



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXX No. 11



SAN FRANCISCO, CALIFORNIA

Friday, November 23, 2007

Workers demand NLRB "close for renovations"

A thousand workers and labor leaders marched to the National Labor Relations Board's Washington, D.C. headquarters on November 15, in freezing rain, calling for the National Labor Relations Board (NLRB) to be closed for renovation until the Board is more balanced. The protestors pointed to a recent flood of anti-worker decisions handed down by the NLRB in September as evidence of the current Board's continuing assault on workers, and said that the NLRB has abandoned its original mission to uphold workers' rights.

Protest actions also took place in more than 20 sites around the country, including in Nashville, St. Louis, Chicago, Los Angeles, Tampa, Milwaukee, Phoenix, Denver and Albuquerque. In Nashville, for instance, protestors dressed up as chickens for a "fox in the hen house" themed-event.

"The Bush Board has steamrolled the rights of American workers again and again," United Mine Workers of America International President Cecil Roberts said. "This agency is supposed to protect workers' rights and enforce their freedom to improve their lives through Unions. Instead, we have a board that has blatantly promoted a corporate agenda at every turn. I don't know how they can sleep at night. Unions are this country's most successful middle-class support program and it's time for the attack on America's workers to end."

In late September, the NLRB issued more than 60 decisions, half of which had been pending for four or more years. Many of these decisions strip working people of fundamental workplace rights.

The latest set of decisions will make it harder for workers to form a Union through majority sign up – the only real option workers have now in the broken system for forming Unions and bargaining collectively. Under a new rule, if workers choose a Union through majority sign up, employers have to post a sign telling them that 30% can petition for an election to undo the recognition—even though a majority has chosen Union representation.

On the same day, in the height of hypocrisy, the Board ruled that the same election process is just too burdensome when workers are trying to get rid of their Union and that their employer

continued on page 9

APL to redeploy U.S.-flag vessels to North Asia run



American President Lines announced this month that it intends to shift its U.S.-flag C-11-type vessels (*APL China, APL Korea, APL Philippines, APL Thailand, APL Singapore*) to a new 38-day Pacific Coast Express service that will call Los Angeles, Oakland, Japan, Korea and three ports in North China.

Currently, the vessels call three South China ports (Hong Kong, Chiwan and Xiamen) plus Yokohama, Kaoshiung, Los

Angeles and Oakland. APL's other U.S.-flag vessels (*Presidents Adams, Jackson, Polk and Truman*) operate in the company's Suez Express Service from New York to Singapore.

Although the change in schedule is tentatively slated to begin next month, the skyrocketing cost of bunker fuel could delay the shift.

In a related development, the New World Alliance, of which APL is a member along with the Hyundai Merchant Marine and

Mitsui O.S.K. Lines (MOL) announced this month an immediate 10% reduction in Trans-Pacific container capacity for the coming winter season.

"This move is driven more by cost concerns than a fall in cargo demand," stated Hiroki Tsujii of MOL's Liner Division. "We will remove capacity temporarily by amending drydocking schedules, but we may also lay up a few vessels in North Asia," he added. APL's U.S.-flag vessels will not be affected.

Maritime Unions urge congressional action to stop TWIC preemption

The efficiency of America's maritime transport network will be compromised if the

Transportation Worker Identification Credential (TWIC) does not preempt state and local access control schemes, asserts America's maritime Unions and their representative maritime organizations, all of whom urge Congress to intercede so that TWIC fulfills its original congressional mandate as a universally accepted port access card.

As the TWIC program is now being unrolled, state, local and private entities are all free to subject the country's maritime workforce to their own specific application requirements, background checks, and fees, and to demand that they obtain multiple maritime port and vessel access credentials. In a November 15 letter to House Homeland Security Committee Chairman Bennie Thompson, maritime

Unions urged Congress "to ensure that the federally issued TWIC preempts all state, local and private identification card requirements for maritime workers, and to make clear that once an individual has been issued a TWIC, no other maritime-related access control requirements apply."

The Unions said they agreed "that access control procedures, including the issuance by the federal government of access control identification credentials, can be important tools in our maritime security effort," and said they supported development of TWIC as a concept.

"What we do not support," they said, "is allowing state, local and private entities to claim

continued on page 3



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Sailors' Union balloting begins in December

By secret mail-ballot, all eligible members of the Sailors' Union of the Pacific will elect officers for the 2008-2010 term and decide on a proposed amendment to the SUP Constitution.

The two-month election period begins on December 1, 2007, and concludes on January 31, 2008, with the ballots tallied on Friday, February 1, 2008.

Pacific Election Services, Inc. was selected by the membership as Impartial Balloting Agent and will be responsible for the entire election process.

Thirteen SUP members have been certified as eligible candidates, by the membership, to run for office. The positions contested are President/Secretary-Treasurer, Seattle Branch Agent, Wilmington Branch Agent, Honolulu Branch Agent, San Francisco Business Agent, and Trustees of the SUP Building Corporation.

SUP Quarterly Finance Committee Report

SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2007

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on October 10, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

General Fund	\$829,353.27
Political Fund	\$2,086.29
Strike Fund	<u>\$1,293,730.99</u>
Total Cash & Investments 2nd Qtr. 2006	<u>\$2,125,170.55</u>

GENERAL FUND

Income:	
Dues, Initiation, Assessments	\$68,358.50
Interest	26,819.79
Donations - <i>West Coast Sailors</i>	1,210.00
Tanker & Joint Committee, Hiring Hall	81,371.81
Advertising & Promotion	240.00
Miscellaneous Income, Reimbursements, Fines	4,854.68
Reimbursed Administrative Expenses	5,333.34
Field Expense	305.35
Contributions - General Fund	<u>1,870.00</u>
Total Income:	<u>\$190,363.47</u>

Expenses:

Auto & Travel	\$766.70
Accounting (Audit)	2,000.00
Rent	16,415.97
Postage, Printing & Office	7,995.87
Telephone & Telegraph	3,923.41
<i>West Coast Sailors</i> Publishing Expense	8,259.75
Per Capita	8,504.25
Salaries & Payroll Taxes	170,148.30
Office Workers' Pension	7,644.00
Insurance	27,838.68
Field Expense	801.19
Committee & Neg., Conference & Conv.	2,707.45
Investment Expense	1,298.74
Advertising & Promotion	910.00
Officials Pension	507.15
Contributions	1,100.00
Flowers	162.38

Lobbying	841.06
Legal	3,047.07
Subscription	1,934.54
Total Expense:	<u>\$266,806.51</u>

BUILDING CORPORATION

Income:	
Assessments	\$1,844.00
Rents	93,233.56
Bldg. Utilities & Service Reimbursement	<u>912.47</u>
Total Income:	<u>\$95,990.03</u>

Expense:

Building Services & Utilities	\$25,750.20
Repairs & Maintenance	1,190.02
Salaries & Payroll Taxes	17,360.62
Pension	101.43
Legal	8,722.32
Insurance	<u>8,793.42</u>
Total Expense:	<u>\$61,918.01</u>

POLITICAL FUND

Income:	
Contributions	\$2,680.00
Interest26
Total Income	<u>\$2,680.26</u>

Expense:

Contributions	\$2,250.00
Total Expense:	<u>\$2,250.00</u>

Net Income 3rd Quarter:

/s/Duane Hewitt
/s/Kaj Kristensen
/s/Romaine Dudley

/s/John Perez
/s/Theodore Soderberg
/s/John Kerlin

ACTION BY THE MEMBERSHIP November 13, 2007. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

Letter to the Editor

October 19, 2007

While on the *m/v President Jackson* after a dues increase initiative failed in the SUP 1999/2000 election, I submitted a letter to the *West Coast Sailors* that was printed in the February 25, 2000 issue.

More than seven years later I would like to resubmit the same letter again for publication. I feel it is most appropriate to emphasize the need for a member-voted dues increase in the upcoming Union election.

In 2007, a Matson A.B. makes \$3417 a month or \$113.90 daily. You now have to work only 1.1 days to cover your dues. Your dues are still DE-CREASING dangerously in proportion to your wages.

I strongly urge the membership to vote in favor of the dues increase initiative.

Fraternally,
Rich Reed #3181

February 17, 2000

I have been paying dues in the Sailors' Union since 1966. Union dues at that time amounted to \$25 a quarter. The year 1968 brought on a dues increase to \$30 per quarter. In 1968 the monthly wage for an able bodied seaman was \$599.50 a month, or \$19.98 a day. In the year 2000 quarterly dues are \$130, and an A.B. is paid \$2772 monthly, or \$92.43 daily. In 1968 an A.B. had to work 1.5 days to pay for a quarters dues. In 2000 an A.B. only has to work 1.4 days to cover his dues. Over the years your dues have DECREASED in proportion to your monthly and daily wage!

There was no excuse for the dismal failure of the dues increase initiative in this past election.

In 1999 your negotiating committee fought long and hard to obtain wage increases with Matson, and A.S.M. We have in the past, and will in the future continue to receive a yearly wage increase.

The future of the Sailors' Union is in the hands of the membership, with our right to vote. We must think ahead. The cost of doing business at headquarters and at the branches will continue to increase. This is the 21st century, and the "sailing business" isn't what it used to be. We cannot afford to have another dues increase initiative fail.

We have a couple of years until our next Union election. Brothers and sisters I urge you to think long and hard about how you will vote on the next dues initiative. We cannot afford the humiliation of another defeat.

The elected officials and the membership, with our vote control our future and job security. We must all get involved. There ain't no free lunch!

Final Departures

Andrew Teixeira, Book No. 3055. Born in Hawai'i in 1928. Joined SUP in 1946. Died in Tahiti, September 6, 2007. (Pensioner)

Grover Wick, Book No. 2882. Born in California in 1922. Joined SUP in 1943. Died in Washington, October 2, 2007. (Pensioner)

Andrew Kovolchik, Book No. 3055. Born in New York in 1919. Joined SUP in 1947. Died in California, October 10, 2007. (Pensioner)

William Self, Book No. 6036. Born in Alabama in 1911. Joined SUP in 1935. Died in Springville, Alabama, October 10, 2007. (Pensioner)

Daniel Gonzales, Book No. 2885. Born in California in 1927. Joined SUP in 1953. Died in San Lorenzo, California, October 16, 2007. (Pensioner)

Correction:

The October issue of the *West Coast Sailors* featured a photograph of the late Richie Miyashiro aboard Matson Navigation Company's *s/s Monterey* in 1964. Brother Art Thanash who was a member of the gang that trip states that Richie was Bosun not Bosun's Mate and the ship went aground in Bora Boara because the French pilot was gassed-up, not the skipper. Art took the photo.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2007:

	Hdqtr.	Branch
December	10	17
*Tuesday		

Hervey M. Arnold, Book No. 3512. Born in Arkansas in 1919. Joined SUP in 1946. Died in Benton, Arkansas, October 23, 2007. (Pensioner)

William Iversen, Book No. 338. Born in California in 1925. Joined SUP in 1944. Died in Albany, California, October 31, 2007. (Pensioner)

West Coast Sailors

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TWIC preemption *continued from page 1*

'special circumstances' and to subject American maritime and other transportation workers to additional, duplicative background checks and fees and to require that such workers obtain multiple access control cards. No information has been made available to explain what more these entities need or require that is not addressed by the federal TWIC program. Nor has any information been made available to explain why such 'special circumstances'—if truly necessary to enhance America's maritime security—are not addressed by the federal TWIC program."

"If Congress does not act, and each state and local government and port and maritime facility can also impose its own access control system, then the system as a whole will become a burdensome and costly administrative impediment to the efficient flow of commerce," they said.

