEREAS, the membership views this situation as unacceptable, and;

WHEREAS, in accordance with Article XIV Section 2(j) of the Sailors' Union of the Pacific Constitution which states that the President/Secretary-Treasurer "is directed to take any and all measures, and employ such means, which are deemed necessary or advisable, to protect the interests, and further the welfare and financial well-being of the Union and its members," now;

THEREFORE, BE IT RESOLVED, that the President/Secretary-Treasurer shall be authorized to call a strike—if necessary—against Matson Navigation Company in accordance with Article XXV of the Sailors' Union of the Pacific Constitution.

Unions slam corporate greed at global solidarity conference in Long Beach

Labor leaders around the Pacific Rim denounced what they called excessive corporate greed at a conference of maritime and mining Unions on May 23 at the Long Beach Convention Center in California.

The conference, dubbed "Globalizing Solidarity," was held to

fortify relations among the International Longshore and Warehouse Union, its counterpart Maritime Union of Australia, and other Unions from Canada, Mexico, Japan, Panama, New Zealand, South Africa and Vietnam.

Richard Trumka, AFL-CIO

secretary-treasurer, used his impassioned keynote speech to lash out at the Bush administration, arguing that it tried to break the longshore Union during a 10-day lockout on the docks here in 2002.

"Four and a half years work-

continued on page 3



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SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

West Coast Sailors

Abraham Acosta	20.00*	Abraham Acosta	20.00
Emo Aulelava	20.00*	Robert Arnall	25.00
Karl Babl	20.00	Emo Aulelava	20.00
Brendan Bohannon	20.00*	John Ban	25.00
James Buster	20.00*	Herbert Blake	25.00
Steven Clemens	50.00*	Jennifer Corner	25.00
Robin Colonas	20.00*	C.L. Curl	25.00
Mike Dirksen	40.00*	Thomas Curran	30.00
Vince Estrada	10.00	Romaine Dudley	20.00
Vernon Haik	20.00	Thor Erikson	10.00
Norman Kwak	50.00*	Daniel Foster	20.00
Leo Moore	40.00*	Michael Fox	20.00
Mitch Roseveare	20.00*	George Gooden	25.00
Steven Ross	40.00*	Dean Gross	20.00
Gary Rymel	20.00*	Phil Howell	25.00
Whitey Secrest	50.00	Romero Jalomo	10.00
George Simpeir	20.00*	James Kula	25.00
Vince Sullivan	60.00	Stanley Lane	20.00
Douglas Taylor	20.00*	Gunnar Larsen	25.00
Frances Walsh	25.00*	Belfred Lomba	25.00
Eric Williamson	20.00*	Arthur Mebus	25.00

*In lieu of dues increase.

Political Fund

Abraham Acosta	20.00	Rich Reed	35.00
Emo Aulelava	20.00	Paul Reh fuss	20.00
Brendan Bohannon	50.00	Terrance Ryan	25.00
Robin Colonas	50.00	Chester Sherry	5.00
Jennifer Corner	25.00	Virgil Sieben	15.00
Andre Dayley	20.00	Ray Simpson	25.00
Mike Dirksen	50.00	William Smith	25.00
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Daniel Foster	20.00	Joseph Valverde	25.00
Robert Garcia	40.00	Richard Walsh	10.00
Joseph Ginez	10.00	Eric Weintraub	20.00
Charles Givens	20.00	Chester Williams	25.00
Dean Gross	20.00	Harry Williams	25.00
John Hamann	40.00	Earle Williamson	25.00
Monte Kalama	40.00	Johnny Yee	25.00

Dues-Paying Pensioners

Rafael Cooper	Book #4687
Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
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Eli Lalic	Book #4062
Gunnar Larsen	Book #3516
John McKeon	Book #6456
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Jack Stasko	Book #7430



Final Departures

Glenn J. Rector, Book No. 3039. Born in Arkansas in 1925. Joined SUP in 1948. Died in Vancouver, Washington, May 11, 2005. (Pensioner)

Frank Filas, Book No. 1743. Born in Illinois in 1922. Joined SUP in 1943. Died in Bakersfield, California, May 21, 2005. (Pensioner)

Lynn B. Schnieder, Book No. 7400. Born in Arizona in 1918. Joined SUP

in 1954. Died in Kingman, Arizona, May 27, 2005. (Pensioner)

Roger Stedman, Jr., Book No. 6678. Born in North Dakota in 1928. Joined SUP in 1944. Died in Stockton, California, June 7, 2005. (Pensioner)

George Sherbula, Book No. 6590. Born in Illinois in 1927. Joined SUP in 1945. Died in San Francisco, California, June 4, 2005. (Pensioner)

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Rich in history, The Sailor's Snug Harbor has been providing care to "aged, decrepit and worn out seamen" for more than 171 years. This organization can offer assistance to merchant seamen in two forms: The Mariner's Outreach Assistance Program (MOAP); or Snug Harbor on Nelson Bay, a comprehensive retirement center with space, service and amenities for seamen. Review below what each has to offer you, our Mariner.

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Bloody Thursday

Coastwise events Tuesday, July 5

San Francisco: ILWU Local 10, 400 North Point St. at 10:00 A.M.: Speakers, music and food.

Seattle, Washington: ILWU Local 19 will host a barbecue at Vasa Park on Lake Sammamish, off of Highway 90 from 11:00 A.M. to 4:00 P.M.

Wilmington: There will be a picnic at Peck Park, 560 North Western Ave., in San Pedro beginning at 11:00 A.M. The event is sponsored by ILWU Locals 13, 63 and 94. There will be speakers, music and fun for the entire family.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2005:

	Hdqs.	Branch
July	11	18
August	8	15
September	12	19
October	11*	17
November	14	21
December	12	19

*Tuesday

Timely Reminder Third quarter 2005 dues are due and payable now!

SUP Constitution ARTICLE VI DUES AND INITIATION FEE

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

The initial installment of One Hundred Thirty Dollars (\$130.00) shall accompany the application of membership and the dues shall be One Hundred Thirty Dollars (\$130.00) per quarter, payable in advance.

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. Second class postage paid at San Francisco. (USPS 675-180). Printed by Howard Quinn Co., a Union shop.

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Maersk to buy P&O Nedlloyd for \$3 billion

Danish shipping giant A.P. Moeller-Maersk agreed last month to pay 2.3 billion euros (\$3 billion) in cash for Dutch rival P&O Nedlloyd, expanding its fleet to cement its leadership of the industry.

P&O Nedlloyd's board will support the intended offer of 57 euros per share, which represents a 41 percent premium over its price before tie-up talks were announced on May 10, the container companies said in a joint statement.

"They are buying to defend their position as the top marker player," said Nordea Securities analyst Finn Bjarke Pedersen. "The price is high, but I'm sure that Maersk will make the investment profitable."

The P&O Nedlloyd/Maersk combination will have nearly 70,000 employees, 550 vessels and control more than 17 percent of the global shipping market—more than double its closet rival.

Before the offer was announced, the firm's stock traded at a discount of as much as 40 percent to its peers because it is efficient at keeping its ships full.

Maersk Line traces its origins back to 1904 when Arnold Peter Moller together with his father, Captain Peter Maersk Moller, established the Steamship Company Svendborg and began operating a 2,200 dwt steamer named *Svendborg*.

P&O Nedlloyd is the result of the 1996 merger of P&O Containers and Nedlloyd Lines. P&O was founded as Peninsular Steam Navigation Company in 1837, carrying mail between England, Portugal and Spain. Nedlloyd's origins go back to 1856 when the Koninklijke Nederlandsche Stoomboot-Maatschappij (KNSM) was founded in response to shipping shortages caused by the Crimean War.

Radiation scanners to be operational in Southern California ports

All international container traffic and vehicles imported into Los Angeles/Long Beach port complex will be screened for nuclear materials and hidden sources of radiation by the end of the year, the Department of Homeland Security announced on June 3. Ninety radiation monitor devices will be operational at the port by December, with three terminal locations, at Piers 400, 300 and Trans Pacific, at Los Angeles scheduled to go on-line by the end of this month.

"By applying advanced technology, we will soon be able to screen every vehicle and container entering the nation's busiest seaports for nuclear and radiological materials, without disrupting the free flow of trade. Complete and efficient coverage at the LA/Long Beach seaports is a major step forward for national security and a model for other ports," said Department of Homeland Security Secretary Michael Chertoff. In April, Oakland's seaport became the first in the country to have complete coverage.

The adjoining LA/LB ports receive a combined total of about 44 percent of all containerized cargo destined for the United States. Over 4.3 million foreign cargo containers arrived at the complex last year.

Matson to raise fuel surcharge

Due to sustained increased in fuel costs, Matson Navigation Company will raise its fuel surcharge in its Hawai'i and Guam/Commonwealth of Northern Mariana Islands (CNMI) services from 10.5 to 11.5 percent, effective July 3, 2005. According to a company press release, Matson has implemented a new program in which fuel costs are evaluated on a quarterly basis, with the fuel surcharge adjusted accordingly, up or down. The quarterly review process is designed to better allow customers to plan their shipping costs and anticipate any adjustments on a regular, predictable schedule. Adjustments are announced 21 days in advance of implementation, with the effective date being the first Sunday of the respective month.

"Record high fuel prices continue to be an area of concern for many businesses, as well as the average consumer," said Dave Hoppes, vice president, ocean services. "For transportation companies, fuel consumption is an unavoidable and significant component of operation costs. Many of the major railroads, trucking companies and international ocean carriers currently have fuel surcharges exceeding 14 percent. While we continue to invest in modern, fuel-efficient vessels that help reduce our overall fuel consumption, the impact of fuel prices on Matson's business remains a cost factor we cannot simply absorb. In the past three months, bunker fuel prices have risen 30 percent, necessitating this new adjustment."

Disability ruling hits cruise ships

The U.S. Supreme Court issued a landmark ruling on June 7, proclaiming that the Americans with Disabilities Act (ADA) does apply aboard foreign-flag cruise ships sailing in U.S. waters. The sharply divided court ruled 5-4 that operators must comply with ADA requirements unless "it requires removal of physical barriers" or demands other changes that "interfere with a foreign-flag vessel's internal affairs and operations". While the ruling will not require structural overhauls that could conflict with international safety codes and necessitate high refit expenses, it appears

likely to spur significant policy changes.

The Court said that ADA "might impose any number of duties on cruise ships that have nothing to do with a ship's internal affairs", citing reports of higher fares for the disabled, special surcharges, waiving of medical liability and other alleged policies that could be reasonably modified. The International Council of Cruise Lines pledged to work with the U.S. Access Board to develop regulations that reflect the Court's ruling. Meanwhile, ADA-related litigation will continue, as the ruling delegates the determination of specific issues to the lower courts.

Schwartz nominated to command USTRANSCOM

President Bush has nominated Air Force Lieutenant General Norton A. Schwartz to the rank of General with his next assignment as Commander, United States Transportation Command (USTRANSCOM).

Schwartz is currently serving as director of the Joint Staff in Washington, D.C. Prior to that assignment he was director for operations of the Joint Staff. If confirmed by the Senate, Schwartz will succeed Air Force General John W. Handy who has commanded both USTRANSCOM and Air Mobility Command (AMC) since November 2001. The change of command date, and the new commander for AMC have not been announced. Among other things, USTRANSCOM is responsible for the global, joint movement of combat units, sustainment cargo, and service member household goods and privately owned vehicles.

