



# West Coast Sailors

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## SUP members nominated for constitutional offices: 2008-2010

Following the procedures required by the Sailors' Union of the Pacific Constitution, 29 members were nominated at the September coastwise Union meetings to fill the regular officer positions of the Union for the upcoming SUP election for the 2008-2010 term. The names of those nominated are on page 5.

**Those nominated who desire to run for office must declare themselves as candidates by Sunday, October 14, 2007, by accepting the nomination and having the necessary qualifications. Letters of acceptance must be received by the Committee on Candidates at Headquarters (450 Harrison Street, San Francisco, California, 94105) prior to midnight on Sunday, October 14, 2007.**

The acceptance shall be by letter which shall be dated and shall contain the following: The name of the candidate; his or her home address and mailing address; his or her membership number and the title of the office sought, including the name of the Port in the event the position sought is that of Branch Agent or Business Agent.

No one may be a candidate for more than one office with the exception of the position of Trustee of the SUP Building Corpora-

tion. Nominees who fail to comply with stated procedures shall be regarded as having declined the nomination.

The Committee on Election/Candidates will meet after October 14, to verify the eligibility of candidates and to recommend an Impartial Balloting Agent to conduct the election in accordance with the SUP Constitution. That recommendation and the Committee's report will be acted upon at the November coastwise meetings.

The 2008-2010 secret mail balloting for regular SUP officers will run for two months from December 1, 2007 through January 31, 2008. Ballots will be counted on February 1, 2008.

Candidates for office may request and require the Union to distribute campaign literature at the candidate's request, provided that the candidate makes such request at least five working days prior to the intended date of mailing and/or distribution and provided that the candidate pay the actual cost of mailing and/or distribution at the time of each request. The cost of mailing and/or distribution shall be at the hourly rate of the Office and Professional Employees International Union (OPEIU) Local 3. Campaign literature that the candidate requests to be mailed must be ready for mailing: stamped; envelopes stuffed and sealed; or flyers stamped, folded, and sealed.

Candidates for office are entitled to submit a photograph and a statement of 100 words or less regarding Union issues for publication in a special election supplement to the *West Coast Sailors* that will be published in November. The statements and photos should be sent to the editor of the *West Coast Sailors* prior to November 1 for inclusion in the election supplement.

Each candidate may also post campaign material on a bulletin board to be set up in each SUP hall for that purpose. The candidate shall be allotted space for one legal-size page (8½" x 14") on a first-come, first-served basis.

## Cargo preference opponents target food aid in U.S.-flag ships

### Former Congresswoman Helen Bentley fires a salvo back

The fight to scuttle a Bush Administration 2008 budget proposal to divert 25% of food aid shipments from the United States to cash under Public Law 480 Title II Food for Peace program, has shifted to the Senate. The House of Representatives solidly defeated the request, without cutting food aid shipments in U.S.-flagged vessels, when it passed the Farm, Nutrition and Bioenergy Act of 2007 on July 29.

Under the Food Security Act of 1985, 75% of all cargoes generated under PL 480 Title II are shipped overseas by U.S.-flagged vessels, crewed by American merchant mariners. The Food Security Act amended the Cargo Preference Act of 1954 which was spearheaded by former Sailors' Union Secretary-Treasurer Harry Lundeberg.

Since the passage of the House bill, proponents of the cash proposal and opponents of U.S. cargo preference have attempted to accomplish in the Senate what they failed to do in the House. This month a Partnership to Cut Hunger and Poverty in Africa representative questioned a U.S. Agency for International Development (USAID) senior official at a global hunger conference as to what was being done at USAID about the "wasteful spending on food aid where U.S.-flag shipping costs more than the commodity is worth." Sources in Washington indicate that members of the Senate Agriculture committee are being heavily lobbied on this issue.

In addition, since the passage of the House agriculture bill, and while the Congress was in recess in August, there has been a barrage of negative editorials in newspapers nationwide criticizing the House bill for not including the Bush Administration's cash proposal.