The letter in full is as follows:

Dear Mr. Chairman:

On behalf of the undersigned American maritime labor organizations, United States-flag shipping companies and maritime organizations, we are writing to urge that HR 3830, the pending Coast Guard Authorizations legislation, be amended in order to correct a serious deficiency in the Transportation Worker Identification Credential (TWIC) program. At present, state and local and private entities are able to subject our nation's U.S. citizen maritime workforce to additional application requirements, background checks, and fees, and to demand that they obtain multiple maritime port and vessel access credentials. We strongly urge that Congress act to ensure that the Federally-issued TWIC preempts all state, local and private identification card requirements for maritime workers, and to make clear that once an individual has been issued a TWIC no other maritime-related access control requirements apply.

We agree that our country must act decisively to protect and enhance America's maritime and port security. America's seafaring and longshore unions and the owners and operators of United States-flag vessels are on the front line in our nation's war against terror, and we would be among the first affected by a maritime-related terrorist attack directed at or utilizing our maritime transportation system. Consequently, we agree that access control procedures, including the issuance by the Federal government of access control identification credentials, can be important tools in our maritime security effort.

In fact, we had supported the development of the TWIC system because we believed it was to be the national program to help guarantee that maritime and transportation workers and others who seek access to our vessels, ports and maritime facilities do not pose a terrorism security risk to the United States.

What we do not support is allowing state, local and private entities to claim "special circumstances" and to subject American maritime and other transportation workers to additional, duplicative background checks and fees and to require that such workers obtain multiple access control cards. No information has been made available to explain what more these entities need or require that is not addressed by the Federal TWIC program. Nor has any information been made available to explain why such "special circumstances"—if truly necessary to enhance America's maritime security—are not addressed by the Federal TWIC program.

We should work to enhance security within America's ports and aboard vessels with a minimal disruption to our domestic and foreign commerce. However, unless the Congress stipulates that the TWIC program preempts all others, our maritime workforce and our national transportation system and economy will be adversely affected.

Maritime workers are a mobile workforce, moving between different states, ports and facilities. The imposition of multiple additional requirements beyond those mandated by the Federal TWIC program will force maritime and transportation workers to file numerous applications, undergo repetitive, time-consuming background checks, and pay all the fees associated with possibly dozens of identification credentials. If Congress does not act, and each state and local government and port and maritime facility can also impose its own access control system, then the system as a whole will become a burdensome and costly administrative impediment to the efficient flow of commerce.

America's maritime workforce must have an access control identification credential that they can present at every state, port or facility their employment takes them. If they do not, and if our government allows numerous additional requirements to be imposed, America's maritime workforce will be unduly and unfairly burdened, America's efficient and reliable waterborne transportation systems will be undermined, and America's commercial seapower capability will be weakened, as mariners choose to leave our industry. We again ask that you amend HR 3830 to ensure that the Federal TWIC program will preempt all other maritime-related access control requirements.

Sincerely,

American Maritime Congress

American Maritime Officers

American Maritime Officers Service

International Longshore and Warehouse Union

International Longshoremen's Association

International Organization of Masters, Mates & Pilots

Marine Engineers' Beneficial Association

Maritime Institute for Research and Industrial Development

Sailors' Union of the Pacific

Seafarers International Union

Transportation Institute

DHS has yet to secure data networks, Inspector General says

The Department of Homeland Security (DHS) has improved its network security policies, but must now focus on correcting additional problems to ensure data protection, according to a report issued by the agency's Inspector General (IG). The network security practices in place at DHS are of significance to SUP members because the agency manages the Transportation Workers Identification Credential (TWIC) program, which will house the data of mariners and other transportation industry workers.

The IG said that DHS has yet to implement all necessary policies, procedures and practices. It has not, for example, devised required separate action plans to address problems with network security

revealed in the past, nor has it followed through to make sure that all changes suggested in preceding investigations were actually made. The IG also reported that baseline security configurations are not being implemented by DHS for all systems.

The IG recommended that DHS change its review process to ensure all DHS information security objectives are complete and accurate, and set up a process to ensure that configuration requirements are implemented and maintained on all systems. It also suggested that DHS deploy a department-wide vulnerability assessment program to test its security systems and train all individuals with security-related responsibilities.

APL to use 53-foot boxes in China-Los Angeles service

American President Lines will begin using specially designed 53-foot containers on its South China-to-L.A. run in a 'major refinement' to its TransPacific service. APL said that the first reinforced 'ocean capable'-53-footers will be delivered in November.

The 53-foot box size has become a mainstay of truck and rail transport in the United States, requiring cargo to be transferred from 20, 40 and 45-foot containers at West Coast ports. According to APL, "53-foot boxes haven't been strong enough to endure ocean transport", so in the past, there have only been sporadic moves of such hardware on the transpacific (generally involving repositioning of new containers from Asia to the United States). The new, specially built boxes have undergone pilot tests with retail customers and "successful trials led to the decision to order the big boxes for immediate use with select customers".

APL maintained that its plan "has the potential to make a significant difference to the economics of the transpacific trade". Shippers will be offered better 'cube economics' and can eliminate transloading expenses; supply-chain congestion can be reduced by cutting moves (two 53-footers carry the same volume as three 40-footers), and emissions can be lowered via reductions in transloading and truck moves.

"The 53-foot ocean container is a significant refinement," asserted APL chief executive Ron Widdows. "It can't come soon enough."

Newport News gets a pass on TWIC

The Coast Guard has ruled that shipbuilder Northrop Grumman Newport News and its 19,000 employees will not have to participate in Transportation Worker Identification Credentialing (TWIC). After an 11-month review, the Coast Guard determined that the shipyard, which builds nuclear-powered aircraft carriers and submarines for the Navy, already has a very high level of security. Shipyard employees already undergo criminal background checks, and many have high-level security clearances under an existing Navy and Department of Defense security plan. The Coast Guard's waiver for the Newport News shipyard means its employees will not have to buy the \$132.50 security cards.

"It's a good thing," said Alton Glass, president of Local 8888 of the United Steelworkers of America, which represents about 8,000 hourly shipyard workers. "Most of our employees go through a DOD security clearance anyway. It

would just create a problem for the workers on the job to have to go back through an additional check."

Initially, the Coast Guard said the shipyard would have to participate in the TWIC program because it maintains a fuel storage tank large enough under federal law to be considered a security risk. If damaged by terrorists or a storm, it could leak petroleum into nearby waters and cause significant environmental damage.

The shipyard requested a waiver because the existing security plan, including classified Defense Department rules, is more stringent than the TWIC requirements. Shipyard executives called the TWIC plan redundant and said the expense of implementing and running the program would drive up shipbuilding costs that would be passed on to taxpayers. Officials estimated the shipyard would pay \$12 million in start-up costs and \$7 million a year to operate it.

Matson to raise fuel surcharge by 29%

Reflecting a recent spike in oil prices, Matson Navigation Company is raising its fuel surcharge even higher than it had previously announced on its service to Hawaii, Guam and Micronesia.

Effective December 14, the surcharge on ocean shipments will go from 24 to 29 percent announced on November 13. Three weeks ago, Matson said it planned to raise the surcharge to 26 percent.

"Since making our initial announcement on Oct. 19, fuel costs have risen an addi-

tional 24 percent," said Matson senior vice president Dave Hoppes in a news release. "In total, Matson's fuel-related costs have risen over 36 percent since our last adjustment in July. These rises in fuel prices comprise a large component of operating costs for the transportation industry, both on land and at sea."

Matson, a subsidiary of Honolulu-based Alexander & Baldwin, Inc., said it may be necessary to make another increase in January if fuel prices continue to rise.

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Abe Acosta	20.00
Jose Angeles	20.00
Brendan Bohannon	60.00
Charles Butler	20.00
Jennifer Corner	80.00
Mike Duvall	20.00
Sandy Earle	20.00*
Erik Finneman	50.00
John Hamann	20.00
Noel Itsumaru	20.00
John Kelly	20.00
Lincoln Lee	25.00
Mike McLavy	50.00
Douglas Taylor	40.00
Louis Urbano	20.00
William Williamson IV	40.00*

*In lieu of dues increase.

Political Fund

Abe Acosta	20.00
Brendan Bohannon	100.00
Michael Boyle	20.00
Robert Burns	10.00
Kevin Conroy	40.00
Jennifer Corner	50.00
Mike ElMobdy	20.00
David Fadoul	50.00
John Fernandez	50.00
Joseph Ginez	20.00
Nabeel Hafid	100.00
Robert Jones	40.00
Monte Kalama	40.00
Lincoln Lee	25.00
Gunnar Lundeberg	100.00
Chuck Maringer	20.00
Tony Montoya	20.00
David Pangan	30.00
Michal Parenteau	20.00
Joe Plant	20.00
Ralph Senter	100.00
Erik Williamson	30.00
William Williamson IV	50.00

West Coast Sailors

Abe Acosta	20.00
M.G. Bailey	20.00
Raymond Bell	25.00
Don Bohle	25.00
Lee Cherry	20.00
William DeBenedictis	20.00
Jay Dillion	10.00
Leo Endries	25.00
Thor Erikson	20.00
David Fadoul	25.00
Erik Finneman	50.00
Manoru Fukano	25.00
Rolando Gumana	30.00
Lani Kalama in memory of Henry Kalama and son Henry Kalama	50.00
Lincoln Lee	25.00
Robert Morgan	10.00
John Pederson	25.00
Michael Pflieger	40.00
Jon Rushing	50.00
Ralph Senter	20.00
Loren Voss	10.00

Dues-Paying Pensioners

Robert Copeland	Book #4763
Romaine Dudley	Book #2593
William Henneberry	Book #5815
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
James K. Larsen	Book #4055
John McKeon	Book #6456
Keith Miller	Book #6497
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323

Frisco to upgrade dry dock facilities

The Port of San Francisco has struck a deal to improve ship repair operations and create more work.

The port has agreed to provide rent credits to BAE Systems San Francisco Ship Repair, which leases a floating dry dock at Pier 70, to assist that company pay back a \$3 million loan from Princess Cruises to strengthen the pier. San Francisco Ship Repair will add \$2 million to the project.

The money will pay for dredging below the dry dock as well as structural reinforcements to allow Pier 70 to accept the world's largest cruise ships, which measure more than 1,000 feet long and 110 feet wide. Those ships are so large they cannot pass through the Panama Canal. San Francisco's repair facility would be the only one of seven on the West Coast that can accept the super-huge ocean lines.

The new 10-year deal is designed to boost the port's revenue if San Francisco Ship Repair boosts its market share of cruise ship maintenance. Under the agreement, the ship repair business will

pay the port a base rent of about \$1 million per year plus 3.3 percent of gross revenues above \$28.7 million. The ship repair business recorded \$44 million in sales last year, almost double what it recorded in 2002.

San Francisco Ship Repair has about six percent of the ship repair market on the West Coast. The site employs about 250 people across a number of trades. That number can swell fourfold if a cruise ship requires more elaborate work.

San Francisco's port, like many ports around the world, has enjoyed an increase in cruise ship traffic. Unfortunately, all the ships are foreign-flagged and foreign-crewed. In the past decade, the city has grown its annual cruise ship traffic to 81 from 28. Nearly 250,000 passengers will pass through San Francisco this year.

Princess Cruises is a unit of the world's largest cruise company, flag-of-convenience operator, Carnival Corporation of Miami. Princess will get priority scheduling at San Francisco Ship Repair as part of its loan deal.

Supplemental Report of the Committee on Candidates

October 24, 2007

This Committee finished its business on October 15, 2007. However, the Committee reconvened on October 24, 2007 at the special request of President/Secretary-Treasurer Gunnar Lundeberg for the purpose of deciding the eligibility for candidacy of an additional nominee.