U.S. Seaman's Wage Act targeted by flag-of-convenience shipowners

The International Council of Cruise Lines (ICCL) is lobbying Congress to amend the Seaman's Wage Act after the law's steep penalties resulted in multi-million-dollar settlements against foreign-flag shipowners.

Royal Caribbean Cruises (RCCL), Norwegian Cruise Line (NCL) and Carnival Cruise Lines (CCL) have all faced class-action lawsuits alleging failure to pay overtime to crew working over 70 hours a week. RCL settled in 2003 for up to \$18.4 million. NCL is expected to

finalize a settlement next month requiring payment of up to \$25 million. CCL filed its defense on May 12, on a new claim initiated in March.

The Seaman's Wage Act stipulates that for every day a crewmember remains unpaid, the employer owes a penalty of two days' full wages. ICCL president Michael Crye said that the proposed changes would "modernize" the system but would also "resolve a claim based on what it's worth, not turn it into some sort of lottery jackpot."

Assistance needed to publish book on West Coast maritime lore

The Fund for Labor Culture & History, based in San Francisco, plans to publish, this year, the essays of noted labor folklorist Archie Green that have appeared periodically in the *West Coast Sailors* in recent years.

Entitled "Harry Lundeberg's Stetson and Other Nautical Treasures," the book will contain all Green's essays originally published in the *West Coast Sailors* plus new material. The essays cover, among other things, crimping, buckoism, shanghaiers, fink books, the shape-up and the black gang.

The book will be printed by the

Corquinez Press of Crockett, California, a Union shop.

Funding is needed to make the book a reality. Tax deductible contributions should be sent to:

The Fund For Labor Culture & History (FLC&H)
224 Caselli Avenue
San Francisco CA 94114

The tax identification number of the FLC&H is 943371542 (501(c)3).

Be sure to note on your check that the contribution is for Archie Green's maritime book.

Unions slam corporate greed continued from page 1

ing across the street from George W. Bush is like a lifetime without sunshine," said Trumka, who works out of Washington, D.C. "Bush locked arms with the employer and thought he'd make a name by busting another union. He was flat wrong because this union stuck together."

"Corporations have no ideology other than greed powered by buckets full of money," he continued. "Barriers to trade keep coming down while the price of commodities keeps going up. Corporate profits are up, but wages are down, stagnant for 20 years but now losing ground against inflation."

He said the conference should be used to deliver one global voice for labor.

"Companies are gaining enormous profits by pitting worker against worker all over the world," Trumka said. "In a nation built by workers and their families, union-bashing has become a cruel game. The question is, are we going to let it happen?" Trumka's question was met with a thunderous "no" and a standing ovation from the hundreds of labor representatives in attendance.

Meanwhile, international maritime labor leaders said they're fighting to preserve jobs amid advances in technology and the easing of foreign trade restrictions. "We're the people who deliver the goods and that's why we're under the hammer," said Paddy Crumlin, national secretary for the Maritime Union of Australia. "There's no room in free trade for the worker. There's no room in free trade for unions. And there's especially no room in free trade for strong transport unions. "It's up to us to make sure it won't be free trade. It will be fair trade."

Frank Leys, a secretary for the International Transport Workers' Federation, said attempts to downsize longshore work forces will be met with fierce resistance. "We will never accept them moving to (automated) handling of cargo," said Leys, a former dockworker in Antwerp, Belgium. "They don't want to get rid of those who move cargo. They want to get rid of those who move cargo who are organized."

State Senator Alan Lowenthal (D-CA), told the conference that he's fighting to make the businesses that use the port accountable for air quality problems and infrastructure efficiencies in Southern California.

"People want to get rich off of us, but they don't want to invest back into the infrastructure," said Lowenthal, who has enjoyed union support in elections to the state Assembly and Senate. "I know I can always count on workers, and we need to work to support the independent truckers in the port who are not represented."

Indonesia names cabotage commodities

Indonesia has identified 13 types of commodities that will be required by law to be transported in Indonesian-flagged vessels. The commodities include palm oil, coal, sand, LNG, general cargo, crude palm oil, fertilizer and agricultural products.

The move is aimed at implementing the principle of cabotage that reserves carriage of coastal cargo to Indonesian ships. Transport minister Hatta Rajasa expects the new regulations will boost market share of national ships in the carriage of coastal cargo from the existing 54 percent. Of the 13 commodities identified, six (oil, coal, general cargo, wood, crude palm oil and unhusked rice) account for 90 percent of the cargo that is carried on ships in domestic waters. Rajasa said the department is still carrying out an inventory of all the ships in Indonesia in line with preparations to implement the cabotage rule.

Sabine CEO appeals conviction

Rick Stickle, chairman and chief executive of U.S.-based Sabine Transportation, is appealing against his conviction on charges of dumping 442 tons of fuel-contaminated grain into the South China Sea in 1999. Stickle was convicted in Federal Court on April 1, and was sentenced to 33 months in jail and a \$60,000 fine.

In his appeal, Stickle maintains his innocence in the case, which also led to four other convictions of Sabine employees and a \$2 million fine for the com-

pany. Whistleblowers on board the 122,000 dwt, U.S.-flagged *Juneau* led prosecutors to Stickle and other executives and received an award of \$1 million from the fine.

The wheat, intended for distribution by humanitarian group CARE in Bangladesh, was contaminated by diesel fuel which leaked into one of the *Juneau's* main cargo holds. The company asked for permission to dump the grain at sea but was told that doing so violated U.S. law.

Finns dumped when ferry reflags

A court has ruled in favor of Viking Line, the Finnish ferry company, in a dispute with the Finnish Seamen's Union and the International Transport Workers' Federation (ITF) regarding the crewing of the 16,000 gt ferry *Rosella*. The company plans to transfer the flag from Finland to Estonia, but the Union opposed the move. The case moved to the United Kingdom after the ITF backed the Union, and the United Kingdom High Court of Justice then ruled that Viking Line has the right to employ non-Finnish seafarers and service personnel on the vessel.

However, the company has agreed to retain the 170 people currently employed on the ferry by transferring them over time to other ships in its fleet. Viking Line competes against Tallink, the Estonian ferry group, on the Helsinki-Tallinn service on which *Rosella* is employed. "*Rosella* will either be registered elsewhere or we will have to close the service," said Viking Line's Nils-Erik Eklund.

Mexicans release cement ship

The Mexican government has released the Panama-registered silo vessel *Mary Nour* after nearly a year under arrest. The ship left Altamira on June 21. The vessel's agent said that Mexican Customs released the vessel on June 17, and the federal prosecutor approved departure the following day.

The 34,194dwt vessel, owned by CTI Group in Jordan, was arrested on July 17, 2004 when it arrived in nearby Tampico with a cargo of 26,219 tons of Russian cement. Accusations were made that Mexico's cement giant Cemex was

behind the arrest, which then resulted in a defamation charge against the ship's charterer CDM—Comercio para el Desarrollo.

At the time, Cemex said that mooring the ship would interfere with a navigable channel leading to its terminal, but a spokesman for the ship claimed the company was just trying to bar foreign cement from the country. During its arrest, the ship's crew was interrogated by Mexican authorities and at times prevented from receiving stores of food and fresh water.

Drug runners use foreign-flag cruise ships

Arrests continued this month following a two-year investigation that has led to over 55 people being charged after using cruiseships to smuggle drugs into the United States, with the latest 10 being charged on June 9.

Led by a group of Jamaicans, the conspirators allegedly used ships from at least four lines to smuggle cocaine and heroin into the country from September 1998 until April 2004, said a spokesman for the U.S. Attorney in Miami. According to indictments, the smugglers strapped packets of the illicit drugs to their bodies during port visits in Aruba, St. Maarten, Panama and Curacao. Several vessels from various lines were used in the scheme, including Disney Cruise Line's Disney Magic, Celebrity Cruises' Horizon, Zenith and Millennium, Royal Caribbean Cruise Lines' Enchantment of the Seas and Nordic Empress and Norwegian Cruise Line's Norwegian Sea and Norwegian Majesty. If convicted, all of the defendants face a maximum statutory sentence of life in prison.

Pirates release Thai tanker hostages

The kidnapped master and crew member of a Thai product tanker have been released. They were kidnapped by Indonesian pirates who attacked the ship in the Malacca Strait on June 1. The two Thai nationals were escorted to Adang Island in Thailand on the night of June 15, and were picked up by the ship owner's representatives from a fishing boat. The ship, which has been named in reports as *BPP-14*, was carrying 1,600 tons of fuel oil from Ranong to Krabi. Details have not been revealed, but it is suspected that a ransom of \$35,000 was paid to secure the release against an initial demand of \$100,000.

Armed pirates in speedboats fired gunshots before boarding the vessel and escaping with the two crew members and the ship's trading documents, the Kuala Lumpur-based center said. The eight pirates are believed to be Indonesians and the attack is the first after the Japanese tug *Idaten* was boarded and three crew members kidnapped in March. They were released after ransom was paid. Referring to the recurrence of crew kidnappings, the centre's Regional Manager Noel Choong said, "Increasing patrols does reduce attacks temporarily, but is not the lasting solution. The gangs have to be identified and brought to justice."

Senate committee approves port projects

A U.S. Senate panel has approved \$5.29 billion for dredging and harbor projects, reversing proposed White House budget cuts. While not a done deal, the Senate Appropriations Committee has agreed the expanded civil works programme under the Army Corps of Engineers budget on June 16. American Association of Port Authorities president Kurt Nagle said the measure sets the stage for the Engineers "to better meet the nation's water resources needs".

The proposed administration budget set \$4.5 billion for civil works projects,

which amounted to a four percent cut from the previous year. Nagle has urged the full Senate to approve the committee's plan which, he says, "is a very positive signal that navigation projects at our nation's seaports will get more of the funds they critically need to start, complete and/or maintain waterways that are crucial to our economy." The bill includes \$735 million for deep-draft navigation operations and maintenance; at least \$500 million for deep-draft construction, and \$10 million for new project studies.

Chinese officers now in Japanese ships

Nippon Yuesen Kaisha of Japan (NYK) has confirmed that its first in-house-trained Chinese officers have completed their training and have been assigned to full seagoing service. The four men, two, third mates and two, third engineers, are now at sea on NYK container ships.

NYK started operations at training centers in Shanghai in October 2002 and Dalian and Wuhan in April 2003, recruiting graduates from Chinese universities to provide high-quality crews.

A spokesman for NYK said that the company, which previously relied exclusively on Philippine training centers for its in-house crewing needs, decided to broaden the geographical sourcing of its crews to include China, India and Eastern European countries in 2001. "We thought it was a risk to rely completely on one country for our crews," he said.

The new officers who are working together with Japanese and Filipino mariners are expected to be joined soon by a new group of graduates from the Shanghai center where the first class of 39 students is completing NYK's intensive course of shore-based and seagoing training. NYK said the training includes an overview of logistics and other areas of the company's business. "These men are expected to come ashore to work for NYK in the future," a spokesman said.

Suspected stowaways found dead

Malaysian police have taken charge of three bodies suspected to be stowaways in a container on board the Danish-flagged *Arnold Maersk*. The ship was bound for China from Europe. The bodies were reportedly discovered by the crew in an empty container after a protracted search to trace the source of a stench on board the vessel, *The Star* newspaper reported.