On September 1, a longtime champion of the U.S. maritime industry, Helen Delich Bentley—former Republican Congress-

woman from Maryland and former Chairwoman of the Federal Maritime Commission, responded in a letter to the editor of the *Baltimore Sun* to that publication's stance on the issues:

**"I was dismayed to read *The Sun's* editorial "A Bold Gesture" (August 21), which backed a proposal by certain private relief agencies to transform our nation's humanitarian food aid program and give aid providers cash to use to purchase commodities from farmers overseas. When the House of Representatives passed the new farm bill, it omitted such a scheme—and for good reason.**

**"First, Food for Peace, as this humanitarian program is known throughout the world, is not a tactic for disguising pork-barrel spending. Rather, it is a program that generates nearly \$3 billion in U.S. economic activity for every \$1 billion of food aid it donates. If that amount were "donated" in cash, the United States would lose all the benefits the program generates at home, including those for our state of Maryland.**

**"Second, it has not been proved that providing cash for local food purchases or food purchases through the United Nations' World Food Program (WFP) would mean that food would be delivered sooner or more efficiently. The WFP's costs for transportation and other administrative overhead are about the same as those of our government.**

**"Third, our government has had a long and unhappy experience with the unchecked expenditure of cash in Third World economies. Corruption in Third World countries has been rampant in the distribution of aid and aid cargoes since the days of the Marshall Plan.**

**"The Food for Peace program has been a visible sym-**

**bol of America's generosity and a valuable asset of American foreign policy for more than 50 years, feeding millions of starving and chronically ill people worldwide while providing economic benefits to Americans as it ships food aid bearing the banner 'Gift of the People of the United States.'**

**"In today's world of shifting alliances, global terror and civil, political and military strife within many of the countries that receive U.S. food aid donations, Food for Peace (using American farm products) is more important than ever.**

**"Let's really be bold and preserve a proven program.**

*s/Helen Delich Bentley*

From reports by congressional sources, it is expected that the markup of the farm bill in the Senate Agriculture Committee will begin the first week of October. Unlike the House bill, the Senate Committee Discussion Draft contains language that would establish a pilot program for local and regional purchases of food aid. The draft authorizes \$25 million coming out of P.L. 480 Title II each year for four years to fund the pilot program. The Bush Administration and the Partnership to Cut Hunger and Poverty in Africa are working to increase the \$25 million to a \$100 million a year.

A coalition of U.S. shipping companies—including SUP-contracted American President Lines—led by Gloria Tosi of Tosi Maritime Consultants has suggested to Senator Tom Harkin (D-Iowa), chairman of the Agriculture Committee that funding for the pilot program come out of the existing USAID program under the Foreign Assistance Act, not out of P.L. 480.

As the *West Coast Sailors* goes to press, it appears the issue will not be resolved until the House and Senate bills go to a Conference Committee.



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# SUP Honor Roll

Voluntary contributions from the membership to the following funds:

## Organization/ General Fund

Al "Sandy" Earle in memory of Bill McAndrews .....	20.00
Abe Acosta .....	20.00
Pio Aujero .....	25.00
Dennis Belmonte .....	50.00*
Romaine Dudley .....	20.00*
John Fernandez .....	50.00
Sedek Idris .....	20.00
Noel Itsumaru .....	50.00
McGunn Law Office .....	25.00
Michael McLavy .....	50.00
Paul Monti .....	30.00
Rich Reed .....	20.00*
Steve Ross .....	40.00
Miguel Villegas .....	10.00
William Wood .....	20.00
Steven Zombro .....	50.00

\*In lieu of dues increase.

## Dues-Paying Pensioners

Robert Copeland	Book #4763
Romaine Dudley	Book #2593
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
Jack Stasko	Book #7430

## West Coast Sailors

Abe Acosta .....	20.00
Pio Aujero .....	20.00
Joseph Bracken .....	25.00
George Cooney .....	30.00
Barry Fisher .....	20.00
James Hearn .....	25.00
Gary McDevitt .....	10.00
Dennis Murphy .....	100.00
Carl Schou in memory of George Jackson .....	50.00
Bruce Thompson in memory of B."Jack" Peppin .....	25.00
R.E. Walsh .....	10.00
Steve Zachmann .....	25.00
Carl Ziegeler .....	20.00

## Political Fund

Abe Acosta .....	20.00
Pio Aujero .....	25.00
Dennis Belmonte .....	50.00
Steve Campbell .....	100.00
Michael Clark .....	20.00
Danny Colton .....	10.00
Andre Dayley .....	40.00
John Farley .....	100.00
John Fernandez .....	50.00
Edwardo Franco .....	25.00
Walter Harris .....	10.00
Brandon Keopuhiwa .....	20.00
Norman Kurtz .....	30.00
Gunnar Lundeborg .....	100.00
Michael McLavy .....	50.00
Joseph Memtanona .....	10.00
Dave Mercer .....	10.00
Dennis Murphy .....	100.00
Scott Oliphant .....	20.00
Edwin Pastolero .....	10.00
Rich Reed .....	50.00
Richard Stinson .....	10.00
John Thompson .....	20.00
Steven Zombro .....	50.00

# Labor Day in the Southland



Joining in Wilmington's Labor Day Parade from left: Alan McDonald, Gabriel McDonald, Jr., Mathew Montalbo, Biff Anderson, SUP Branch Agent Paul Calais, and Ken Delance.