On October 22, 2007 the President was informed via email by nominee Dan McDonald that he had actually made a timely acceptance of his nomination for President/Secretary-Treasurer but that a private mail service (United Parcel Service) had failed to deliver his letter of acceptance before the Constitutionally-required deadline of midnight on October 14.

In careful review of the facts, we discovered the following chronology of events. On October 12, Brother McDonald used United Parcel Service (UPS) to mail his letter of acceptance. On October 19, he was informed by UPS that the letter had not been delivered. On October 22, the letter arrived at SUP headquarters and was thoroughly examined. It was evident that there were two errors in the mailing address. The first is that the first address label bore the number "430" instead of "450" Harrison and the second was that it only referenced the "Committee on Candidates" and omitted "Sailors' Union of the Pacific."

The SUP Constitution requires that letters of acceptance of nomination are sent to the Office of the Committee on Candidates. The letter from the Committee notifying the nomination for each office that is sent to every member who is in good standing at the time of nomination also clearly states that the letter of acceptance must be "due in the office of the Committee on Candidates, Sailors Union of the Pacific, 450 Harrison Street, San Francisco CA 94105 prior to midnight, October 14, 2007." This letter was mailed to all nominees on September 18, 2007. Finally, the official report of the Committee on Candidates published on page 5 of the September issue of the *West Coast Sailor* references the Sailors' Union of the Pacific in the address by advising candidates to respond to the Committee "c/o the SUP."

Given all of the above the Committee determined that Brother McDonald had sufficient opportunity to submit the acceptance in a timely manner as had all the other candidates. We further determined that an address error caused the delay but the Committee was mindful of maintaining a uniform standard for all candidates in accordance with Article XII, Section 5 of the SUP Constitution. Accordingly, the Committee found Brother McDonald to be ineligible for candidacy in this election.

Fraternally,

Kaj E. Kristensen
Kaj E. Kristensen #3120

Rafael Cooper
Rafael Cooper #4687

Romaine Dudley
Romaine Dudley #2593

Thomas C. Koppel
Thomas C. Koppel #3169

Frank Portanier
Frank Portanier #3835

Polar Tankers fined for felonious conduct

Polar Tankers pleaded guilty on October 23, to a single felony count for spilling oil sludge, a mistake that will cost the company an estimated \$7.5 million.

The guilty plea was entered by the Conoco Phillips subsidiary in U.S. District court subsequent to a plea deal that calls on the company to pay a \$500,000 criminal fine, contribute \$2 million to the National Fish and Wildlife Foundation for use near Valdez and spend \$5 million to implement a Focused Environmental Management System. The company also agreed to serve two years probation when it will be under close scrutiny.

The charges and subsequent plea resulted from attempts to cover up a spill from the 14,320 dwt, U.S.-flagged *Polar Discovery* in Valdez. "The spill itself would not have been criminal," Karen Loeffler, as assistant U.S. attorney, told the media. "Accidents do happen on vessels." She said it was the failure of the vessel's captain and chief engineer to properly log the spill that constituted felonious conduct. That conduct was revealed to the Coast Guard by crewman James Legg, who was awarded \$250,000 as a whistleblower by District Judge Russel Holland. Neither the captain nor engineer were identified in court papers and no indictments have yet been issued against them.

In an interesting twist, charging documents note that the captain used a fake lifeboat drill to disguise the ship's course change needed to allow crew over the side to clean evidence of the spill.

Korean yard to build 16,000 teu vessel

Samsung Heavy Industries has raised the stakes in container ship design by unveiling plans for a 16,000 teu vessel.

According to maritime sources, the steering room is at the midsection of the vessel and the engine room near the stern. This "gives the vessel more strength in ship structure and efficiency in operation," sources say. However, specifics on the breadth and speed of the vessels were cited as "confidential," by Samsung officials. There will also be a "10% upshot" in power, they added.

The newly designed ships will be 400 meters in length and can carry up to 180,000 tons of cargo at any one time. Samsung is currently building a new floating dock especially for the new design. It will focus on orders for the new vessel from 2008 onwards. Samsung's CEO, Kim Jing Wan, reported to Korean media that bigger vessels are popular because of the high price of oil.

Environmental groups sue MarAd over Suisun Bay reserve fleet

Three environmental organizations have filed suit in federal court to force the Maritime Administration to dispose of most of the ships in the Suisun Bay reserve fleet. The suit, which was filed by the National Resources Defense Council, Arc Ecology and San Francisco Baykeeper, charges that the defunct vessels have "ceased being useful for transportation and are now just floating junkyards" full of toxins that are polluting area waterways.

Maritime Administrator Sean Connaughton has said the agency wants to recycle most of the reserve fleet ships. He said MarAd had planned to scrap the ships in Texas but was prohibited from moving them there without cleaning the toxic paint from the hulls. At the same time, MarAd is prohibited by California environmental regulations from cleaning the hulls in San Francisco Bay. Connaughton said MarAd is making "substantial progress" in its quest to find a way to scrap the ships.

NOL profits rise as volumes surge

Double-digit growth in container volumes and freight rate restoration in key lanes have helped Neptune Orient Lines, the parent company of American President Lines, to a 50% increase in net profit for the third quarter at \$191 million. Turnover at \$2 billion was 15% higher than the corresponding period in 2006.

"The strength of our third quarter performance is shown by the fact that 3Q07 earnings exceeded those for the first half of this year," Group President and CEO Thomas Held pointed out. For the nine months ending September 30, profits surged 15% to \$327 million on the back of a 9% increase in turnover at \$5.7 billion.

Container arm APL carried 11% more cargo in the nine months at 1.7 million feu with TransPacific and Intra-Asia lanes contributing most to the increase.

Held also cited "effective" yield management and "successful cost mitigation" for the strong performance. Reflecting the continuing strong export volumes out of Asia, APL's headhaul utilization averaged 99%. Positive conditions are expected to continue for the rest of the year.

Judge drops case against ILA

A U.S. District Court judge has dismissed the lawsuit brought by the federal government against the International Longshoremen's Association (ILA) under the federal racketeering (RICO) act. A spokesman for the ILA said the Union was "delighted" by Judge I. Leo Glasser's November 1, decision. "This case was an insult to our members and never should have been brought," the Union said in an official statement. The judge said in his ruling that he had found numerous serious inconsistencies and shortcomings in the government's legal case, but that he had decided to grant it 60 days to refile.

In his 109-page decision, the judge said the government's complaint was "burdened with lengthy discussions of the history and operations of Cosa Nostra," which he said were in no way pertinent to the case. He said he had decided to completely ignore much of the material presented, including "discussions of government investigations and prosecutions

of organized crime activity on the waterfront going back decades."

Judge Glasser said that besides burdening its case with reams of irrelevant material, the government had "left a plethora of unanswered questions. The court will not abet the government's efforts to stretch the concept of a racketeering enterprise beyond all recognition in order to bring various disinterested parties within its scope," he wrote. Judge Glasser added that the government was "woefully misguided" in assuming "that it can satisfy its obligation... to provide a 'short, plain statement of its claim' ... by attaching several hundred pages of pleadings in prior criminal and civil cases and expecting the defendants and the Court to correctly infer which of the multitude of factual allegations it intends to incorporate into the amended complaint..."

"We hope that the government will realize on reflection that the public interest is not served by further litigation," the ILA said in its official statement.

Taiwan and Indonesia in dispute over dead captain

Taiwan has questioned Indonesia's account of how the master of a Taiwanese fishing vessel died. Pie Chen Hsu, master of the *Sheng Eng 168*, died along with three of his crew after a beef with Indonesian sailors on November 8. The Guam-bound vessel had reportedly left Tong Kang harbor when the Indonesian Navy received a report of piracy in its eastern province of West Papua. According to the Indonesians, a fight broke out over complaints of harassment of the Indonesian sailors, which ended when the captain jumped overboard.

Earlier reports that the deaths occurred after the Navy arrived have now been discounted. "The case is not that simple [and] it is strange," declared Phoebe Yeh, a Taiwanese foreign affairs spokeswoman. The story became more confused when the *Taipei Times* reported the recovery of the captain's body on board the vessel, which is lying untouched in the Indonesian port of Jayapura to preserve evidence. The missing seamen, who were identified as Jou Hwang Jerlin, Sheu Ching Wen, and Jou Hwang Ke Mong, are relatives.

Terrorists running private fleets

Maritime surveillance and international intelligence cooperation is critical in preventing seaborne gun-running by terrorist groups, according to Sri Lanka's Army commander Lt. General Sarath Fonseka, speaking on counter-terrorist operation at the U.S. Army Command and General Staff College, Fort Leavenworth, this month.

Excerpts of his speech released by the army quoted Fonseka as saying that terrorist groups earn money by illegal businesses such as human and drug trafficking. "Terrorists also make use of their own rogue shipping lines to import warlike materials, including heavy weapons," said Fonseka, who survived a Tamil Tiger rebel suicide attack last year. Such terrorist activity can be only checked and blocked with the assistance of the foreign countries from where the terrorists are operating, he said.

Federal Court appeal approves emissions requirements for vessels transiting the California coast

A federal appeals court on October 26, overturned a district court ruling that topped a California order for ships to use low sulphur fuel in their auxiliary engines when calling at ports in the state and navigating within 24 nautical miles off of the coast.

The California Air Resources board was given approval to enforce the regulations, with the decision that the potential harm to public health by not enforcing them outweighed whatever financial hardships it placed on the maritime industry. The board said in a statement soon afterwards that the regulations will come into force immediately.

The fight against the order, led by the 60-members Pacific Merchant Shipping Association, is far from over. The ruling by the Ninth Circuit Court of Appeals is only temporary and will itself go to appeal in a higher court. The Ninth Circuit has also established a record among appellate courts for having the most rulings overturned by higher courts.

World's LNG carrier fleet on verge of major growth

The global fleet of liquefied natural gas carriers is set to soar to more than 400 ships by 2012 as long-term demand for gas rises more than 2% a year. As energy companies continue to build new LNG production plants and import terminals, demand for new vessels is growing and more yards are coming into the market.

In the medium to long term, LNG demand looks robust as most countries turn to gas for power generation, switching from more expensive oil and less environmentally friendly coal. The International Energy Agency (IEA) forecasts that natural gas demand will grow from 2.85bn cu m in 2005 to 4.78bn cu m in 2030, meaning that more of this product will need to be shipped to more distant markets and more new facilities will have to be built.

North America and Europe will remain the leading gas consumers in the LEA's forecast period and growing Asian demand will mean there are plenty of markets for gas transported on ships. The IEA said most regions would continue to be supplied mainly with indigenous resources, mostly by trunk pipelines, but the share of gas supply traded between regions would grow from 13% in 2005 to 22% in 2030.

"LNG accounts for about 84% of the increase in total inter-regional trade with exports growing from 189bn cu m in 2005 to 393 bcm in 2015 and 758bn cu m in 2030," said the IEA in its latest

World Energy Outlook. "A wave of construction of LNG supply chains is currently under way, which is expected to result in the near doubling of liquefaction and shipping capacity between now and the beginning of the next decade."

The IEA said the Middle East would become the leading producer of natural gas by 2030, overtaking North America in the process, but would also see the largest demand growth of all the regions as its population grew and required more energy. "Around two-thirds of the increase in global inter-regional exports over the projected period comes from the Middle East and Africa," said the IEA in the report. "Most of these additional exports go to Europe, Asia and North America." Middle East gas production is set to treble from just over 300bn cu m now to 940 bn cu m by 2030, and much of this growth will be loaded on to LNG carriers for Asian, European and North American markets.

Debbie Turner, director of LNG at Braemar Seascope, estimates that the fleet, which last year stood at 240 specialist carriers, will grow to 400 by 2012, with much of this expansion occurring after 2010. "Next year there are around 50 LNG carriers being delivered and a similar amount will be coming into the market in 2009," she said at a recent London Energy Group conference. "We anticipate 2011 and 2012 will be key years for LNG carrier ordering and deliveries."