Following the discovery, the captain sought permission to berth at Tanjung Pelepas to file a complaint with the police. Senior CID official Abdul Rahim

Jaafar, on May 15, was quoted as saying that the bodies had been sent for a post mortem. The ship was allowed to leave with the entire crew of 31. The container in question originated from Morocco and was loaded on to the ship at a transshipment port in Spain. Identities have not been established, but the dead are said to be "dark-skinned males with curly hair".

"We are saddened that human lives have been lost and are fully cooperating with authorities in the investigation," a spokesman for Maersk said.

Gulf of Mexico dead zone arrives early

Scientists from Texas A&M, NASA, and Louisiana State University surveyed 120 sites in the Gulf during March. They recorded data to help them track the dead zone this summer. The scientists found 19 spots of oxygen-depleted water, or hypoxia. They didn't expect to find any, and said that because it has come so early this year, the area could become a severely hypoxic region.

Researchers believe the dead zone is caused by an influx of polluted freshwater from the Mississippi and Atchafalaya rivers. Fresh water floats over salt water and acts as a barrier to oxygen. Meanwhile, pollution also flows from the rivers into the Gulf, creating algae plumes that further choke off the oxygen.

House approves \$1.1 billion for food aid as part of Agriculture Appropriations Bill

By a vote of 408-18, the U.S. House of Representatives on June 8, passed a \$100.3 billion Fiscal Year 2006 U.S. Department of Agriculture (USDA) spending bill (H.R. 2744) that includes \$1.1 billion to fund the Department's P.L. 480 Title II Food for Peace Program, and \$100 million to provide grants under the McGovern-Dole International Food for Education and Child Nutrition Program.

The \$1.1 billion in P.L. 480 Title II funding represents a \$222 million increase over the amount requested by the Bush Administration, but a \$66 million decrease over last year's budget. Also, \$240 million in Title II funding was provided in the recently enacted FY 2005 emergency supplemental bill.

Rep. James P. McGovern (D-MA), commended House Appropriations Subcommittee on Agriculture Chairman

Henry Bonilla (R-TX) for his leadership, but also noted that the Food for Peace Program remains under-funded.

"Unfortunately, this bill under-funds the Food for Peace Program, which is one of our most important food aid and development programs," Rep. McGovern said in a statement on the House floor. "The program still remains below last year's level."

In a related development, the Senate Appropriations Subcommittee on Agriculture is scheduled to mark up FY 2006 agriculture appropriations legislation on June 21. The full committee considers the bill on June 23.

Under U.S. cargo preference laws, 75 percent of all food aid cargoes must be transported on American-flag vessels provided they are available at fair and reasonable rates.

Mariner arrested in Emirates for valium is released after 84 days

A Croatian mate has been released from jail in the United Arab Emirates after spending 84 days in detention accused of drug smuggling.

Denio Ruskovic, third officer on the V.Ships-managed ULCC *Marine Pacific*, was arrested in January as he signed off in Fujairah because he was carrying valium sleeping pills, which are banned in the UAE. On his release he was initially told he would have to pay a large fine and be banned from the country for the rest of his life. However, the case came up for appeal earlier this month and judges ruled he could go home with no fine or risk of deportation.

"He will get his passport back and he looks happy and relieved," said Mission to Seafarers' Dubai chaplain Stephen

Miller, who supported Ruskovic throughout his ordeal. Miller worked hard to secure Ruskovic's release, which included helping to get the prescription, which was in Croat, translated into English and then into Arabic, for the court —evidence which ultimately led to him being set free.

After his release, V.Ships paid for Ruskovic to stay at a hotel in Dubai. "However, the stress of the appeal, and the possibility that he might have had to go back to prison again, made him ill," said Miller. "He was admitted to a hospital where, ironically, he, was prescribed Valium." Miller has called on shipping agents in the UAE to warn seafarers of the danger of carrying even the most innocent of drugs when joining or leaving ships there.

Teamsters Union organize independent port truckers—first in 20 years

The International Brotherhood of Teamsters has signed its first contract with a U.S.-port trucking company in more than 20 years and is now forging ahead with plans to bring the country's owner-operators onto its rolls.

"This is the initial step to re-establishing the Teamsters in America's ports," said port division director Chuck Mack, announcing the contract with Long Beach-based Maritech Leasing, a subsidiary of Carrix. Teamsters assistant director Ron Carver said that hiring halls will be opened along the Eastern Seaboard beginning in July, allowing truckers to sign up for work with transport companies that agree to union contracts. "This is the year it's going to happen," Carver asserted, claiming that some carriers are finally coming to the conclusion that America's inland transport sector could fall further into 'chaos' unless truckers are offered relief.

The Teamsters are aggressively focused on unionizing owner-operators, who represent a key intermodal link and one that remains under intense financial strain.

Trucker shortage threatens Southern California cargo movement in 2005

A trucking shortage may ruin what is otherwise expected to be a smooth peak season at the Los Angeles/Long Beach port complex, experts said at Long Beach's 2005 peak season forecast.

Panel members representing the various components of the supply chain, including shippers, ocean carriers, terminal operators, organized labor, customs, trucking and railroad, predicted 2005 cargo gains of 10-15 percent over last year, and no logjams like those that plagued the ports in 2004. However,

panel member Bob Curry, Jr. of California Multimodal warned that the current shortage of truckers moving goods to and from the ports could be exacerbated during the peak season.

The shortage is expected to continue as the independent truckers, who are paid by the load, become more disgruntled as their average number of daily turn-around trips declines. That average, due to port congestion and other factors, dwindled from four a day in 2000 to just 2.2 last year.

China starts construction of world's largest yard

Construction of what will become the world's largest shipyard began on June 5, in China as part of its bid to be the biggest shipbuilding nation in the world.

In the first phase of a \$3.6 billion project, Jiangnan Shipyard is relocating to Changxing Island, near Shanghai, and will expand its capacity from the current 800,000 dwt a year to 4.5 million by 2010. The yard's first delivery from this new site is expected to be in 2009. The Changxing Island project is a key part of China's plan to be the world's leading shipbuilder by 2020.

Five major Unions form new coalition

The Service Employees International Union, UNITE-HERE, the United Food & Commercial Workers Union, the International Brotherhood of Teamsters and the Laborer's International Union of North America this month established a new coalition named Change to Win.

"We believe that this labor movement needs to be born again," said Bruce Raynor, president of UNITE-HERE, which represents hotel, restaurant and apparel workers. "The labor movement as personified by the current AFL-CIO structure has been unsuccessful in standing up for working families."

"The basic principle that brings us here today is that American workers cannot win a better life unless more workers belong to Unions," the presidents of the Unions said in a statement. "If the labor movement doesn't adopt dramatic changes today to cope with the new economy, it will find itself marginalized into oblivion. We

come together today to prevent that."

In an unusual move, AFL-CIO President John Sweeney issued a statement criticizing the coalition before the Union presidents had announced it.

"Workers are under the biggest assault in 80 years," Sweeney said. "Now more than ever we need a united labor movement. The clearest path to growing the Union movement and helping more workers form unions is by exercising our greatest strength—solidarity. Now is the time to use our unity to build real worker power, not create a real divide that serve the corporations and antiworker politicians."

Gerald W. McEntee, president of the American Federation of State, County and Municipal Employees, criticized the new coalition. "Forming this coalition is a step in the wrong direction because it's the first step toward a truly divided labor movement," he said. "Splitting the AFL-CIO will mean less power for workers."

Maritime Day aboard the O'Brien



Representing the Sailors' Union of the Pacific aboard the *Jeremiah O'Brien* for the annual Maritime Day Memorial Cruise, May 22, on San Francisco Bay, among others, are Sven Ostman and Bill Berger (pictured above in front of the SUP wreath) and Tom "Red" McGarvey and grandson Tyler Livy, standing in front of Captain Pat Maloney, the historic Liberty ship's skipper (right).



Transportation Secretary Norman Mineta emphasizes, short sea shipping benefits

Citing significant cost savings of water transportation compared to other modes, Secretary of Transportation Norman Mineta recently highlighted the benefits of establishing a fleet of Short Sea Shipping vessels to relieve mushrooming congestion on U.S. highways and to accommodate a projected international trade boom over the next 15 years.

The need to develop a Short Sea Shipping fleet as part of the Bush Administration's far-reaching maritime policy review program, more commonly known as the "SEA-21" initiative, was emphasized by Secretary Mineta in an interview published in the June 4, 2005, edition of the *National Journal*.

"If you look at our country... along the West Coast, we have Interstate 5. On the East Coast, we have I-95. Right up the middle, we have the Mississippi, the Missouri, the Ohio, and the Tennessee, a lot of inland waterways. One of the things I envision is this whole issue of Short Sea Shipping," Secretary Mineta said.

"Traveling I-95 from Maine to Florida, or I-5 from [the State of] Washington to California, they are just loaded with trucks," he noted. "The question is, given that there's going to be a 50 percent increase in freight traffic, those highways are not going to be able to sustain that kind of traffic. So, to give additional capacity to the whole traffic system, we want to be able to use the waterways as

highways."

Making use of the Nation's vast waterway system, as a complement to truck and rail transportation modes, will produce major cost savings, according to the Secretary, who used the transportation of wheat grown in the Midwest as an example.

"If you just take wheat as an example, to transport it by truck, it's something like 30 cents a bushel. By rail, it's something like 15 cents a bushel. And by barge, you can get it down to something like 9 cents a bushel," Secretary Mineta said. "So there are all kinds of benefits that come from utilizing all forms of transportation, especially... what can be transported by barge." Secretary Mineta also focused on the progress that the SEA-21 initiative is making within the Bush Administration, and what it will take to make the program a reality. "We have developed a policy statement and legislative framework for SEA-21," Secretary Mineta stated. "It involves the building and the expanding of the locks and dams along the Mississippi. It means dredging in terms of ports and utilizing the capability of ports on the East Coast and West Coast. Look at California's port complex of Long Beach and Los Angeles. Of all the containers that come into the United States today, 40 percent come through Los Angeles/Long Beach."

Source: AMC Washington Letter

MSP funding measure moves forward

The House of Representatives Committee on Appropriations has approved its fiscal year 2006 appropriations legislation for the Departments of Treasury, Transportation and Housing and Urban Development. Included within this legislation is \$156 million for FY '06 for the Maritime Security Program, the amount requested by the President and supported by the maritime industry. This is the amount necessary to fully support the operation of 60 U.S.-flag MSP vessels, the number called for in the MSP reauthorization legislation signed into law in 2003. The appropriations bill is scheduled to be considered by the full House of Representatives prior to the Congressional July 4 recess, and by the Senate before Congress recesses in August.

ESU Office Assignments

For the month of July, John Straley will be in the Seabrook office and Tommy Thompson will be in the Benicia office.



JUNE 2005

Official Publication of the Exxon Seamen's Union

War Zone Pay — Arbitrator rules in Union's favor

On May 13, the Neutral Arbitrator for the American Arbitration Association (AAA), Ms. Diane Dunham Massey by way of a draft decision, notified the Union she had ruled that SeaRiver Maritime, Inc. violated Article IV, Section 15 of the Collective Bargaining Agreement (CBA) titled, "War Zone". The Exxon Seamen's Union had filed grievance against the company in June of 2003, contending that the Company did not, in good faith, negotiate a War Zone Bonus.

This matter was heard on February 16, 2005 at Seabrook, TX. Present for the Union were Executive Board officer's Jerry Patterson and Tommy Thompson, as well as Union Counsel, Sharon Groth. ESU President, Jerry Patterson was the sole witness for the Union.

Delays in bringing this matter were experienced when in June of 2004, the Union mutually agreed to postpone a May 2004 arbitration date believing that the Company was interested in resolving the issue. Following a May 19, 2004 negotiation session it became evident to the Union that management was not negotiating in good faith in respect to the terms of the CBA. Subsequently, the Union moved forward with the grievance and requested that an Arbitration hearing date be reset.

Further delay was experienced when a rescheduled September 24, 2004 arbitration date had to be postpone and moved to the February 16, 2005 date, due to storm warnings associated with the remnants of Hurricane Ivan.

Below are some of the pertinent excerpts from the Arbitrators draft decision:

THE ARGUMENTS

The Union contends that the Company violated Article IV, Section 15, when it did not meet its contractual obligation to bargain in good faith about war zone bonuses. The Arbitrator would have to agree for several basic reasons.

The Language of the Agreement

The language requires the Parties "to bargain with respect to war area bonus...payable to employees on vessels so trading." When the Company came forward at the second meeting, its proposal was intended to cover only employees aboard any vessel that "is char-

tered to the Department of Defense." In the mind of the Neutral Arbitrator, such a proposal amounts to an attempt to rewrite the relevant contract language. The evidence indicates that the Company never came to the bargaining table to negotiate "with respect to war area bonus...payable to employees on vessels so trading." Thus, under the terms of the CBA, the Company did not come to the table to negotiate war area bonus as contemplated by Article IV, Section 15.

The Transaction at the Meeting

After the Company's proposal, which has been previously quoted, the Union responded by reissuing the same proposal that it set forth initially. In so doing, the Union was placing the Company on notice that additional restrictions to the already existing contract language would not be acceptable. The Board of Arbitration must agree with the Union's position. In its statement issued in response to the Company's proposal, the Union asserted the following:

We have read your proposal and we have a response.

The basis on which we came here to negotiate a War Zone Bonus was that the company would not assert that a war zone did not exist under the contract language in Article IV, Section 15. All of the arguments that the company presented in support of its proposal do exactly that—assert that a war zone did not exist. That is the effect of all of the data that Ed presented concerning competitors and other entities, some of which we have never heard of. In the Union's opinion all the company has done is to use this opportunity to attempt to rewrite our contractual provision concerning war risk.

Our proposal to the Company still stands and we expect the Company to negotiate a financial resolution for our members who served in the War Zone identified by the Department of Defense from March 19 through May 1, 2003.

Our Contract language is clear and further we think it is unconscionable for the company to refuse this contractual benefit to employees the company has placed at increased risk by requiring they serve in war zone declared by the federal government.

We strongly urge you to reconsider our proposal.

(Emphasis added)

Hence the evidence indicates, the Union did not simply reject the Company's proposal and walk away. Instead, the Union made it clear that it felt the Company was not present to negotiate as contemplated by the terms of Article IV, Section 15.

Contractual Obligations of Good Faith

Moreover, a provision, such as Section 15, contemplates that the Parties will generally attempt to reach agreement under the plain language of the CBA. Therefore, a proposal that is radically different than what has been historically agreed upon may be suspect as bad faith bargaining.

AWARD

The grievance is sustained. The Company violated the Collective Bargaining Agreement relating to Article IV, Section 15 beginning in May of 2003 and continuing to this date. The Parties are ordered to return to the bargaining table to bargain in good faith concerning the terms of Article IV, Section 15. The Board of Arbitration shall retain jurisdiction in the event that an interpretation of the remedy is necessary.

This decision now requires SeaRiver Maritime, Inc. to re-enter into negotiations, in good faith with the Exxon Seamen's Union in order to negotiate a War Zone Bonus for those ESU members that served aboard the *S/R Mediterranean* during the stipulated time period and government designated zone during Operation Iraqi Freedom. Additionally, in a not so common occurrence, the Arbitrator will retain jurisdiction of this matter until resolution has been reached.

At press time, no negotiation date has been set by the Executive Board and SeaRiver management to continue negotiations on this matter. Presently, the parties are awaiting the final draft of the Arbitrator's decision before moving forward on scheduling any further meeting(s).

The Union is pleased that its position was validated by this decision. Also, the Executive Board wishes to recognize the outstanding guidance that it received from Union Counsel, Sharon Groth whom, as in the Demotion Arbitration hearing (reported in the May WCS/ESU News) represented the Union's position admirably.

Four Ship Representative terms to expire; Nominations forms now being accepted

ESU Ship Representative positions aboard four (4) vessels are up for election and the present terms are due to expire December 31 of this year. The Union is now accepting nomination forms from eligible members wishing to run for any of these vacancies.

Following is a list of vessels with Ship Representative positions up for election:

SeaRiver Baytown
SeaRiver Columbia Bay
SeaRiver Galena Bay
SeaRiver Wilmington

Nominations forms must be received in the ESU Seabrook office no later than October 1, 2005. Requirements for nomination forms as found in the ESU Constitution and By-laws (Article V) and a partial list of eligibility requirements are as follows:

- A nomination form must designate which one Union Officer position the candidate is seeking and denote which department the candidate is in.

- Signatures of fifteen (15) members in good standing are needed for a nomination to any Executive Board position.

- Nomination forms should be mailed by certified mail to the primary Union office (Seabrook, TX.) if there could be any question concerning the timely receipt of the nomination.

Additionally, eligibility requirements for members desiring to be candidates for either one of these two Executive Board positions are also described within Article V. A partial list of these requirements follows:

- A member otherwise eligible to run for office shall become a bona fide candidate only upon his/her nomination for office and acceptance of the nomination.

- To be eligible for nomination a member must have his/her dues paid through the month in which the nomination is made.

- Eligible members may either nominate themselves or be nominated by other members in good standing.

- Ship Representative positions will be for three (3) year terms. These terms will run from Jan 1, 2006 to December 31, 2008.

- The ESU Constitution and By-laws

(Article IV, Section 7) clearly define the duties of Ship Representatives. Among the listed duties are:

- Enroll new members into the Union.
- Call meetings of the Union at least once a month when aboard, read all communications to the member, record the minutes and post the same on the Union's bulletin board and forward a copy to the Exxon Seamen's Union office.
- Take needed action to solve problems at the shipboard level.
- Handle all grievances of individual members aboard their ship and represent the members both individually and collectively in any matter affecting their interest.
- Keep minutes or appoint a member to keep minutes of Union meetings held aboard ship and send a copy of the minutes to the principle Union office.

Ship Representatives are the foundation in which an effective Union rests. Candidates for this position should have a true commitment to Union ideals and strive to have a good understanding of the Collective Bargaining Agreement,

particularly as it pertains to "work rules" onboard their vessels. Intrinsic to this position is the need to serve the greater good of the Union in a selfless manner.

Skilled Ship Representatives have been instrumental in correcting intolerable work situations that prevail on a particular vessel throughout the history of the Exxon Seamen's Union. The Representative will receive both guidance and support from the Executive Board. As the frontline of the Union, this position is key in maintaining a strong Union presence and in providing the day-to-day contact with the membership of this Union.

Members willing to accept this responsibility and perform their duties will derive an immeasurable amount of self-satisfaction from this position and garner the respect and gratitude of the membership. The need for eligible individuals to offer themselves for consideration to these positions cannot be understated; so important is the Representatives job to the overall health of the Union.

ESU News

Two Executive Board terms to expire; Nominations forms now being accepted

Both the positions of ESU President and Recording Secretary are due to expire December 31, of this year and the Union is accepting nomination forms from eligible members wishing to run for either of these offices. Nominations forms must be received in the ESU Seabrook office no later than October 1, 2005.

Requirements for nomination forms as found in the ESU Constitution and By-laws (Article V) are as follows:

- A nomination form must designate which one Union Officer position the candidate is seeking and denote which department the candidate is in.

- Signatures of twenty-five (25) members in good standing are needed for a nomination to any Executive Board position.

- Nomination forms should be mailed by certified mail to the primary Union office (Seabrook, TX.) if there could be any question concerning the timely receipt of the nomination.

Additionally, eligibility requirements for members desiring to be candidates for either one of these two Executive Board positions are also described within Article V. A partial list of these requirements follows:

- A member otherwise eligible to run for office shall become a bona fide candidate only upon his/her nomination for office and acceptance of the nomination.

- To be eligible for nomination a member must have his/her dues paid through the month in which the nomination is made.

- To be eligible for election to the Executive Board, the nominee must be a qualified driver possessing a current, valid auto driver's license.

- Candidates in good standing in the fleet who have at least two (2) years of continuous service in the Company, and who has been a member of the Union at least one (1) year, may stand for nomination to the Executive Board.

- Eligible members may either nominate themselves or be nominated by other members in good standing.

These Board positions will be for three (3) year terms. These terms will run from Jan 1, 2006 to December 31, 2008.

Besides requirements listed for eligibility to these positions, there are other job specific facts that members should be aware of when considering nomination for these positions. In general, rotations are on a sixty-day on/off rotation of office assignments. These rotations are necessary to allow for consistency in assignments between the four (4) principles. To facilitate these rotations it may become necessary from time to time for those elected to these positions to modify their paid leave schedules and take unpaid LOA's when re-

quired, to facilitate rotations.

Inherit with these positions is the need of the Union to have Board Officers available during their paid leave. Ongoing issues may require communication by telephone and email between the Officer on paid leave and the ESU Officer's in office. Fluid communication between Union officers in office and at home is essential for the efficient operation of the Union. Moreover, prospective candidates should be aware that it is not uncommon for individuals holding these positions to be required to travel and meet with other Board Officers during their off times for such matters as negotiations, arbitrations and other Union/Management meetings that may become necessary.

The ESU is a modern operation that is equipped with the office equipment found in any office environment today. Document control is a vital part of the daily tasks that are required to be performed by the Board. This includes the use of filing of hard copies as well as computer filing of documents. The volume of communication documents generated on a daily basis is significant. A basic level of computer skills is essential in performing these necessary responsibilities.

In performing union duties, both written and verbal communication skills are essential. Officers on a daily basis use written communication. Writing skills are called on to communicate by email and formal business letters with, among others; members, company managers, attorneys, regulatory agencies and other trade unions. Further, abilities to write are necessary in the production of this *ESU News* publication that is generated on a monthly basis by the Board Officers that are on office assignment.

A significant amount of an Executive Boards day is spent in conversation with members, attorneys and management. Members considering becoming a candidate for one of these positions must feel confident that they have the basic verbal skills necessary to professionally represent the ESU in all forums.

Historically, existing Board Officers are available to assist incoming Executive Board Officers. As in any new job position the Union recognizes that it is necessary to allow a new Officer time to acclimate themselves with the job. And they are given the guidance and assistance necessary. However, it is incumbent on the prospective candidate to have certain basic skills to be successful in representing the membership.

Candidates confident in their ability to adapt to the job duties of an ESU Executive Board Officer will find that these positions provide for an enormous amount of self-satisfaction in assisting and representing their fellow Exxon Seamen's Union members.

Negotiations continue



After 10 days of formal contract negotiations starting in early May in an attempt to gain a new Collective Bargaining Agreement the ESU's Executive Board and the SeaRiver Maritime, Inc. negotiating committee are scheduled to resume negotiations again on June 21-24. The present CBA is scheduled to expire August 31 of this year.

ESU Bargaining Committee: Seated L/R; President Jerry Patterson, Legal Counsel Sharon Groth, Recording Secretary Tommy Thompson. Standing L/R; Vice President John Straley, Deck Trustee Pat Campbell, Stewards Advisor Tom McKee, Engine Trustee Will Ackley, Secretary/Treasurer Bob Knight.