Mass murder of migrants in Gulf of Aden

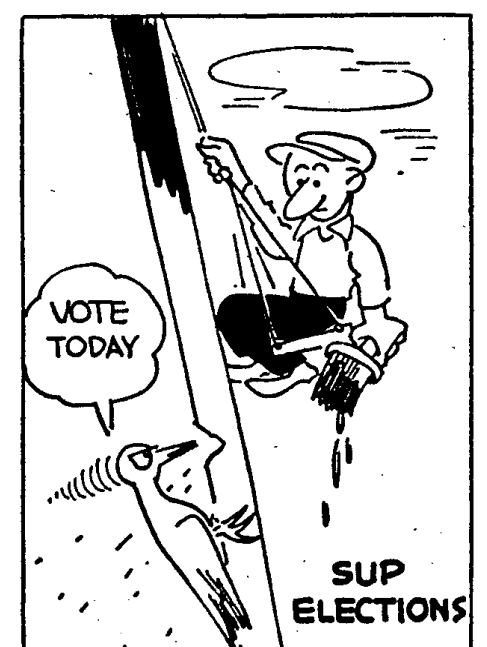
Human-smugglers killed 66 people over the weekend of October 20, by forcing them overboard into deep waters in the Gulf of Aden, off the Yemeni coast, reports the United Nations High Commissioner for Refugees (UNHCR).

Bodies littered the coastline and 28 were buried on the beach, the news reports aid. A further 38 people (29 Ethiopians and nine Somalis) are missing.

Smugglers picked up 244 people from Bossaso, northeast Somalia, on October 20. "Survivors of the tragedy said the crew of one of the crowded boats had harshly beaten passengers during the voyage, injuring several of them. After being forced into deep water off the Yemeni coast, a total of 178 people managed to make it to shore," the agency reported. It added that the survivors also alleged that they were robbed by Yemeni military forces.

The UNHCR estimates that so far this year over 20,000 people have made the journey across the Gulf of Aden from Somalia. At least 439 have died and 489

have gone missing, feared dead. The agency has set up projects along the Somali coast to warn would-be migrants of the dangers, "but many of those fleeing say conditions in their homeland are so bad that they have nothing left to lose and are willing to take the risk," it said.



ESU Office Assignments

For the month of December, Leo DeCastro will be in the Seabrook office and Kevin Conroy will be in the Benicia office.



NOVEMBER 2007

Official Publication of the Exxon Seamen's Union

New Steward Department training



Pictured are participants in the inaugural Steward Department Training held at the Starr Center in Toledo, Ohio. Back row from left: Edward Jenkins, Kurt Kreick and Samuel Smith. Front row from left: Noland Macadaan, Robin Robinson and Joel Mitchell.

Three Ship Cooks and three members eligible for promotion to the Ships Cook rating recently attended a Food and Sanitation Course at the Star Center in Toledo, Ohio. The group was the first from the ESU to attend the school and both the Union and the company were eager to receive an evaluation from the group that included; Ed Jenkins, Kurt Kreick, Noland Macadaan, Joel Mitchell, Robin Robinson and Samuel Smith on the value of the training offered to the Stewards Department. By all accounts, the group reports that the instruction offered at the Star Center was invaluable and that more of these courses should be planned in the future.

"Dynamic, must have course," is how Cook Kurt Kreick, who is running unopposed, and will become the Steward Department Trustee in 2008, described the instruction the Star Center provided. Kurt continued his evaluation by saying, "We the attendees all agreed that this course should be attended by all our folks in the Stewards Department."

"Learning the proper safe handling of foods and sanitation procedures must be viewed by SeaRiver and our Seamen's Union equally important as any deck or engine skills course where one learns to prevent, eliminate, or reduce potential hazards prior to an injury, loss of life, or equipment. Everyone must have this training so that we can all be on the same page with this program."

The comprehensive curriculum was, to say the least...ambitious. Instruction topics included The Sanitation Challenge (Providing safe food), The Microworld, Contamination (Food allergens and Food-borne illness), The Safe Food Handler, The Flow of Food through the Operation, Purchasing and Receiving, Food Storage, Food Preparation, Service of Food, Food Safety Management Systems, Sanitary Facilities and Pest Management, Cleaning and Sanitizing, Safety Regulations and Standards and Employee Food Safety Training.

Based on the positive evaluations received from this first group of attendees to the Food Safety and Sanitation Course the Joint Union Management Committee would be hard-pressed not to schedule more courses for Steward Department members. No future course dates have yet to be scheduled, but the ESU will pursue scheduling of additional classes for all members of the department.

Important Reminder!

The enrollment period for ESU represented employees for transfer to the ExxonMobil Medical and Dental Plans is from November 19 to December 17. Members should have received their 2008 Annual Enrollment brochure in the mail. This enrollment period is later than other ExxonMobil employees to allow more time for SeaRiver Maritime, Inc. unlicensed employees to determine the best health care options available to them as participants transition into the new health care plans January 1, 2008.

Additionally, the open enrollment period for the Pre-Tax Spending Plan was also delayed to coincide with the enrollment period for employee health care insurance elections.

If any member has not received their Enrollment brochure contact the SeaRiver Benefits Supervisor, Chris Matteson at 713-656-2746

Exxon/Mobil goes to the Supreme Court

On October 29, the United States Supreme Court agreed to decide on the protracted legal case between ExxonMobil, Corp. and approximately 33,000 plaintiffs involving punitive damages resulting from the March 1989 grounding of the *Exxon Valdez*. The plaintiffs include commercial fisherman, cannery workers, Native Alaskans, local governments and businesses. The infamous maritime accident resulted in the leakage of an estimated 11 million gallons of oil into Alaska's Prince William Sound from the tanker causing immediate environmental damage and the loss of thousands of seabirds and marine animals.

The vessel was owned and operated by Exxon Shipping Company at the time of the accident, predecessor to SeaRiver Maritime. Exxon Seamen's Union members crewed the vessel that was later renamed the *SeaRiver Mediterranean* after she underwent extensive repairs following the incident and until the tanker was transferred to ExxonMobil's international ship operator International Marine Transportation, Limited (IMT) in March of 2005.

Attorneys arguing against the Supreme Court intervention in the case said that the standing order issued by the San Francisco-based 9th U.S. Circuit Court of Appeals that reduced the punitive damages to \$2.5 billion from an earlier reduced amount of \$4.5 billion is "barely more than three weeks of Exxon's net profits." ExxonMobil believes that even the present amount of punitive damage assessed by the court in December of 2006, modifying a \$5 billion judgment in 1994 by an Alaskan jury is inappropriate.

"This case has never been about compensating people for actual damages," company spokesman Tony Cudmore said in a statement, "Rather it is about whether further punishment is warranted.... We do not believe any punitive damages are warranted in this case."

However plaintiffs do not agree and have stated that, "Exxon placed a re-lapsed alcoholic, who it knew was drinking aboard its ships, in command of an enormous vessel carrying toxic cargo across treacherous and resource-rich waters," they said.

ExxonMobil has contended all along that they should not be held responsible for the mistakes of the ship's Master, who the company maintains violated clear company rules leading up to the grounding of the *Exxon Valdez*. The colossalized integrated oil company estimates that it has already spent \$3.4 billion in cleanup costs and other penalties resulting from the oil spill.

John Paul Jones, a University of Richmond law professor and expert in maritime law, believes the court is justified in taking-up the case because lower courts have been divided on some of the issues peculiar to the laws concerning accidents on the water. The ultimate Supreme Court decision is garnering considerable interest by U.S. businesses and is expected to have far-reaching legal implications for corporations. "The decision in this case could dictate the outcome of a significant number of cases," Jones said

The case is set to be heard early next year. Justice Samuel Alito, who owns between \$100,000 and \$250,000 in Exxon stock, did not take part in the decision to accept the appeal.

New Dental Plan (Correction)

In the October issue of the *ESU News/West Coast Sailor* article titled "Medical and Dental Insurance to change in 2008" the Union erroneously stated that when the change occurs from the Blue Cross/Blue Shield Dental to the ExxonMobil Dental Plan the premium costs would be "identical." In fact, there will be an increase in employee's contributions to the plan as illustrated in the table below:

Employee Contributions for 2008-ExxonMobil vs. BC/BS

Class of Coverage	2007 \$/Month	2008 \$/Month	Company	2008
	Employee Contribution for BC/BS	Employee Contribution for ExxonMobil	Contribution Unchanged for 2008	Employee Increase \$/Month
Employee Only	\$10.32	\$23.00	\$19.00	+\$12.68
Employee +1	\$38.24	\$39.00	\$26.00	+\$0.76
Employee +2 or more	\$50.46	\$64.00	\$39.00	+\$13.54

As previously reported dental coverage in the ExxonMobil Dental Plan provides considerably improved overall benefits to the participant. Payments in the new plan will be calculated on 90% of "reasonable and customary charges" nationwide instead of the present 70% of "reasonable and customary charges" in Texas, a formula that will generally result in cost savings to the user. Other improvements in dental coverage benefits over the existing BC/BS Dental Plan are increases in the annual maximum to \$2,000.00, an increase of \$1,000.00 per year and a \$1,000.00 increase in lifetime maximum's for orthodontic procedures to \$2,000.00.

The Union apologizes for the prior inaccuracy.

ESU News

Polar Tankers fined, "whistleblower" awarded \$250,000

Polar Tankers, the domestic crude oil marine transportation subsidiary of ConocoPhillips has agreed to pay a fine and other penalties totaling \$2.5 million for spilling oily sludge into the ocean after leaving Valdez, Alaska, with a load of Alaska crude oil, and then falsifying records to cover it up. Additionally, a crewman on the vessel *Polar Discovery*, that reported the pollution incident, and the company's failure for four-months to report the spill was awarded \$250,000 under a "whistleblower" provision of the Act to Prevent Oil Pollution.

Court papers say that the 895-foot double-hulled tanker filled up with North Slope oil at the Valdez Tanker facility in January 2004 and headed south through the North Pacific Ocean. At sea sludge from the engine room somehow spilled onto the cargo deck, then through open deck scuppers and overboard. The quantity of oily waste discharged into the water was unknown.

Documents charge that the ship's crew, primarily the Chief Engineer, did not record the oil transfer and spill as required by law. Additionally, the Captain of the vessel, in an effort "to hide the fact that he and his crew discharged this oily sludge directly into the ocean, falsified the bridge logbook."

Further deceit was charged in court records by the Captain in the incident, "rather than recording that the vessel slowed down and turned away from the wind so that the ship's crew could clean oil from the side of the ship, the Captain instead recorded that the ship had performed a man-overboard-drill."

ConocoPhillips maintains that it first learned of the spill when the crewman reported it some four-months later, in May 2004, and that any wrongdoing was by the officers and crew. The ship's Captain and Chief Engineer were fired and some other supervisors were either terminated or chose to terminate their employment with the shipping company."

The \$2.5 million will be divided, with \$500,000 being paid as a criminal fine and \$2 million to be paid to the National Fish and Wildlife Foundation, a nonprofit organization established by Congress. The money will go toward environmental and other projects to protect coastal waters near Valdez and in Prince William Sound.

The specific charge to which Polar pleaded guilty was "failure to maintain an oil record book." Prosecutors said ConocoPhillips was cooperative, fired employees found to be at fault, and tightened company policies and procedures.

ESU in attendance at King County Labor Council meeting



From left: Executive Secretary of the Council and former national President of the Inlandboatmen's Union Dave Freiboth; ESU President Kevin Conroy; and Sailors' Union of the Pacific Seattle Branch Agent Vince O'Halloran.