Ship reports

S/R American Progress

ESU Board Officer visited the vessel on June 4, at City Dock in Beaumont, TX and again at the Galena Park, TX. KMI dock on June 18. Ship is presently in route to LB/LA before transiting to Singapore Shipyard. Regular Ship Representative Ed Caldwell is on paid leave and Rowan Mallet is filling in as the Temporary Ship Representative and reported all is running smoothly.

S/R Baytown

Vessel continues in the ANS trade to Washington State ports. Ship is scheduled for a San Francisco bay area visit late in June. Ship Representative Mark Myser on board and reporting no shipboard issues.

S/R Columbia Bay

Vessel last visited on April 12, at the Valero Dock in Benicia, CA. May and June visits to SF Bay Area coincided with negotiation sessions in Galveston, TX, resulting in no E.Board visits. Tentative schedule show vessel alternating discharge ports between Washington State and SF Bay Area. Thor Floreen is anticipating a relief and no beefs are being reported.

S/R Galena Bay

Board Officer visited vessel on June 13, at Valero dock in Corpus Christi, TX. Steve Bowles is filling in as Tem-

porary Ship Representative. Steve reported no beefs, everything running smoothly. ESU Representative George Taylor resigns (see article: *S/R Galena Bay* Representative resigns). Vessel continues on Gulf Coast trade.

S/R Hinchinbrook

Vessel continues on the Puget Sound to Valdez run. Representative Danny Jones due to be discharged to paid leave and AB Rudy Benevides to assume the reign in Danny's absence. Vessel is keeping in contact with the Union and reporting all is well and running smoothly.

S/R Long Beach

Ship visits conducted May 29 and 30 at ExxonMobil, Benicia, CA. Vessel was rerouted to Valdez to load while in transit to Singapore due to tonnage shortage. Vessel discharged ANS load in LB/LA and departed June 19 for yard period. Frank O'Malia to serve as ESU Representative as Joe Graca goes to paid leave. No beefs.

S/R Wilmington

Board Officer visited the ship on June 2 at the ExxonMobil Dock in Baytown, TX. Regular Ship representative Charlie Pollard on paid leave and Jeff Harris is filling in as the temporary Ship Representative and reports no problems on board. Ship continues on Gulf/East coast trade.

S/R Galena Bay Representative resigns

ESU Ship Representative George Taylor has notified the Executive Board that he has tendered his resignation from SeaRiver Maritime, Inc. and has left the Company to explore other employment opportunities.

Due to this vacancy occurring so close to the scheduled election, the ESU Executive Board has determined that a Board nomination of an interim Ship Representative would not be necessary or feasible, based on the time that would be required to properly notify the membership of the vacancy and allow interested eligible individuals to inform the Executive Board of their interest to be considered for appointment. Even after a member was selected for appointment, that member's paid leave may carry them well into the fall, further delaying an appointed Representative actually being aboard the vessel, much before the installation of a newly elected Representative. George's contributions to this Union are greatly appreciated and best wishes are extended to him in his future endeavors.

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

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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President Jerry Patterson

Vice President John Straley
Secretary/Treasurer Robert Knight
Recording Secretary Thomas Thompson III

Deck Trustee Patrick Campbell
Engine Trustee William Ackley
Steward Trustee Gerard Nelson

Sailors' Union of the Pacific/ Training Resources, Ltd.

Schedule of Course Offerings for 2005

The following dates are tentative. Contact Steve Messenger (415 778-5490) for more information.

STCW 95 Basic Safety Training

- Basic Fire Fighting
- Basic First Aid
- Personal Survival
- Personal Safety and Social Responsibility

Jul. 11-15	Aug. 22-26	Oct. 3-7	Nov. 14-18
Jul. 25-29	Sep. 12-16	Oct. 17-21	Dec. 5-9
Aug. 8-12	Sep. 19-23	Oct. 31-Nov. 4	Dec. 12-16

LMSR Vessel Training (MSC approved)

Jul. 12-22	Sep. 13-23	Oct. 11-21	Dec. 6-16
Aug. 9-19		Nov. 8-18	

Small Arms Training (MSC approved)

Jul. 25-27	Sep. 26-28	Oct. 24-26	Dec. 19-21
Aug. 22-24		Nov. 21-23	

Able Seaman (AB)

Jul. 11-23	Sep. 12-24	Oct. 10-22	Dec. 5-17
Aug. 8-20		Nov. 7-19	

Survival Craft (Lifeboatman)

Jul. 11-14	Aug. 22-25	Oct. 3-6	Nov. 14-17
Jul. 25-28	Sep. 12-15	Oct. 17-20	Dec. 5-8
Aug. 8-11	Sep. 26-29	Oct. 31-Nov. 3	Dec. 19-22

Training Information and Enrollment

Contacts

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The Andrew Furuseth School of Seamanship at Headquarters requests any donations of pictures, memorabilia, correspondence and working gear representing "The Life".

Contact Romaine Dudley for more information.

Editor's Note: For those who want to receive the *West Coast Sailors* in a more timely manner, subscriptions **via first-class mail** are now available (one-year intervals only) for \$25 per year.

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West Coast Sailors
450 Harrison Street
San Francisco CA 94105



Welfare Notes

June 2005

We're Moving!

On July 1, the offices of the SUP Welfare Plan, presently located at 450 Harrison Street, San Francisco, and the SIU-Pacific District Pension Plan and SIU-Pacific District Supplemental Benefits Plan, presently located at 1422 Market Street, San Francisco, will relocate to:

730 Harrison Street
San Francisco CA 94107-1242

The SUP Welfare Plan will be in *Suite 415*.
SUP Welfare Plan telephone and fax numbers remain the same.

The SIU-Pacific District Pension Plan and
SIU-Pacific District Supplemental Benefit Plan
will be in *Suite 400*.

The new telephone and fax numbers are:
Main (415) 764-4990 Accounting (415) 764-4907
Pension (415) 764-4987 Administrative (415) 764-4993
Supplemental Benefits (415) 764-4991 Fax (415) 495-6110

The Seafarers' Medical Center will relocate to the same location around August 1. The Andrew Furuseth School of Seamanship and Training Fund Representative Steve Messenger will continue to maintain offices at SUP Headquarters.

CORRECTION

The SUP Welfare Plan, Inc. and Andrew Furuseth School of Seamanship Training Plan Annual Reports, printed in the May *West Coast Sailors*, were inaccurate in part due to editor's error. The corrected paragraphs follow:

SUP WELFARE PLAN, INC.

Basic Financial Statement

The value of Plan assets, after subtracting liabilities of the Plan, was \$17,271,208 as of July 31, 2004, compared to \$20,840,265 as of August 1, 2003. During the plan year, the Plan experienced a decrease in its net assets of \$3,569,057. This decrease included unrealized appreciation or depreciation in the value of plan assets; that is, the difference between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year or the cost of assets acquired during the year. During the plan year, the plan had total income of \$5,087,531 including employer contributions of \$4,370,568, participant contributions of \$50,683, realized losses of \$210,242 from the sale of assets, earnings from investments of \$865,884 and other income of \$10,638.

Plan expenses were \$8,656,588. These expenses included \$1,212,270 in administrative expenses and \$7,444,318 in benefits paid to participants and beneficiaries.

ANDREW FURUSETH SCHOOL OF SEAMANSHIP TRAINING PLAN

Plan expenses were \$648,797. These expenses included \$158,828 in administrative expenses, and \$489,969 in benefits paid to participants and beneficiaries.

SUP Welfare Plan

450 Harrison Street, San Francisco CA 94105

Telephone Numbers:

Main (415) 778-5490
Eligibility active members/dependents (415) 778-5491
SUP Money Purchase Plan, SUP 401(k) Plan,
Pensioner Medical Benefits (415) 778-5493
Toll Free Number (800) 796-8003

Record of SUP Shipping June 2005

	Hdqg	Seattle	Wilm	Hono	Total
Bosun	4	3	3	1	11
Maint. Man	5	0	0	0	5
Watchman	0	0	0	1	1
A.B. Dayworker	0	0	5	2	7
A.B.	18	8	12	1	39
O.S.	2	2	0	1	5
Standby	22	6	58	33	119
TOTALS	51	19	78	39	187

Carnival Cruises agrees to employ Union baggage handlers in Alaska

Members of the International Longshore and Warehouse Union (ILWU) from Alaska, Canada, and the West Coast staged a dockside demonstration on June 8 in Whittier, Alaska, to protest Carnival's refusal to allow Union members to load and unload baggage for the *Spirit*. Since last summer, the cruise line has used its own workers to handle baggage.

Five longshoremen were arrested during the protest on charges of disorderly conduct and obstructing traffic.

"There was a lot of back and forth, and some posturing," ILWU local president Carl Norman said. "We finally convinced

them that it was in their best interest to return that work to U.S. citizens."

Carnival spokeswoman Jennifer De La Cruz said the company and union have reached a compromise that would allow the longshoremen to perform baggage handling responsibilities.

ILWU workers make \$29 per hour to secure vessels at the docks, handle baggage, and load cargo onto cruise ships in Whittier, Alaska, said Brother Norman. All of the cruise lines using Whittier as a point for loading and unloading passengers use union workers. Carnival was the only line that refused to honor the ILWU contract.

USAID vows to stand firm on food aid

The U.S. Agency for International Development's (USAID) Acting Assistant Administrator William J. Garvelink this month vowed that his agency will continue to stand firm against efforts by some member nations of the World Trade Organization (WTO) to do away with in-kind food aid such as the U.S. Department of Agriculture's (USDA) P.L. 480 Title II program. "We will continue to do all we can to ensure that the WTO Doha Development Round does not restrict in-kind food aid," Garvelink said in testimony delivered June 16, before the House Agriculture Committee's Subcommittee on Foreign Agriculture Programs. "If food aid is unduly restricted, it will inhibit development, worsen food insecurity, and create instability in developing countries and lead to unnecessary deaths in the developing world," Garvelink cautioned. The United States has made two presentations before the WTO on U.S. food aid policies and programs, he noted. In these presentations, it was stated that any new agreement must ensure that adequate food aid levels are maintained in keeping with global needs; that food aid continues to be an internationally accepted form of assistance when it targets food insecure populations; and, that trade distortions must be minimal, the USAID official said.

America's P.L. 480 Title II program "has been a critical tool in fighting hunger and poverty worldwide," Garvelink told the Subcommittee. "Since 1954, Food for Peace has sent more than 108 million metric tons of American food...to more than 150 countries."

W. Kirk Miller, General Sales Manager of USDA's Foreign Agricultural

Service (FAS), said that "current rules governing food aid are adequate," but that it was his understanding that "new disciplines in food aid will be part of a final WTO agreement."

"The real challenge will be agreeing on disciplines that encourage donors to meet vital humanitarian and development needs, while assuring no commercial market displacement," Miller stated.

Testifying on behalf of private voluntary organizations which are members of the Coalition for Food Aid, the organization's Executive Director Ellen S. Levinson also urged U.S. negotiators to oppose any restrictions on international food aid that would end programs such as the USDA's P.L. 480 Title II program. "It is critical that the United States stands firm against such restrictions," Levinson said in a statement submitted for the hearing record.

"The WTO's objective is to provide ground rules for international commercial trade," Levinson said. "Within this context, the trade agreement should be limited to the aspects of food aid related to trade interests," or to "avoid the use of food aid to circumvent limitations on export subsidies."