ESU President Kevin Conroy attended a meeting of the King County Labor Council meeting held at the Labor Temple in downtown Seattle October 17. The meeting was attended by representatives from all the major unions in the greater Seattle area including the Longshoremen, Steelworkers, Teamsters, Carpenters, IBEW, Teachers, Boeing Machinists, MM&P and many others.

ESU members visit Solidarity Monument

During the recent shipyard stay at the Gdansk, Poland Shipyard, ESU members took time-out to visit the Monument to the fallen Shipyard Workers of 1970. The monument honors the more than 80 workers killed by riot police during an "illegal" labor strike. The monument, erected in 1980, was the first to be created in honor of victims of communist oppression in a communist country.



From left: Joe Pereira, Pat Campbell, Ein Cooley, Rex Jett and Ditmar Valle. Photo taken by Ray Curry.

As a result of the bloody 1970 strike, an electrician and member of the strike committee, Lech Walesa was arrested and convicted of "anti-social" behavior and served one year in prison. Upon returning to the shipyard in what amounted to "house arrest," Walesa later lost his job at the Gdansk Shipyard for collecting signatures to build the memorial for the fallen workers.

Walesa, though under surveillance by the communist government and routinely being detained continued his work for with the Solidarity labor union, with its primary issues those of workers rights. In 1983 Walesa was awarded the Nobel Prize, however, the struggles for Walesa and the Solidarity union continued against the communist lead Polish government.

In 1990, as economic conditions worsened in Poland and the government became more unpopular the communist regime entered into negotiations with Walesa and the Solidarity Party. These negotiations resulted in parliamentary elections, leading to the establishment of a non-communist state. Late in 1990, Walesa was elected President of the Republic of Poland.

Ship reports

S/R American Progress

At press time the *American Progress* is in route to Fos, France, having completed her shipyard period in Gdansk, Poland to back-load for her Atlantic crossing back to the U.S. Deck Trustee Mike Harrison is staying in touch with the Executive Board via e-mail and reports all is well aboard ship. The vessel is expected to be in U.S. waters the first week of December.

S/R Baytown

A Board Officer visit was conducted at Sunoco, in Nederland, Texas, November 7, after the vessel experienced a prolonged standby at anchor off of Sabine Pass. Joel Mitchell has filled in as Temporary Ship Representative and reports no beefs. Some questions were addressed concerning the new medical plans. Regular Ship Representative Joe Bernavich is now aboard. Short-term plans are for the vessel is to load in Baytown, Texas, for a Port Everglades, Florida, discharge.

Kodiak

ESU Deck Trustee Will Ackley is on board the *Kodiak* and in frequent contact with the Executive Board. ESU Ship Representative Tim Williams is scheduled to return from shore in late November. Vessel is continuing to trade between the Valdez Tanker Terminal and Puget Sound oil terminals. No beefs.

S/R Long Beach

ESU Executive Board Officer visited the vessel on October 21, during her visit at the Valero, Benicia, California facility. The ship was later delayed for repairs in Port Angeles and has since resumed her ANS trade between Valdez/San Francisco. Daniel Breaux pitched in and served as the Temporary ESU Representative and Rigo Bonilla took over the reins from Daniel. The ESU thanks both Daniel and Rigo for helping out.

Sierra

The ship visited the San Francisco Bay Area the week of November 11, however, the ESU Board officer was unable to board the vessel. Ship Representative Thor Floreen has returned from paid leave and is communicating regularly with the Union. The ship is scheduled to return to her Valdez/Puget Sound route. No beefs reported.

S/R Wilmington

The *Willy* transited the Suez Canal on its return to the United States after her Singapore shipyard stay. At press time the vessel is at the Esso Refinery in Augusta, Sicily to load for Port Everglades, Florida. The ship is expected to resume her regular trade around the first week of December when it calls on Baytown, Texas.

Contractual holidays

Christmas Day –Tuesday, December 25.
New Year's Day –Tuesday, January 1.

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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Engine Trustee William Ackley
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Ship air pollution linked to heart and lung deaths

Air pollution from ships caused 60,000 deaths from heart and lung disease in 2002, —the majority in Europe and Asia, an academic study has found— a death total the authors expect to grow by 40 percent by 2012. The scientific paper published by the American Chemical Society journal *Environmental Science and Technology* has been presented to an International Maritime Organization (IMO) panel of experts charged with assembling data on ship-source pollution and CO₂ emissions.

Two academics, James Winebrake and James Corbett studied six cases using three different shipping fleet composition scenarios to conclude that when all ship-source pollutants are included, cardiopulmonary and lung cancer deaths attributable to ship emissions reached 64,180 in 2002.

Two atmospheric models were combined with census and incidence data from the United States and World Health Organization. Clean Air Task Force senior counsel David Marshall said that 60,000 deaths was the “best estimate” of the scale

of the problem. “You have to remember that these are 2002 numbers so we can assume the problem has got worse,” he said. “This was research that clearly needed to be done. Nobody knew what the mortality impacts were and we wanted to get a handle on it.” Marshall said he hoped the data would be included in the deliberations of the IMO expert panel studying ship source air pollution. “This is a relevant piece of information so we expect it to be included.”

The study presents a compelling case that centers of concentrated shipping activity suffer from heightened levels of pollution but acknowledges variances in ship inventories, the ‘significant uncertainty’ of the confidence intervals as well as uncertainties in atmospheric modeling in its results.

It finds that based on previous estimates of deaths globally from particulate matter emissions, shipping accounts for three-to-eight percent, but its research makes no allowance for cases of asthma, which it expects to be elevated in centers of heaving shipping activity.

India blames mariners for sinkings

Data for the past three years on shipping casualties in the Arabian Sea shows that serious technical and human failure aboard the ships was to blame for 23 out of the 25 ships that sank.

The in-depth analysis comes from India’s Nautical Surveyor and Deputy Director General of Shipping (Technical), Captain Deepak Kapoor. While the ships sank in rough weather during the monsoon period, “the primary cause was Indian seafarers not exercising due care or displaying their professional skills in discharging their duties,” Captain Kapoor said. However, he also identified poor maintenance by the owners along with other contributing factors such as human error, fatigue and defects in design. Two ships with Indian crew sank in July this year due to poor maintenance, severe weather conditions, and lack of observance of good seamanship or safe watch-keeping practices as prescribed in national and international regulations, Kapoor said.

Welfare Notes

November 2007

TIMELY FILING OF CLAIMS

Plan rules regarding the requirement of filing claims within 90 days of the service date were reviewed at the October 2007 Board of Trustees Meeting.

The decision of the Board was that the 90 day time limit shall begin counting from the date of the initial invoice from the provider or 90 days from the Medicare, or other primary carrier, payment date.

If an active participant is at sea and unable to submit a claim within 90 days from the initial billing date, the Plan office will reimburse these claims if the participant can provide documentation of his or her sea time.

2007 CREDITABLE/NON-CREDITABLE PRESCRIPTION COVERAGE NOTICES

The Plan office recently mailed Prescription Drug Creditable Coverage letters to active participants and Prescription Drug Non-Creditable Coverage letters to pensioners. Please read the letters carefully and keep the letters for future reference regarding Medicare Part D Prescription coverage. If you did not receive a letter, contact the Plan office at 415-778-5490 or 1-800-796-8003.

MEDICARE PART D CHANGES

There may be changes in the premium you pay for Medicare Part D and the prescriptions your plan covers. If you are currently taking prescriptions for a medical condition, contact your Medicare Part D carrier to insure that your plan will cover the prescriptions you need.

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Patty Martin martinpatty59@sbcglobal.net

Virginia Briggs, Claims vbriggs80@sbcglobal.net

Michael Jacyna, Eligibility mjacyna67@sbcglobal.net

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San Francisco, CA 94107

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

Fax: 415-778-5495

SIU-PD Pension 415-764-4987

SIU-PD Supplemental Benefits 415-764-4991

TWIC Quarterly Deployment Plan

As of November 16, 2007

October-December 2007

October 16, 2007

Wilmington, DE

November 1, 2007

Corpus Christi, TX

November 7, 2007

Baton Rouge, LA

Tacoma, WA

Honolulu, HI

November 8, 2007

Oakland, CA

Beaumont, TX

November 14, 2007

Houston, TX

Providence, RI

November 15, 2007

Chicago, IL

Port Arthur, TX

Savannah, GA

November 21, 2007

Baltimore/Dundalk, MD

Lake Charles, LA

Minneapolis, MN

St Paul, MN

November 28, 2007

Charleston, SC

November 29, 2007

Cleveland, OH

Detroit, MI

Port Fourchon, LA

November 30, 2007

Boston, MA

December 5, 2007

Brownsville, TX

Early December

Indiana Harbor, IN

Mobile, AL

Mid December

Albany, NY

Brunswick, GA

Long Beach, CA

Los Angeles, CA

Milwaukee, WI

Philadelphia, PA

Seattle, WA

Tulsa, OK

Late December

Joliet, IL

Kansas City, MO

Kauai, HI

New York/New Jersey #1

Peoria, IL

January - March 2008

American Samoa

Anacortes, WA

Ashtabula, OH

Bay City, MI

Boume, MA

Buffalo, NY

Calcite, MI

Cincinnati, OH

Duluth-Superior, MN

Escanaba, MI

Everett, WA

Green Bay, WI

Guam

Hilo, HI

Huntington, WV

International Falls, MN

Jacksonville, FL

Kahului, Maui, HI

Key West, FL

La Plata, MD

Lorain, OH

Louisville, KY

Marine City, MI

Marquette, MI

Memphis, TN

Miami, FL

Morehead City, NC

Morgan City, LA

Muskegon, MI

Nashville, TN

New Orleans, LA

New York/New Jersey #2

New York/New Jersey #3

Newport News, VA

Norfolk, VA

Ontonagon, MI

Oswego, NY

Palm Beach, FL

Panama City, FL

Pittsburgh, PA

Port Canaveral, FL

Port Everglades, FL

Portland, OR

Richmond, CA

S. Louisiana (La Place, LA)

Salisbury, MD

Sandusky, OH

Sault Ste. Marie, MI

St. Ignace, MI

St. Louis, MO

Tampa, FL

Texas City, TX

Toledo, OH

Traverse City, MI

Vicksburg, MS

Victoria, TX

Wilmington, NC

April - June 2008

Alpena, MI

Anchorage, AK

Bangor, ME

Benicia, CA

Camden, NJ

Chattanooga, TN

Coos Bay, OR

Comm, NY

Freeport, TX

Galveston, TX

Greenville, MS

Gulfport, MS

Guntersville, AL

Juneau, AK

LaPorte, TX

Little Rock, AR

Marcus Hook, PA

New Haven, CT

New London, CT

Nikishka, AK

Paducah, KY

Paulsboro, NJ

Point Comfort, TX

Ponce, PR

Port Hueneme, CA

Portland, ME

Portsmouth, NH

Rochester, NY

Saipan

San Diego, CA

San Francisco, CA

San Juan, PR

Valdez, AK

July - September 2008

Bridgport, CT

Burlington, VT

Chester, PA

Eureka, CA

Evansville, IN

Houma, LA

Lafayette, LA

Lindenhurst, NY

Longview, WA

New Castle, DE

Pasco, WA

Pennsbury Manor, PA

Perth Amboy, NJ

Port Manatee, FL

Riverhead, NY

Sacramento, CA

St. Croix, USVI

St. Thomas, USVI

Stockton, CA

Vancouver, WA

Presidential candidate John Edwards responds to TTD labor questionnaire

Earlier this year, the Transportation Trades Department, AFL-CIO—which the Sailors' Union is an affiliate—sent a comprehensive questionnaire to all presidential candidates regarding various labor issues. As the *West Coast Sailors* goes to press, only former Senator John Edwards has so far responded. The following are excerpts from Senator Edwards response:

Collective Bargaining and Organizing Rights

Will you oppose legislation that weakens that nation's labor laws, which are designed to permit workers in the public and private sectors to freely choose union representation without employer intimidation and interference?