"Food aid in all of its forms is an important resource to address emergencies and chronic food insecurity, and the WTO lacks the expertise and scope to define or to limit these activities," Levinson stated.

The June 16 oversight hearing was the first of a series of hearings to be held by the Subcommittee on Foreign Agriculture Programs, chaired by Rep. William L. Jenkins (R-TN).

Source: AMC Washington Letter

Singapore: Malacca threat "real and urgent"

Singapore has once again called for outside assistance in securing the Strait of Malacca. Singapore Prime Minister Lee Hsien Loong said that although the littoral states—Malaysia, Indonesia and Singapore—have the primary responsibility for security, "they need to harness the significant resources of the major user countries." Appearing to link piracy with terrorists, Loong said that terrorists have been studying maritime targets in the region, and added that the threat is "real and urgent."

However, Malaysia's deputy prime minister, Najib Tun Razak, reiterated his country's opposition to third party patrols, although he stressed the need for effective coordination.

Pakistan aids seafarer employment

Pakistan is soon to launch a "Machine Readable Seamen's Book" in a bid to tackle forgery of seafarer documents. "We are close to signing a deal with National Data Registration Authority to start the project by the end of this year," said a senior Ports and Shipping ministry official. "This would also facilitate employment of Pakistani seafarers on foreign vessels."

More than 25,000 officers and ratings are currently registered as bona fide seafarers, 97 percent of them sitting idle following the 9/11 terrorist attacks and subsequent strict maritime security regulations rendering them jobless. Meanwhile, Pakistan is to introduce a seafarer training reform program through the country's public and private marine academies to meet the new global challenges.

Navy League president: U.S. Merchant Marine "essential" to support America's armed forces

"A strong U.S.-flagged Merchant Marine is essential if our front-line forces are to get to the fight well armed and in time to make a difference."

That was the message voiced by Navy League of the United States President Sheila M. McNeill to her 65,000 members in the May, 2005 issue of Seapower magazine, the organization's official publication.

Outlining the Navy League's legislative agenda for the 109th Congress, Mrs. McNeill also underscored the importance of the Maritime Security Program (MSP), which provides ships and seafarers to the U.S. Department of Defense during time of war and other national emergency.

The Navy League President urged Congress to approve funding to support an expanded MSP from 47 to 60 ships that will go into effect on October 1st of this year. The MSP is "a cost-effective means of transport," Mrs. McNeill said.

She also called for recapitalizing the Government's Ready Reserve Force (RRF) fleet of 59 vessels, noting that they are kept in reserve "for quick response to the military services for rapid movement of troops or materiel." The RRF "should be recapitalized to ensure the Nation's continued success at rapid deployment," Mrs. McNeill said.

The Navy League President also emphasized the need for U.S.-citizen merchant mariners and other members of America's sea services as the nation continues the Global War on Terror.

"Even the most advanced equipment and efficient logistics will not keep our nation strong and free," Mrs. McNeill said. "That is the task of those who wear the cloth of our nation. The men and women of our sea services and the Merchant Marine must be well-paid, highly

trained, expertly led, and confident that their families are supported and protected as they stand on the front lines of freedom and democracy."

The organization's legislative agenda also calls for full funding for the Department of Transportation's SEA-21 initiative, and the U.S. Merchant Marine Academy, along with programs at State maritime academies and maritime industry training facilities.

"Funding for DOT's SEA-21 initiative is needed to provide resources to maintain waterways, ports, intermodal connections, and Short Sea Shipping - crucial to economic security," the organization's legislative agenda stated.

And, "full funding for the U.S. Merchant Marine Academy and programs at State maritime colleges and maritime industry training facilities is needed to ensure sufficient numbers of licensed mariners," the agenda said.

"These are challenging times for the sea services and the Merchant Marine," the Navy League President stated. "They continue to pursue the Global War on Terrorism as they transform to deal with the fast-changing security landscape of the 21st Century."

"The Navy League is rising to this challenge with a legislative agenda for the 109th Congress that provides vital support to our sea services as they take on broader missions in an era of fiscal restraint," Mrs. McNeill said.

[Editor's Note: The above report is based on one of the last of President McNeill's messages to Navy League members. In early June, Mrs. McNeill completed her two-year term as Navy League President. She will be succeeded by Lt. Col. John A. Panneton, USMC (Ret.).]

Source: AMC Washington Letter

AFL-CIO Website showcases Union ware

After 30 days in business, www.shopunionmade.org, the first-of-its-kind all-union electronic shopping mall, is experiencing a steady growth in traffic. Shopunionmade.org is the definitive database for discerning shoppers who want quality goods and services produced by union workers. Available products range from coffee to Union Built PCs; union-made clothes, shoes, school supplies, health care products and sporting goods; house wares, cell phones, toys, and automotives to union vacations. The website was created by the AFL-CIO's Union Label & Services Trades Department (ULSTD).

"We are frankly surprised and pleased to learn that there is at least one union-made alternative for just about every product or service that the typical shopper wants or needs. In most cases, union-produced brands are competitively priced and offer better quality than off-shore, non-union rivals," said ULSTD Secretary-Treasurer Matthew Bates.

Here's a brief list of some of the well-known brands that visitors to the shopunionmade.org can find: Callaway golf products, Oral-B toothbrushes, stylish clothes from Justice Clothing, Louisville Slugger bats (wood and aluminum), Union Built PCs, cars, trucks and vans from Chrysler, Ford,

General Motors and Toyota, Gallo wines, even camper-trailers from Fleetwood, Airstream, Chateau and Citation.

Louisiana senate approves cruiseship gambling to compete with foreigners

The approval of gambling onboard cruise ships was a big victory for the Delta Queen Steamship Company. The senate approval would allow the "Delta Queen," which is based in New Orleans, to offer gambling to its passengers, and compete with foreign cruise lines that already provide gambling.

The state's governor, Kathleen Blanco, opposed the bill because she is against any expansion of gambling in Louisiana. However, State Representative Danny Martiny, (R-Kenner), said the bill would allow the "Delta Queen" to compete for tourist dollars, and only passengers paying \$700 to \$1,500 per person for the 48-hour cruise would be allowed to gamble.

The "Delta Queen" cruise begins and ends in New Orleans and has 400 overnight berths for passengers. Gambling proceeds from the cruise will be taxed at a rate of 18.5 percent, and will be split by the city of New Orleans and the state.



SUP President's Report

June 14, 2005

MATSON NAVIGATION COMPANY

The SUP and MFOW met with Matson on May 12, and May 23, to continue discussions on the agreements covering the CV 2600 vessels (*Manukai*, *Maunawili*, *Manulani*), the other vessels in the Matson fleet (except the ITB *Moku Pahu*) and the SUP and MFOW Maintenance agreements.

While the company took the position that it desired a so-called "global settlement" that tied all three agreements together, the Unions pointed out that in light of the amended contract, agreed to and ratified in April 2003, after Matson threatened to time-charter the *Manukai* instead of buying her, the agreements were separate and distinct.

Captain Jack Sullivan, Vice President, Vessel Operations & Offshore Labor Relations, finally acknowledged that the 3.25% increase in wages and wage-related items in the CV 2600 vessels will be paid as per the agreement on July 1.

As far as the other vessels in the fleet are concerned, the 2003 agreement calls for the parties to limit their discussions to increases in wages and wage-related items. If the Unions and the company cannot come to an agreement by June 15, the issue will be submitted to arbitration. Ironically, the parties did arrive at a tentative framework of agreement, which includes wage increases in 2005, 2006 and 2007 plus the restoration of Columbus Day and Kamehameha Day in the CV 2600 vessels. However, Matson so far has refused to provide a draft Memorandum of Understanding for review.

The last contract covering the Maintenance Agreements has not yet been fully discussed although that agreement expires on June 30. In order to gain input on shoregang issues, met with members employed in the Paint & Rigging gang in Honolulu on May 16.

The key issue in discussions with Matson—and one that has been in the forefront for well over a year—is Matson's refusal to comply with its obligations under Section 29 of the General Rules regarding proper funding of the SUP Welfare Plan. Although the Union reached an agreement with American Ship Management on this issue in January, Matson, while acknowledging that it owes the Plan money due to deficit spending, has thus far not complied with its fiduciary obligations. This issue is of critical importance to the participants of the Plan as health care benefits for members and their families are at stake.

The Union continues to discuss the issue with the company but thus far has made little headway. In fact relations with this avaricious outfit have deteriorated to the lowest point in many years.

Anticipate further meetings with Matson, but the membership should be prepared for any contingency.

AMERICAN SHIP MANAGEMENT/ AMERICAN PRESIDENT LINES

American Ship Management has notified the Union that it is still in negotiations with American President Lines over the operation of APL's U.S.-flag vessels enrolled in the new Maritime Security Program after September 30, of this year. The Maritime Administration has indicated that APL will have to designate who will operate the ships this month. APL has to decide whether ASM will continue to manage the vessels, turn the operation over to its subsidiary American Automar, which has a contract with the SIU-AGLIWD/NMU, run the ships itself or contract out the vessels to another entity.

All seagoing maritime Unions that have contracts with ASM have ratified collective bargaining agreements for post-September 30 operations for the ten-year life of the next program except the American Radio Association. As the membership is aware, radio operators are not required by law aboard ship. However, the ARA continues to rattle its saber and has threatened to strike

ASM if it can't reach agreement with the company by June 17.

[Editor's Note: The ARA announced on June 16 that it had reached agreement with ASM.]

LMSR PROTEST UPDATE

As reported in last month's *West Coast Sailors*, Judge Martin Jenkins of the United States District Court for the Northern District of California on May 16, denied Patriot Contract Services motion for a preliminary injunction to stop the transfer of SUP-crewed Large Medium Speed Roll-On/Roll-Off (LMSR) vessels to American Overseas Maritime Corporation (AMSEA).

In his ruling Judge Jenkins stated, "The government's decision to award the ship operation contract to AMSEA was reasonable," despite the fact that on May 11, the Government Accountability Office (GAO), issued an opinion requested by the Judge stating that AMSEA engaged in fraud and bait-and-switch tactics to win the award of the Military Sealift Command ships in 2004. The GAO stated that if the agency were resolving Patriot's original protest of the award, it "would sustain it and recommend that AMSEA's contract be terminated and that a contract be awarded to Patriot."

Patriot responded to the decision by filing an appeal on May 17, requesting that the company's application for an injunction be implemented pending a ruling by the United States Court of Appeals for the Ninth Circuit. On May 23, Judge Jenkins reversed course and amended his denial of the preliminary injunction motion and issued an order granting a limited injunction pending a ruling by the Ninth Circuit. In this decision the Judge stated that Patriot had "certainly raised questions about the integrity of the procurement process in the context of its fraudulent misrepresentation claim."

However, on June 3, Judges Kleinfeld and Tashima of the Ninth Circuit denied Patriot's motion for an injunction pending an appeal of Judge Jenkins' ruling. The judges stated in part that Patriot "has failed to demonstrate that the balance of hardships tips sharply in its favor or that the public interest favors issuance of the stay."

After the emergency stay (injunction) motion failed, Patriot filed another motion with the Ninth Circuit for reconsideration of the decision by all the judges of the Ninth Circuit Court. This motion was also denied on June 9.

Despite the denial of an injunction by the two courts—which means the remaining LMSRs will be turned over to AMSEA (*USNS Brittin*, *USNS Fisher*, *USNS Yano* this month and *USNS Piliaau* in mid-July)—Patriot will pursue further legal action by continuing with its appeal to the Ninth Circuit. The company's brief will be submitted to the Court today (June 14) with the government being required to respond by July 12. After those documents are filed, the Court will hear the appeal and again issue a ruling. Still pending is Patriot's underlying case to overturn MSC's flawed award, which the injunction was meant to support. As of today's meeting, Patriot has not indicated what legal remedies it will pursue if the Ninth Circuit again rules against it.

Although the struggle to maintain our work in the LMSR's is not over it is clear that the Union during the process called attention to the lack of clarity of the rules in government contracting. After being informed of the Military Sealift Command's actions, your secretary and Gloria Tosi, President of the American Maritime Congress, contacted House Minority Leader Nancy Pelosi (D-San Francisco) who mobilized California's Democratic House caucus and in conjunction with Senators Barbara Boxer and Dianne Feinstein pressed the GAO to investigate the award which ultimately arrived at the conclusion that AMSEA's LMSR bid contained "material misrepresentations that should disqualify the proposal for consideration for award."

Although the Halliburton case was more famous, MSC's misguided award will, in your secretary's judgment, be viewed as the maritime Halliburton where the close corporate ties of Bush Administration officials appeared to take precedence over performance, technical quality and reliable, standards-based contract awards.

The SUP will continue to press for integrity in the government procurement process with Congress.

BENEFIT PLANS RELOCATE

In order to consolidate benefit services at one location as well as reduce costs, the offices of the SUP Welfare Plan, the SIU-Pacific Pension Plan and the SIU-Pacific District Supplemental Benefits Plan will relocate to 730 Harrison Street, San Francisco 94107, effective June 27. The Seafarers' Medical Center will relocate to the same location around August 1. On June 10, participants of the Plans were notified by mail of the impending move.

The Andrew Furuseth School of Seamanship and Training Fund Representative Steve Messenger will continue to maintain offices at SUP Headquarters.

The telephone and fax numbers of the various Plans will remain the same.

BANE & TULENKEN v. SUP

On May 31, members Sefuluono F. Bane and Ruta A. Tulenken filed charges with the National Labor Relations Board in Honolulu alleging dispatching irregularities by Honolulu Branch Agent Mike Duvall. Ms. Bane alleges that the Agent failed to post a job, depriving Ms. Bane an opportunity to "throw in" for the job and that the Agent allegedly failed to process Ms. Bane's paperwork in a timely manner for training. Ms. Tulenken alleges that the Agent violated the Shipping Rules by not dispatching her to a specific job.

The Union is also in receipt of a letter dated May 12 from Ms. Venetia Carpenter-Asui, an attorney representing Ms. Bane and Ms. Tulenken, alleging discrimination in dispatching by the Honolulu Branch. On behalf of her clients, Ms. Carpenter-Asui is demanding, among other things, back pay, one year's wages for each of her clients for "emotional distress," and a promotion to Class B seniority for Ms. Tulenken.

The SUP denies the charges and allegations and has retained Honolulu attorney Charles K. Y. Khim to represent the Union. Mr. Khim successfully represented the SUP in 1997 when ex-member Manuel Sardinha attempted to shakedown the organization.

MARITIME LABOR SALUTE

At the invitation of Captain Tim Brown, President of the International Organization of Masters, Mates & Pilots, attended an event honoring maritime labor in New York City on May 19, sponsored by the United States Merchant Marine Academy Alumni Association. In addition to the SUP, the MFOW, SIU-AGLIWD/NMU, IBU, MM&P, MEBA, ARA, ILWU and ILA were all honored for their contributions to the merchant marine and the nation in peace and war.

CONSTITUTION COMMITTEE

In accordance with Article XXVIII of the SUP Constitution, all resolutions to amend the Constitution and Shipping Rules must be submitted, in writing to today's headquarters' meeting or at the Branch meetings on June 20. The resolutions will be referred to a Committee on Constitution, consisting of three members elected at today's Headquarters' meeting and one member elected at the Seattle, Wilmington and Honolulu meetings next week.

The Committee will convene at Headquarters on Monday, June 27 to review the resolutions submitted and report back to the membership at the July coast-wise meetings. If the proposed Constitution or Shipping Rule amendment or a substitution thereof is endorsed by the majority vote of the membership, it shall be placed on the 2005-2006 referendum ballot.

continued on next page

President's Report continued

FOURTH OF JULY

All SUP halls will be closed on Monday, July 4, in celebration of Independence Day.

BLOODY THURSDAY

The annual commemoration of Bloody Thursday will be held at ports up and down the West Coast this year on Tuesday, July 5. Details of the observances will be published in the June *West Coast Sailors*.

SUP members on the beach are urged to attend these events which mark a red letter day during the 1934 coastwise maritime strike.

ACTION TAKEN

Election of Committee on Constitution: Duane Hewitt (elected); Art Thanash (elected); Terry O'Neill (elected); Paul Calais (alternate).

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

Gunnar Lundeborg

Barbecuing in Violet



At a May 5 farewell party at DePope's Tavern in Violet, LA, for crews off of the *USNS Benevidez*, *USNS Bob Hope* and *USNS Brittin*. Noel Isumaru is holding boiled crawfish and corn-on-the-cob. From L/R Noel (*Benevidez*), Beth, DePope, AB Larry (*Bob Hope*), Billy Sullivan (*Bob Hope*) In back, Will. Photo: Bud Yost.

San Francisco Business

June 14, 2005

Visited and paid off the following ships:

Kauai— Dave Shands, delegate: In from Seattle. Question on overtime, not disputed. Ongoing problems with ordering steward stores. When a relief steward comes aboard, there are not enough stores ordered to last the trip. Some of the crew's food beefs follow: 1) Not putting out enough juices. Ran out before in Honolulu. 2) Closing up galley too early. 3) Prime rib every 14 days when the agreement calls for every 10 days. 4) No ice cream left out in port, but in officers mess only. 5) Limited number of pieces of food when ordering; small portions. 6) Buttermilk not enough. The list goes on and on; not storing according to Appendix C of the agreement.

Lihue— In from Hawai'i. Will make one more trip.

Lurline— Phil Howell, delegate: Good shape. George Simpier, relief bosun.

Maui— Duke Maringer, delegate: In from the northwest. No disputes, good gang. Made twice.

Moku Pahu— John Drolla, delegate: Sugar run from Hawai'i. Going to Portland to load wheat for the Islands.

R.J. Pfeiffer— Rich Reed, delegate: No disputes. Repairs taken care of by delegate.

President Grant— Eric Heinrich, delegate: Voyage pay off. No disputes, good shape.

President Wilson— Rolando Mendoza, delegate: In from Wilmington. No disputes.

APL Korea— Steven Rydberg, delegate; Joe Eckert, bosun: No disputes.

APL Philippines—Julio Nunes, delegate: Voyage pay off. Disputed overtime from last trip paid. No disputes this trip.

APL Singapore—Relief bosun "Singapore" Sid. Voyage pay off. In from Wilmington. No beefs or disputed time.

Chevron Colorado/Washington Voyager— Both at the Long Wharf in Richmond. Long walk to the vessels, no disputes.

Bill Berger

Vice President's Report

June 2005

USCG meeting

Along with MFOW President Anthony Poplawski, I attended a meeting at Coast Guard headquarters in Washington DC on June 3, 2003. The Coast Guard invited us to help review the proposed legislative changes to the U.S. merchant mariner credentialing process. Bowing partly to the pressure of our previous objections, the Coast Guard eliminated the discriminatory and indeterminate denial criteria of "character and habits of life" and replaced it with "good discipline and safety at sea." Poplawski and I drilled away at the USCG intent regarding this language. After an hour of heated debate and pointed questioning, we eventually secured the invitation of the Coast Guard lawyers to submit language more to our liking—in other words to propose deletion of the "good discipline" test. Both the SUP and the MFOW will post comments to the open docket proposing, among other things, the deletion of that loaded term.

LMSR decisions

As the President's report on page ? notes, the LMSR legal road is long and winding and we have not reached the end of it yet. But before we do, we should recognize the victories we secured along the way. First, we called a great deal of attention to the lack of clarity in rules for government contracting. The award seemed to favor the corporate connections that have undermined the integrity of all government procurements. Because of our protest, future awards will be held to a higher and more appropriate standard and all mariners and unions will benefit as a result. Second, our outspoken participation not only in the award protest but also in related conferences and meetings in Washington has helped re-established the SUP as an important sealift asset. Third, we raised the consciousness of Congress and the government on West Coast maritime labor. Senators Barbara Boxer and Dianne Feinstein and Democratic Leader Nancy Pelosi all registered with the MSC their disapproval of the process on various grounds. Nancy Pelosi delivered a scathing letter to both the Secretary of the Navy Gordon England noting that this award "means that one company will be operating 61% of the US Navy's surge sealift fleet..." and that "Sustained sealift capacity cannot be maintained on a narrow foundation of a few companies..." and should continue "using the diverse experience of maritime labor..." Pelosi also rallied the entire Democratic California delegation in support.

This activity garnered discussion, scrutiny, and ultimately an investigation by the Government Accountability Office that confirmed all of the Congressional claims and stated that the other side's bid contained "material misrepresentations [that] should disqualify the proposal from consideration for award..." No longer can they blithely group unlicensed mariners together, and no longer can the maritime industry ignore the national security value of alternative labor pools that help create innovative training, recruitment, and retention methods and thereby strengthen the nation's surge sealift manpower base. We won this battle on the moral grounds; unfortunately, the legal victories have escaped us. But membership deserves another look back at their performance during a contract period in which the ships were supposed to be 96% of the time in Reduced Operating Status. Instead Operation Enduring Freedom in Afghanistan started multiple activations, and Operation Iraqi Freedom I, II, and III pushed the surge sealift envelope. Manning these ships despite rigorous training and medical standards, despite anthrax and small pox shots, despite tough conditions, and despite the constant threat of attack, SUP mariners turned to time after time, usually around the holiday season. As we await the appeal decision, the Union is aggressively pursuing new work both in the government and commercial sectors. But if the LMSR contract is approaching a final historical reckoning, there is no doubt that it shall rank among the Union's finest moments.

Ships checked

Manulani: delegate Jim Meador. In good shape in Philadelphia before maiden voyage.

APL China: clarifications on sanitary, security watches in Dutch Harbor.

APL Philippines: delegate Richard Crowell. Clarification on lashings—only original lashings are payable at the cargo rate.

USNS Brittin: delegate Patrick Kuhn, in Violet doing inventory for turnover. No problems.

Lurline: delegate Phil Howell. Investigated mooring line safety issue. Company has plans to change out wires to Spectra synthetics.

San Francisco Bar Pilots: delegate Terry O'Neill. Running smooth.

Foss Maritime Company: delegates Tom Tynan and Mike Worth. Investigating problem of disability impact on eligibility for benefits.

Dave Connolly

Doctor pleads guilty to falsifying medical records in marine accident

Dr. William Tursi has pleaded guilty to falsifying the U.S.C.G. medical report for pilot Richard Smith, who collapsed at the helm of the Staten Island ferry *Andrew J. Barberi* in 2003. The subsequent accident killed 11 people. Smith was suffering from high blood pressure, back pain and insomnia, and was under the influence of a 'cocktail' of prescription medications when he lost consciousness. On June 23, Tursi admitted to 'knowingly and intentionally' lying on the medical report and now faces up to six months in jail.