Yes. I believe we need to strengthen our labor laws, not weaken them.

What will you do to lead the effort to get the Employee Free Choice Act signed into law?

Making the Employee Free Choice Act the law of the land will be a top priority when I am president. Let me tell you three things I will do to make sure Congress passes the bill in 2009 to level the playing field for organizing.

First, I will help make this an easy vote for members of Congress by countering the right-wing's demonization of organized labor. I talk about the importance of unions everywhere I go, and I will keep on doing that as president.

Second, by running a strong 50-state campaign, I will strengthen pro-worker majorities in Congress, reducing opposition to bills like the Employee Free Choice Act.

Finally, as president, I will work with Congressional leadership to prioritize this legislation. The current Congress made increasing the minimum wage a priority, and figured out how to make it law. I believe the Employee Free Choice Act is at least as important. I called the unsuccessful vote in Congress in June on the legislation probably the most important vote on the future of the middle class cast this year—and I meant it. I will support whatever legislative strategy is necessary to make the Employee Free Choice Act the law of the land.

Employee Protections

Will you oppose proposals to repeal, weaken or avoid compliance with Davis-Bacon requirements as they apply to federal infrastructure programs and grants? And will you insist that these protections be applied to all "innovative finance" measures in transportation and other federal infrastructure spending and reauthorization proposals?

Yes. I will protect the Davis-Bacon Act, which prevents contractors from slashing wages in order to win federal contracts with low-ball bids and ensures the quality and cost-effectiveness of public works. It was shocking when President Bush intervened to keep workers from earning a decent wage after Hurricane Katrina, but we must be vigilant every day against abuses. We need to be strengthening Davis-Bacon—for example, by making sure projects funded by the water bill pay prevailing wages—not dismantling it.

International Aviation

Will you oppose the repeal or weakening of U.S. airline cabotage laws? And will you oppose proposals to allow foreign interests to control U.S. Airlines?

Yes. Maintaining a strong and safe domestic aviation industry is essential to the economic and national security of the United States. Our experience with terrorism and with misguided trade policies that put the interests of multinational corporations ahead of working families should inform our policymaking in this area.

We need trade policies that put workers and families first. Edwards supports existing airline cabotage and foreign ownership laws. The U.S. air travel marketplace is roughly half the world's market and supports tens of thousands of good union jobs.

Will you support legislation that ensures the safety and security of foreign aircraft repair stations and ensure that foreign repair facilities and their employees are held to the same standards as U.S. stations and their workers?

Aircraft repair and maintenance is too important not to apply strong safety and security standards to the work, wherever it's done. Every major U.S. carrier has outsourced repair work beyond our borders. Aircraft repair stations based overseas that service U.S. planes should meet rigorous security and safety standards, just like domestic repair stations and their employees.

Transportation Security

Will you ensure that the TWIC program and other background checks imposed on transportation workers provide workers with basic due process rights, including a right to a waiver and appeal before an administrative law judge?

Yes. Fulfilling the government's essential duty to keep Americans safe does not mean that it has to disregard its constitutional obligation to ensure due process. I strongly support procedural due process protections for workers on the front lines.

Will you insist that the cost of the TWIC program not be imposed individual workers? Will you ensure that privacy protections are in place and enforced?

Yes. It is outrageous to make individual workers pay out of their own pockets for the cost of public safety systems. I also support protecting the privacy of workers when implementing these kinds of systems.

Will you ensure that the federal TWIC program preempts any and all state and local programs?

Yes. TWIC is being designed to ensure national security. Once the program is established, separate state or local security standards for transportation workers that might require workers to carry two or more badges would be costly and counterproductive. The federal program has the flexibility to reflect different risk standards for the most sensitive settings.

Cross-Border Safety

Will you support and advocate for a rigorous and well funded federal program of border inspections and aggressive enforcement of U.S. highway safety laws and regulations before you support allowing Mexico-domiciled bus and motor carrier companies to provide service on U.S. Highways?

Yes. I have supported stronger safety restrictions before Mexican trucks and buses are allowed free range on America's highways. The Bush administration has allowed multinational corporations and their Washington lobbyists to jeopardize American highways and streets. They are putting profits over safety and pushing through this program without regard for the impact on the environment or the safety of America's workers and families. As president, I will enact smart trade policies that put workers, wages and families first.

Will you oppose U.S. rail carriers being permitted to outsource safety-sensitive inspections of trains entering this country to foreign countries?

Yes. Even President Bush's industry-friendly Department of Transportation recognized that Union Pacific's request to outsource border safety inspections to Mexico was not appropriate.

Air Traffic Control

Privatization & Modernization

Will you oppose legislation that would allow the sell-off—either through contracting out or outright privatization—of the air traffic control system functions to private interests?

Yes. I have been on record for a long time that air traffic control is an inherently governmental function that should not be privatized.

U.S. Flag Merchant Marine

Do you support and will you fully enforce existing cargo preference laws for defense and non-defense government cargo, including the P.L. 480 Food-for-Peace and other food aid programs?

Yes. The "Food for Peace" program under the cargo preference laws has provided over 107 million tons of food aid and benefited 3.4 billion of the world's hungry. This constant source of cargo for America's sea merchants has provided a stable source of income helping them weather the boom and bust cycles

of international trade. It has also benefited our nation's farmers by facilitating the sale of over \$30 billion dollars worth of commodities.

Do you support fully funding the Maritime Security Program at its authorized level of \$174 million in each of the next three fiscal years? Would you support a further expansion of the Maritime Security program in order to increase the fleet of militarily-useful U.S.-flag commercial vessels available to the Department of Defense in times of war or emergency?

The Maritime Security Program has served to encourage investment in U.S.-flag merchant fleet improvements and has ensured continued Department of Defense access to commercial vessels for sealift in national security emergencies. The program also has assured an important presence of U.S.-flag ships in international ports around the world. Cutting the MSP could leave our military dangerously unprepared to respond to terrorist threats and leave our troops in the hands of inexperienced mariners. I support full funding for this program.

I will work to preserve a vibrant, strong American fleet. The Maritime Security Program is a relatively small investment that could be expanded within the context of a responsible budget. The number of maritime ships has declined in the U.S. since 1970. However, a strong maritime fleet is in our best interest both economically and militarily.

What is your position on the Jones Act?

I strongly support the Jones Act. It helps strengthen our economy, keep our homeland secure and protects our environment. For decades, it has ensured the construction and operation of a merchant marine fleet capable of meeting our nation's commercial and military needs with the most productive crews in the world, while simultaneously creating a competitive U.S. shipbuilding industry and thousands of good-paying American jobs.

As president, I will vigorously enforce the Jones Act, and subject any requests for waivers to strict scrutiny.

NLRB needs "renovations" *continued from page 1*

should be able to withdraw recognition from the Union on the basis of a signed petition.

"These new rules from the Labor Board undo everything we worked to achieve," said Jonathan Upright, an AT&T retail sales consultant who recently formed a Union with the Communications Workers of America (CWA) in Winston-Salem, NC, and whose employer posted such a sign notifying workers of how they can get rid of the new Union. "The Labor Board is supposed to protect our freedom to form Unions and bargain for a better life. This September, they stopped doing that... and it's just not right!"

The decisions also make it harder for workers who are illegally fired to recover back pay. In one case, a company in Florida fired workers for supporting a Union. The Board refused them back pay because that would "reward idleness" since they weren't out looking for a job soon enough after they'd been illegally fired.

The protestors said that the NLRB's recent decisions continue and magnify trends that started when a Bush-appointed majority took control of the NLRB in 2002. They said these decisions illustrate how badly broken the nation's labor law system has become and further spotlight the need for the Employee Free Choice Act—labor law reform legislation supported by a majority in Congress, but stalled by a Republican filibuster in the Senate.

"It's time for the politicization at the NLRB to stop. The Board must return to its original intent of protecting workers' basic freedoms rather than infringing upon them," stated AFL-CIO President John Sweeney.



SUP President's Report

November 13, 2007

TRANSPORTATION WORKERS' IDENTIFICATION CREDENTIAL

Despite the strong and continuous opposition of the Sailors' Union and most maritime labor and industry organizations, the Department of Homeland Security has begun to implement the Transportation Workers' Identification Credential (TWIC) enrollment process.

SUP members as well as all maritime workers are required to have this document prior to September 25, 2008. It is, therefore, important that the membership enroll well in advance of that date.

As of today's meeting, enrollment centers have opened in Wilmington, Delaware; Corpus Christi, Texas; Baton Rouge, Louisiana; Tacoma, Washington; Honolulu, Hawai'i; Oakland, California; Beaumont, Texas; Houston, Texas; and Providence, Rhode Island.

The following are addresses of enrollment centers near to SUP halls:

Tacoma:	FIFE Business Park 5113 Pacific Highway East, Suite 1E Tacoma, Washington
Honolulu:	1347 Kapiolani Boulevard, Suite 204 Honolulu, Hawai'i
Oakland:	Oakland Maritime Support Services 11 Burma Road Oakland, California

Hours of Operation: Mon.-Fri. 6:00 A.M.-6:00 P.M.

According to the Transportation Security Administration (TSA), in late November an enrollment center is scheduled to open in Kahului, Maui; in early December, Hilo, Hawai'i; in mid-December, Los Angeles, Long Beach and Seattle; in late December, Kauai, Hawai'i and New York/New Jersey. As of this date, the locations of the enrollment centers have not been released. A full listing of the cities covered in the TWIC deployment plan will be published in this month's *West Coast Sailors*. [Editor's note: See page 8]

To schedule an appointment at one of the centers and to save time, members can pre-enroll online at www.tsa.gov/twic or call 866-347-8942.

Once a member's information is entered online, the applicant can select an appointment time as part of the pre-enrollment process. After your TWIC is issued, TSA will notify you by a method of your choice — home phone, cell phone, or email— as to where and when to pick up the TWIC. All applicants will need to bring two forms of identification to the enrollment center and a form of payment. Your valid U.S. passport, MMD and driver's license are examples of qualifying identification.

For a full list of acceptable documents to be utilized at the center for I.D. consult the October issue of the *West Coast Sailors* or the TSA website. The centers will accept credit cards for payment, but no personal checks. Holders of a U.S. Merchant Mariners Document (MMD) are eligible for the "discounted" issuance fee of \$105.25. However, if you take advantage of this so-called discount, your TWIC will expire on the same day as your MMD. If you opt to pay the full fee of \$132.50, you will receive a five-year TWIC card regardless of the expiration date of your MMD.

The process at the enrollment center is quick and straight-forward and requires the applicant to have their photograph and fingerprints taken by digital/electronic means. Note that an applicant will be required to visit the enrollment center twice —once for processing and again within 10-30 days for card issuance and activation.

Members should take their time in filling out the TWIC Application Disclosure Form as there are "yes" or "no" answers to a list of disqualifiers. An erroneous answer or omission on the form could by itself be grounds for TSA to deny issuance of the credential. This would force the applicants to go through a lengthy appeal process. Giving a "willful

false statement, or an omission of material fact" on the application, "can be punished by fine or imprisonment or both," according to Section 1001 of Title 18 of the United States Code.

SUP WELFARE PLAN: REIMBURSEMENT ISSUE

As reported in September, the Union was contacted by several active and retired members regarding the SUP Welfare Plan's policy of not reimbursing for eligible medical, dental, vision or prescription charges unless they were submitted to the Plan within 90 days after the charges were incurred or, in other words, 90 days from the date of service.