In the wake of the Barberi tragedy, concerns have been raised about 'doctor shopping'—the practice of seeking doctors willing to provide clean medical reports to protect seafarers' employment status. The National Transportation Safety Board (NTSB) has called for a top-to-bottom review of U.S.C.G. medical oversight procedures, and has recommended the mandatory reporting of all mariner physical examinations to the U.S.C.G. There are 220,000 merchant mariners to keep track of.

SUP Branch Reports

Seattle

May 16, 2005

Shipped during the period: 2 Boat-swains to USNS ships filled by 2 B-cards; 11 Able Seaman berths shipped to 2 A, 4 B, 3 C members and 1 D registrant; 2 Ordinary Seaman shipped to USNS ships filled by C members; 1 Utility shipped to Chevron filled by a C member; and 3 standbys filled by 1 A and 2 B members.

Registered during the period: 4 A cards for a total of 17; 17 B cards for a total of 44; 9 C cards for a total of 28.

Ships Checked

Maui and *Kauai* in twice. During the month we shipped a sailor to the *Maui* who boarded without proof of one years sea time within the last five years and the captain would not sign him on. Mariners must have proof of sea service when signing on a ship, either ships discharges or copies of their discharges, or a Basic Safety Training certificate less than five years old. Some sailors believe that because a ship is on a coastwise or domestic run that this rule does not apply; they are wrong!

The *USNS Pililaau* called Olympia to discharge military cargo after extended duty in the Iraq war zone. This is a well run ship with Captain Reed firmly in command and lots of competition to ship in her. After unloading, the ship was given orders to turn around and head back overseas.

During the month I attended a Marine Safety meeting hosted by the United States Coast Guard; a Seattle Port Commissioner forum; an organizing meeting with the Deep Sea Fisherman's Union; the Puget Sound Harbor Safety Committee meeting and an event with Senator Patty Murray, who is a strong supporter of the Jones Act.

Captain Don Marcus, Vice President-MM&P, Herald Ugles and John Munson, ILWU Local 19, and your Agent testified before the Seattle City Council against new condo and office building development on terminals 90 and 91 in the Port of Seattle; with the help of Councilman David Della, a proud Inlandboatmen's Union member, we were able to start a reversal from real estate development to preservation of existing port property for maritime industrial use. This battle is far from over and we intend to fight the big real estate interests for every inch of port property.

Vince O'Halloran, Branch Agent

Wilmington

May 16, 2004

Shipped during the period: 3 bosuns, 11 ABs, 8 AB maints., 2 OS and 67 standbys for a total of 91 jobs shipped.

Registration: 43 A members, 49 B members, 9 C members and 4 D members.

Ships Checked

Maunawili: OK, Rob Morgan delegate. *President Adams*: OK, Dennis Sparta delegate. *Matsonia*: OK, Joe McDonald delegate. *President Wilson*: OK, Robert Garcia delegate. *President Grant*: OK, Eric Heinrich delegate. *Manukai*: OK, Paul Barbour delegate. *R.J. Pfeiffer*: OK, Rich Reed delegate. *President Polk*: OK, Tony Montoya delegate. *APL China*: OK, Teo Rojas delegate. *Mokihana*: OK, Dan McDonald delegate. *APL Philippines*: OK, Julio Nunez delegate. *Manoa*: OK, Robert Green delegate. *President*

Truman: OK, Larry Gately delegate. *APL Thailand*: OK, Diane Ferrari delegate.

Took care of the duties and responsibilities of the port for the membership during the period.

On May 13, attended an MTD Board meeting and talked about having another *Lane Victory* cruise at some future date.

On May 6, the labor movement lost one of our best leaders, Miguel Contreras of the Los Angeles Federation of Labor, of a heart attack. A viewing was held from 5:00-7:00 P.M. and a rosary from 7:00-9:00 P.M. on May 11, at St. Vincent's Church in Los Angeles. The memorial service was at 2:00 P.M., May 12, at the Cathedral of Our Lady of the Angels. We extend our deepest condolences to his wife Maria Elena Durazo and his two sons.

Keith Miller, Branch Agent

Honolulu

May 16, 2004

During the month of April, dispatched 2 bosuns, 2 bosun reliefs, 3 ABs, 3 AB returns, 3 AB maints., 2 ABDs, 2 ABD reliefs, 2 ABD returns and 1 OS filled by 12 A members, 6 B members, 1 C member and 1 D registrant. Also shipped 46 standby jobs filled by 1 A member, 20 B members, 19 C members and 6 D registrants, for a total of 66 jobs shipped.

Registered during the month of April: 8 A members, 9 B members, 4 C members, and 1 D registrant. To date registered are: 9 A members, 18 B members, 10 C members, and 2 D registrants for a total of 39 registered.

Ships Checked

Maui, *Lurline*, *Matsonia*, *Kauai*, *R.J. Pfeiffer*, *Lihue*, *Maunawili* and *Manukai*. All with few or no beefs. *Moku Pahu* was in Honolulu Pier 24 for 10 days discharging wheat. The IBT is running smoothly; she's a workhorse.

Paint and rigging gang running smoothly with Monte Kalama as bosun.

On May 4, we had a special Hawai'i Ports Maritime Council meeting to evaluate applications for our annual scholarship award.

At our May 16 branch meeting, we had Michelle Chang, Welfare Plan Administrator, Joan Steel of Columbia Management and Gunnar Lundeberg in attendance. Ms. Chang reviewed members medical plans, Ms. Steel explained 401(k) Plan statements and President Lundeberg explained LMSR contract actions and Matson negotiations. Gunnar and I also made the *m/v Manukai* and the Paint and Rigging gang. It was a busy and informative day.

On May 18, attended the regular Port Council meeting. Discussions on the State Legislature session and preparations for the Maritime memorial Boat Parade.

On May 29, participated in the annual Maritime Memorial Boat Parade. Vessels departed Aloha Tower at 13:30, circled off Waikiki and spread flowers and leis in memory of all departed seamen. We also hosted an after trip get together at an Aloha Tower establishment. Good time had by all.

Have two pensioners on the binnacle list: John Gouveia and Chuck Lum. The Honolulu membership wishes them a speedy recovery. Good time to remind all retirees to keep their beneficiary forms up to date.

Mike Duvall, Branch Agent

Jacksonville

May 2005

For the month of May, one Boatswain, one AB and two OS's were dispatched to USNS ships. And one OS was dispatched to Chevron. These jobs were filled by one B and four D-cards.

Ships Checked

USNS Yano— Boarded in Charleston, SC, on May 1. Jennifer Corner was the delegate and Danilo Ycoy, the bosun. Ship just returned from deployment to Middle East. All of the gang were glad to return stateside and had no disputed OT. Jennifer had been the delegate for over seven months and had done an excellent job in some very difficult circumstances. Vessel will shift to lay berth in Baltimore, MD after discharge.

USNS Bob Hope— Boarded in Violet, LA, on May 5. Billy Sullivan is the bosun. Ship being turned over to AMSEA on May 6.

USNS Benevidez— Boarded in Violet, LA, on May 5. Noel Isumaru is the delegate. Incidentally, Noel is also serving as delegate for the Bob Hope as this ship is tied up outboard of the *Benavidez* and only has one OS and one AB aboard. Ken Dooley is the bosun. Ship being turned over to AMSEA on May 6.

USNS Brittin— Boarded in Violet, LA, on May 5. Terry Monroe is the delegate and Sam Scott is the bosun. No beefs.

USNS Fisher— Boarded in Violet, LA, on May 6. Deanne Gross was the delegate and Jack Lott is the bosun. Ship just returned from deployment to the Middle East. Payoff was clean and no beefs reported. Morale was extremely high and all had a great time at the Shellback Ceremony on April 20. Much thanks is due to Deanne Gross for hosting this ceremony in fine SUP tradition.

Chevron Arizona Voyager— Boarded in Pascagoula, MS, on May 11. Bill Fisher is the delegate and Scott Oliphant, the bosun. No beefs.

USNS Gordon— Boarded in Newport News, VA, on May 20. Bill Brannon is the delegate and Charles Martin is the bosun. No beefs. Ship to be turned over to AMSEA on May 27.

USNS Yano— Boarded in Baltimore, MD, on May 21. Fred Jeffries is the delegate and Brian Yost is the bosun. Boatswain Yost is getting to be an "old hand" at the turn over process as he had been aboard the *Shughart* and when they were turned over. Very positive comments were forthcoming from Patriot and MSC representatives on the tremendous job the bosun and crew were doing to prepare the vessel for a clean turnover. No beefs.

Chervron Arizona Voyager— Boarded in Jacksonville, FL, on May 27. Bill Fisher is the delegate and Scott Oliphant, the bosun. Ship docked at 2100, but nevertheless, the sailors were anxious to get ashore and experience the sights of Jacksonville. No beefs.

On May 5, the gangs from the *Bob Hope*, *Benavidez* and *Brittin* got together at the famous DePope Tavern in Violet for a farewell party. DePope Tavern had become a favorite of LSMR sailors calling on the port of Violet. There was plenty of libation, boiled crawfish, barbecued ribs and steaks, fired oysters, corn on the cob and potato salad. A great time was had by all!

I had the pleasure of attending and rep-

resenting the SUP at the 2005 National Maritime Day Celebration on May 19, at the port of Jacksonville. This event was hosted by the Propeller Club as a salute to merchant mariners and began with an evocation recognizing the contributions of all mariners past and present. A wreath was placed in the Atlantic commemorating those who lost their lives at sea.

Certainly, the news of May 23, regarding Judge Jenkins, U.S. Circuit Court, granting an injunction to stop the clock on turnovers of the *USNS Yano*, *Fisher*, *Brittin* and *Pililaau* pending the outcome of the appellate process was a heartening event. Moreover, the inclusion of the General Accountability Office's information about the fraud in AMSEA's bid submission certainly gives credence to Patriot's efforts to regain the LSMR contract. Additionally, with the upcoming bid announcement on July 28, for the Ready Reserve Force Ships and the Fast Sealift Ships' bid announcement in August the potential for employment looks very positive, indeed, for SUP members.

Bud Yost, SUP East/Gulf Coast Rep

Cruiseships race for TV appearance

Passengers have now filed a \$1 million lawsuit against Norwegian Cruise Line, accusing the operator of risking their lives to accommodate a TV schedule. The 24-member group, all passengers aboard the *Norwegian Dawn* when it was hit by a 60-foot high rogue wave during a storm in April, filed the suit in U.S. Federal Court in Miami on June 13.

The suit alleges that the liner was scheduled to be featured in an episode of Donald Trump's "The Apprentice" and that the captain steered through the storm to meet the schedule—a charge that NCL has denied. The line acknowledges the appearance but has flatly denied that the captain was under any pressure.

The rogue wave injured four passengers, smashed two windows and flooded more than 60 cabins on the ship, which had to divert to Charleston for repairs before continuing its cruise from the Bahamas. That diversion scrubbed the ship's appearance on the highly-rated television series, for which media reports say NCL paid \$1 million.

Dispatcher's Report

Headquarters—May 2005

Deck	
Bosun	4
Carpenter	0
MM	5
AB	18
OS	2
Standby	22
Total Deck Jobs Shipped	51
Total Deck B, C, D Shipped	16
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. ...	51
Total B, C, D Shipped-All Depts. .	16
Total Registered "A"	77
Total Registered "B"	65
Total Registered "C"	11
Total Registered "D"	9