At the October 10 meeting of the Trustees of the Plan, the Union Trustees (Dave Connolly and your secretary) proposed, and the employer Trustees agreed, to change the policy so that claims must be submitted within 90 days from the **initial** date of invoice or Medicare or other primary carrier payment for both active and retired participants. For those participants who are at sea and are unable to file for reimbursement within 90 days from the **initial** date of invoice, the Plan office will reimburse these claims if a participant can document that fact. The Trustees also approved all appeals from participants who were denied reimbursement based on the old 90 day rule from August 1, 2006 until the October Trust meeting.

MATSON NAVIGATION COMPANY

As reported in September, the SUP filed unfair labor practice charges against Matson on August 30, with the National Labor Relations Board over the company's use of non-SUP personnel, in violation of Section 4 (Scope of Work) of the SUP Work Rules, to change lifeboat falls in the *Manukai* when the vessel was in Long Beach on July 2.

On October 29, Alan Reichard, Regional Director of the NLRB's Oakland office, notified the Union that while the charges were "arguably meritorious" that under the NLRB's "deferral policy" as set forth in various court cases, the NLRB will defer ruling on the charges until the collective bargaining parties resolve the grievance through arbitration, if necessary. Failure to follow the NLRB's deferral policy will result in the dismissal of the charges.

In the judgment of your secretary, that although Matson has thus far been unwilling to resolve this grievance, it would cost the SUP substantial legal fees if we retained counsel to arbitrate this issue. Instead, the Union will resolve the violation of our Scope of Work in bargaining with the company next June.

SUP BUILDING CORPORATION

On October 15, the Rincon Hill Transbay Association held a meeting at Headquarters to discuss the Rincon Hill Plan with San Francisco Mayor Gavin Newsom. The Association, of which the SUP is a member, is comprised of residents of the new residential housing units that are near 450 Harrison Street.

Of the eighty plus people who attended the meeting—including your secretary— several took the Mayor to task for the failure, thus far, of the City of San Francisco to live up to the Rincon Hill Plan regarding the \$2.5 million commitment to retrofit the Headquarters building.

Mayor Newsom stated repeatedly that retrofitting 450 Harrison was high on his priority list to accomplish. We hope that this was not just empty rhetoric.

WOODSIDE NATURAL GAS

At the request of Maritime Administrator Sean Connaughton, attended a meeting at MarAd Headquarters in Washington, D.C., on October 18, to discuss the application process and the hurdles Woodside Natural Gas must overcome so that the company's LNG

project, including two U.S.-flag, U.S.-crewed LNG regasification vessels, become a reality (see the October *West Coast Sailors* for background information).

Also had the opportunity to meet with several members of Congress from Southern California including Representatives Henry Waxman, Laura Richardson, Maxine Waters and Jane Harman, to discuss the project. All but Harman were favorably disposed to the project.

HOUSE TRANSPORTATION & INFRASTRUCTURE COMMITTEE HEARING

On October 17, in Washington, attended a hearing on Maritime Training and The Workforce held by the House Transportation and Infrastructure's Subcommittee on Coast Guard and Maritime Transportation.

At the request of the Committee, SUP member Berit Eriksson, former Executive Director of the Pacific Coast Maritime Consortium, testified as to mariner training requirements and the need for the nation to maintain and expand the U.S.-flag fleet so that American mariners can fulfill the maritime obligations of the United States in the future. Sister Eriksson's presentation was well received and was a credit to the Sailors' Union.

BANE & TULENKUN v.SUP

As first reported in September, 2005, SUP members Sefuluono F. Bane and Ruta A. Tulenkun filed suit against the Union with the U.S. District Court for the District of Hawai'i, alleging race and gender discrimination against them in the dispatching process by the Honolulu Branch. The SUP, through its attorney, Charles K.Y. Khim, has repeatedly denied the charges.

On October 17, Mr. Khim filed a motion with the Court to dismiss the complaint, or in the alternative grant summary judgment in favor of the Sailors' Union. A hearing on the motion will be before Judge J. Michael Seabright on December 31, in Honolulu.

Thus far, the Union has spent more than \$64,000 to defend itself in this case.

UFCW LOCAL 5

On November 9, SUP Vice President Connolly and your secretary caucused with SUP Delegate Mike Henneberry, Marla Donati, Kirk Kearn and Jami Moore to formulate bargaining proposals in preparation for negotiations with United Food & Commercial Workers Union Local 5.

The SUP represents the UFCW Representatives and Organizers in Alameda County.

CALIFORNIA LABOR FEDERATION

As a vice president of the California Labor Federation, AFL-CIO, attended the Executive Council meeting in Los Angeles on October 25.

At the top of the agenda was health care reform. While universal health care coverage is the goal of the labor movement, there are not enough votes in the legislature to override a veto from Governor Schwarzenegger. A compromise bill (Assembly Bill 8) was hammered out during the past year, after being publicly vetted at four different legislative hearings and voted on eleven times. Supported by the Federation, this bill was vetoed by Schwarzenegger.

On October 9, the Governor unveiled his flawed plan, which the core component requires all Californians to buy health insurance without exception. Solving the problem of the uninsured by mandating insurance is akin to solving world hunger by requiring people to buy food. The vast majority of California's 6.5 million uninsured residents are uninsured not by choice, but because they cannot afford coverage.

Skyrocketing health premium and prescription drug

continued on next page

President's Report continued

costs which affect Union Welfare Plans across California and the nation are also not adequately addressed by Schwarzenegger's proposal. The Executive Council vowed to redouble the Federation's effort to gain affordable health care.

On the political front (not that health care is not a political issue), the Council debated and acted upon recommendations on the following propositions that will be on California's February 5, Presidential Primary ballot:

Referenda Petitions to Overturn Amendments to Indian Gaming Compacts

In 2006, Governor Schwarzenegger negotiated amendments ("2006 Amendments") to several existing tribal gaming compacts. Four sets of compact amendments were passed as separate bills by the California State Senate in April 2007 and then by the California State Assembly in June.

The four separate initiatives on the February ballot will referendize each of the amended compacts between the State of California and the following tribes: the Morongo Band of Mission Indians, the Sycuan Band of Kumeyaay Nation, the Pechanga Band of Luiseño Mission Indians, and the Agua Caliente Band of Cahuilla Indians.

These compacts were first negotiated in 1999 and do not expire until 2030. The 2006 Amendments would also remain in place through 2030, would grant more than 17,000 additional slots to gaming tribes, and would constitute the greatest expansion of gambling in U.S. history.

Because most state and federal labor laws cannot be enforced at tribal casinos, casino workers have no enforceable right to organize unless it is expressly delineated in the compacts. The 1999 compacts required that tribes implement a Tribal Labor Relations Ordinance (TLRO). The TLRO is modeled on the NLRA, however, unlike the NLRA, it requires workers and/or the Union to file initial complaints to an internal tribal council rather than to a neutral third party. Under this framework, unfair labor practices must be reported and ruled upon by the tribal employer first, making it unlikely that workers will step forward to report violations of the right to organize. Not one worker has been able to organize using the TLRO process.

When new compacts were negotiated in 2004, there was extensive documentation of harassment and intimidation of workers who had attempted to organize under the TLRO. As a result, Labor was able to secure modified labor provisions to protect workers trying to organize. These modifications provide for card check recognition and employer neutrality in the casinos. More than a dozen tribes have agreed to the neutrality and card check process for organizing and under those provisions, over 5,000 casino workers, including those at Chukchansi, Lytton, Pala, and Cache Creek, have joined Unions.

The 2006 Amendments to the four tribal compacts do not provide for card check recognition. Instead, they maintain the 1999 TLRO framework, without any new worker protections. During Legislative policy hearings on the 2006 Amendments, workers from the affected casinos testified that they were followed, threatened, and intimidated for trying to organize a union.

California's unions have stood in strong opposition to these tribal gaming compacts since they were originally proposed in 2006. Under tribal law, casino workers on Indian reservations have no enforceable right to organize into a union unless it is expressly specified in the gaming compacts. These four gaming compacts do not include provisions to protect the rights of these workers, which is why Labor will continue to oppose these compacts as referenda. There is no more important issue to workers than the right to organize and collectively bargain for fair wages and improved working conditions.

A "yes" vote on this measure means the 2006 Amendments to the gaming compacts will take effect and the newly amended compacts, without employer neutrality or card check recognition provisions, will be in place until 2030.

A "no" vote on this measure means the 2006 Amendments to the gaming compacts will not take effect and the existing compacts will remain in place until 2030 unless renegotiated with the Governor and ratified by the Legislature.

The Executive Council recommends a "No" vote.

Transportation Funding Protection Act (Proposition 91)

The goal of Proposition 91 is to prevent the state from spending gas tax revenue on non-transportation related endeavors. While Proposition 91 was being qualified, the Governor and legislators put a different measure, Proposal 1A, on the November 2006 ballot. Labor supported Proposition 1A, which accomplished the same thing that proposition 91 set out to do, and was approved by voters last year. Due to the passage of Proposition 1A, proponents of Proposition 91 agree that this initiative is no longer necessary.

The Executive Council recommends a "No" vote.

California Community College Initiative (Proposition 92)

This initiative would give every Californian the chance to go to college by lowering fees. In 2004, when the Legislature hiked fees to \$26 per unit, over 300,000 fewer students enrolled in community colleges. Proposition 92 would reduce community college attendance fees to \$15 per unit, ensuring that community college remains accessible and affordable. It also limits the rise in future fees, ensures stable funding for California community colleges, and guarantees that the community college system stay independent from state politics. Community colleges help improve the economy—for every dollar the state spends on community colleges, three dollars are generated back to the state through increased wages, as students see their wages jump from an average \$25,600 to \$47,571 in the three years after completing a vocational degree or certificate.

The Executive Council recommends a "Yes" vote.

Terms Limits and Legislative Reform Act (Proposition 93)

Proposition 93 would impose a shorter total limit on legislative terms, while permitting legislators to serve longer in either legislative house, and allowing current legislators to serve beyond existing term limits. This initiative strikes a reasonable balance between the need to elect new people with fresh ideas, and the need for experienced legislators with the knowledge and expertise to solve the complex problems facing our state.

The Executive Council recommends a "Yes" vote.

In addition to the above, the Council discussed plans to mobilize Union households to vote in the February primary, the June 3 primary and the November 4, 2008 General Election.

SUP ELECTION

Balloting for the biennial election of the Union officers and referendum on a proposed amendment to the SUP Constitution will begin on December 1, and will conclude on January 31, 2008. The ballots will be counted at Headquarters and the election held on February 1, 2008.

In accordance with the SUP Constitution, the entire secret mail-ballot and election shall be conducted by an Impartial Balloting Agent selected by the membership at the Headquarters' meeting. The Committee on Election has recommended that Pacific Election Services, Inc. be selected as the Impartial Balloting Agent.

As per Article VIII, Section 1 of the SUP Constitution: "Members with A and B seniority who are in good standing may vote in all Union elections. Members with C seniority who have ninety (90) days seetime within the preceding year have been in good standing for that year shall be eligible to vote in all Union elections."

SUP members on pension are allowed to cast ballots for Union officers and proposed Constitutional Amendments except for proposed amendments "on any dues raise and/or assessments."

If for any reason a member in good standing does not receive his/her ballot, he/she may make a written application to Pacific Election Services, Inc. The request shall include a statement that the member has neither received a ballot nor voted in the election and the address to which the ballot is to be sent. If you do not receive a ballot, contact: Robbin A. Johnson, Pacific Election Services, Inc., 1650 Stanmore Drive, Pleasant Hill CA 94523.

Voice: 925-685-4935 or 800-571-8049; Fax: 925 685-4937; Email: rjohnson7123@sbcglobal.net

It has been over ten years since the membership has voted to financially support their own organization. It's time to belly up to the bar and vote YES on the dues increase on the ballot.

Democracy is contingent upon participation. Put the "you" in your Union and be sure to vote!

HOLIDAYS

Christmas Eve: All SUP halls will be closed on Christmas Eve, Monday, December 24. Christmas Eve is an ILWU holiday and therefore is a recognized holiday under the SUP agreements with APL and Matson. It is a holiday for vessels in Pacific Coast ports on that day and for those working under the shoreside maintenance agreement. **Christmas Day:** All SUP halls will be closed on Christmas Day, Tuesday, December 25.

New Year's Eve: All SUP halls will be closed on New Year's Eve, Monday, December 31, an ILWU holiday. **New Year's Day:** All SUP halls will be closed on New Year's Day, Tuesday, January 1.

HOLIDAY BENEFIT

For the 18th year, the SUP and MFOW will cosponsor a holiday lunch for participants of the respective Union Welfare Plans and invited guests.

As approved by the Union and employer Trustees of both Plans, the cost of catering the lunch is prorated by the number of participants in each of the respective Welfare Plans.

In San Francisco, this year's lunch will be at SUP Headquarters, 450 Harrison Street, on Friday, December 21, from 11:30 A.M. to 3:00 P.M.

The schedule for the Branches is as follows:

Honolulu: Sunday, December 9, from 10:00 A.M. to 2:00 P.M. at the Honolulu Hall; Seattle: Saturday, December 15, from 11:00 A.M. to 2:00 P.M., at the Seattle Hall; and Wilmington: Saturday, December 22, from 11:30 A.M. to 3:00 P.M., at the Wilmington Hall.

ACTION TAKEN

M/S to concur with the President's Report. Carried unanimously.

Gunnar Lundeberg

**Record of SUP Shipping
October 2007**

	Hdq	Seattle	Wilm	Hono	Total
Bosun	6	0	2	3	11
Maint. Man	7	0	0	2	9
A.B. Dayworker	0	0	4	2	6
A.B.	10	4	8	7	29
O.S.	3	1	1	0	5
Ship Util.	0	1	0	0	1
Standby	21	15	56	49	141
TOTALS	47	20	71	63	201

SUP Branch Reports

Seattle

October 15, 2007

Shipped during the period: 1 Boatswain job shipped to an "A" member; 3 Able Seaman jobs shipped to 3 "B" members; and 15 standby jobs filled by 6 A, 5 B, 3 C and 1 D registrant.

Registered during the period: 7 A cards for a total of 23; 10 B cards for a total of 22; 5 C cards for a total of 6.

Ships Checked

President Truman called in New York after 56 day trip. I spoke with returning crewmembers and they reported a good trip with no beefs.

The Matson ships *Manoa* and *Kauai* in twice with little or no trouble.

During the month, I attended the Puget Sound Harbor Safety Committee meeting; the King County Labor Council meetings; the King County Labor Council Port Coalition meeting; and a meeting with waterfront labor Unions and the Washington Department of Transportation regarding the Alaska Way Viaduct retrofit.

As we head into next November's election, it is important that we all participate in getting "labor friendly" legislators elected. If we don't get involved, then those that have legislated against us, think TWIC card fiasco, will continue to burden us with excessive fees and unrealistic screening procedures that are crippling the American waterfront workers' ability for gainful employment. Call your local labor council and volunteer to phone bank or stuff envelopes or any other way you may offer to help. If you cannot locate a number for your labor council,

call your Branch Agent and they will locate the number for you where you live.

Vince O'Halloran, Branch Agent

Wilmington

October 15, 2007

Shipped during the period? 3 bosuns, 7 ABs, 4 ABDs, 1 OS, and 51 standbys for a total of 66. Registration: 38 A cards, 22 B cards and 4 c cards.

Ships Checked

Maunawili, APL China, Maunalei, APL Korea, R.J. Pfeiffer, APL Thailand, APL Singapore, Manukai, Matsonia, Lihue. It was reported to me that Matson was going to try to get around paying the gang for voyage stores. This is a false rumor.

Attended MTD meeting. We worked on Woodside project. This project could become jobs for us on the LNG ships. We also worked on the solidarity cruise for the harbor youth. Also attend the MTD luncheon. I spoke with Congresswoman Loretta Sanchez about the use of foreign armed mercenaries on U.S. ships carrying ammo. Also told her of the threat made by the foreign mercenaries on an SUP sailor while performing his duties. She had no knowledge of the use of foreign gunmen on our ships. Brothers pirate watch is our job. We don't need these foreign mercenaries on our ships. Many of us have small arms training. We need to ask why it is better to hire a foreign gun for money than a U.S. merchant marine to protect a U.S. ammo ship. One other injustice is that if you are a foreign national on a foreign flag ship, you don't need a TWIC cards. We

are already over taxed. Why should we pay for the TWIC scam? Brothers, it is time to vote for our Union leadership again. It comes to my mind that we have no training program for Union offices. Therefore I invite any of you that would care to come to the Wilmington hall and I will give you hands on practical experience in how your hall is run.

As always put pride in your work because it is your work that gives our Union its value. Yours in struggle,

Paul Calais, Branch Agent

Honolulu

October 15, 2007

During the month of September, dispatched the following: 1 bosun, 1 bosun return, 3 ABDs, 1 ABD relief, 1 ABD return, 1 ABW and 1 AB maint. These jobs were filled by 7 A members and 2 B members. Also shipped 39 standby jobs filled by 8 A members, 15 B members, 11 C members, and 5 D registrants, for a total of 48 jobs shipped.

During the month of September, registered the following: 8 A members, 8 B members, and 1 C member. To date, registered are: 12 a members, 12 B members, 7 C members and 5 D registrants, for a total of 36 registered.

Ships Checked

Manoa, Manukai, Maui, Matsonia, Lurline, Kauai, Maunalei, Manulani, Lihue, Maunawili and *Mississippi voyager.* Paint and Rigging gang running smooth with Monte Kalama as bosun.

On October 17, attended the Hawai'i Ports Maritime Council meeting. Almost

the entire meeting was devoted to discussion on the TWIC issues. At this time, still haven't any information on an enrollment site here in Honolulu, having a hard time getting ahold of the TSA bureaucrats.

On October 26, along with Patrick Weisbarth, attended the 22nd Biennial Hawai'i State AFL-CIO Convention as SUP delegates. The meeting had to do with electing new officers and voting on various general and legislative resolutions. Brother Weisbarth was elected as an executive board vice president. Smaller gang in attendance due to the "Change to Win" breakaway fiasco.

Mike Duvall, Branch Agent

S.F. Business Agent

Visited and paid off:

Kauai— Mike ElMobdy, delegate: Coastwise Seattle/San Francisco/Honolulu run. Crew requests that the arms on the wheelhouse chair be repaired or replaced with a new chair. Made twice.

Lihue— In and out: Happy to see Duane Nash aboard and Mark Hurley as the new bosun.

Lurline— Edwin Suguitan, delegate: No disputes. Half San Francisco crew and half Honolulu crew. Good shape. Made twice.

Manoa— Randy Runyan, delegate: Running Seattle/San Francisco/Honolulu run. No disputes. New delegate Allen Gonzalez.

Maui— Noel Itsumaru, delegate: Visited ship at Howard Terminal. No disputes. Making two trips then lay up. Made twice.

Moku Pahu— John Duran, delegate: In from Korea. Paid the disputed garbage claims. Making another trip to Korea.

APL China— Mike Dirksen, delegate: Voyage pay off. No disputes. Half San Francisco and half Wilmington crew.

APL Korea— Voyage pay off. No disputes. Bosun John Fernandez and Delegate Mike McLavy. Good gang.

APL Thailand— In from the Orient. No disputes. Bosun returning after trip off.

APL Steam Rack— In good shape with Norman Kwak as bosun.

Reminder: Vote YES for dues increase.

William Berger

Vice President's Report

November 2007

TWIC again

At a meeting in the Shell refinery in Martinez I learned of the latest twist in the TWIC saga. Contrary to public statements by the Coast Guard and the TSA in the past, a self-disclosure form for past transgressions is required as part of the TWIC application. It was about the only thing that was good about the TWIC process, i.e., that self-incrimination was absent from the application. Now, anyone with an interim disqualifying offense within the last 7 years (5 years for incarceration) must disclose that fact beforehand and failure to do so may be itself a disqualifying omission. Permanently disqualifying offenses (murder, treason, terrorism, etc.) have an unlimited look back period. Although this change is far different from the Coast Guard's sweeping question "Have you ever been convicted..." in the application for the MMD, it is still a potential problem for our members. It also especially frustrating that the nation's rulemaking process, designed to ensure that Congressional intent is reflected in the implementation of the laws that Congress makes, was subverted here in such cavalier fashion. On TWIC, the January final rule was not the final rule, and the public hearings and comment period were only preliminary to the final actions of the TSA. That's not the way a government founded on democratic principles should work.

Acknowledging the reality of this program, I applied for my TWIC on No-

vember 15. It took no more than fifteen minutes from the time I walked in the office to the time I walked out, partly because I had pre-registered and therefore jumped ahead of some walk in appointments. I paid the full amount (\$132.50) because I want a TWIC with a five-year expiration and not one that expires with my z-card. Despite being prepared, I had to carefully read the disclosure form and agreement that I filled out before the interview. I was told 10 to 30 days to pick up the TWIC (if issued) at the same enrollment center in the old Oakland Army Base on Burma Road off Maritime Street. If any members have specific questions or problems, do not hesitate to contact me.

Ships Checked

APL Thailand: Delegate Richard Stinson. Clarification on call-outs at departure. The definition of fore and aft includes securing the gangway and net effectively setting watches at the call.

APL Singapore: Delegate Charlie Duke. While in Asia both compressors for the air conditioning system broke down. For four days in 103 degree heat, the crew struggled to survive for lack of adequate ventilation. Lodging claim still pending company review.

Arizona Voyager: Delegate Jenn Corner. Boarded in the shipyard in Mobile, Alabama. Solid Union crew under the direction of serang Thor Eriksen.

Washington Voyager: Delegate Ron Gill, Jr. Made her at Richmond Long Wharf. No problems.

Mississippi Voyager: Delegate Anton Seraveisyar. Clarification on overtime follow watch—any part of the first hour worked is one hour followed by half hour increments.

Colorado Voyager: Delegate Ed Windeler. Bosun Mike Fox has had a tool order in for months. Made inquiry to the Company on the schedule for the replacement of old and heavy Dacron lines and the acquisition of new deck department tools.

Mokihana: Delegate Vern Johansen. On October 31, a new crew was shipped from San Francisco and Honolulu, the ports of the expected run. Investigating the rat infestation and ventilation issue.

President Jackson: Delegate Tim Hill. In at Staten Island, New York. No problems. Facilitated the mailing of ballots to the ship for those who will not be able to access their mailboxes during the SUP election period.

Cape Jacob: Delegate Mark Reed. Company proposed email policy still under investigation.

San Francisco Bar Pilots: Delegates Steve Ross and Louie Urbano. Gang showing poise and professionalism under pressure in the aftermath of the *Cosco Busan* incident. Some trainees beginning work outside.

Foss Maritime Company: Delegates Mel Jackson, Mike Worth, and Tom Tynan. Investigating assignment beef. Pre-negotiation caucuses open to all members in this unit at SUP Headquarters on December 3 and 4.

Dave Connolly

Dispatcher's Report

Headquarters—Oct. 2007

Deck	
Bosun	6
Carpenter	0
MM	7
AB	10
OS	3
Standby	21
Total Deck Jobs Shipped	47
Total Deck B, C, D Shipped	9
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. ...	47
Total B, C, D Shipped-All Depts. ...	9
Total Registered "A"	59
Total Registered "B"	52
Total Registered "C"	6
Total Registered "D"	4