## Coast Guard updates its website

To provide mariners with more timely information about their credential documentation, the U.S. Coast Guard has upgraded its website to include a new feature that provides merchant mariners with real-time information on the status of pending mariner credential applications. To gain access to the information, mariners can log onto <http://homeport.uscg.mil>, click on the Merchant Mariners tab, then on Merchant Mariner Application Status.

When a mariner's application information is entered, the webpage will display the information previously submitted with the application package, the current status of the application process, and will list any change to that mariner's credentials that have been issued within the previous 120-day period.

The website's Guide for Renewing U.S. Merchant Mariner Documents (MMDs), Licenses, and Certificates of Registry (COR), <http://www.uscg.mil/stcw/ldcr-renewal.htm>, was updated in February. This guide summarizes the requirements and answers common questions about renewing credentials. The Coast Guard said that processing delays for applications are usually the result of incomplete information being submitted.

The change in the Coast Guard website comes amid growing awareness in Con-

gress of the difficulties mariners encounter when applying for or renewing Coast Guard documents.

"The evaluation process for mariner credential applications has become unnecessarily elaborate and time-consuming for all involved," said U.S. Representative Steven LaTourette (R-Ohio), when he recently introduced the Merchant Mariner Credential Improvement Act of 2007. LaTourette is the ranking Republican on the House Coast Guard and Maritime Transportation Subcommittee.

Among the provisions, the new proposed legislation would:

- Remedy the problem of license creep by making all renewals effective on the date the previous license expires.
- Prohibit the Coast Guard from charging a fee for any credential that is not issued within 30 days after the application is complete.
- Allow the secretary of Homeland Security to grant a one-year extension of credentials to help the Coast Guard address any backlog created by the process of consolidating records at the National Maritime Center and the new requirements for physical examinations.
- Require a report on ways to address the projected future shortage in merchant mariners.

Source: Professional Mariner

## SUP meetings for 2007

	Hdqs.	Branch
October	9*	15
November	13*	19
December	10	17

\*Tuesday

## Heart pills ignite bomb scare in cruiseship

Carnival Cruise Line's foreign-flagged *Celebration* was delayed six hours on August 24, after a passenger's heart medication alerted bomb-sniffing dogs.

Coast Guard Petty Officer Barry Bena said that dogs at Jacksonville, Florida, were performing a routine pre-departure sniffing of the checked luggage when one bag aroused suspicion. The normal and lengthy procedures relating to handling suspicious packages was followed. But when the suitcase was opened, the offending substance turned out to be medicinal nitroglycerine. "I would recommend that passengers keep medication, especially nitroglycerin, in carry-on luggage and close at hand," Bena advised.

Passengers who had been waiting outside in the intense heat were taken to air-conditioned buses while the check was carried out and Carnival gave each passenger a \$15 coupon to pay for their lunches, according to a statement from the company.

The "all clear" was sounded at 1830 and the ship, which was scheduled to depart at 1600, finally left at 2200. However, Carnival said that no delays were expected for the 47,262 gross ton ship's scheduled port calls. This is the fourth bomb scare related delay for a Carnival cruiseship in recent months.

## Final Departures

**Andres Monsen, Jr.**, Book No. 5581. Born in Washington in 1925. Joined SUP in 1945. Died in California, August 6, 2007. (Pensioner)

**Joseph Carbone**, Book No. 4699. Born in New York in 1922. Joined SUP in 1948. Died in New Jersey, August 20, 2007. (Pensioner)

**Zane Dick**, Book No. 2032. Born in Washington in 1922. Joined SUP in 1942. Died in Olympia, Washington, September 2, 2007. (Pensioner)

**Richard Gifford**, Book No. 2644. Born in Australia in 1927. Joined SUP in 1946. Died in California, August 26, 2007. (Pensioner)

## Timely Reminder Fourth quarter 2007 dues are due and payable now!

### SUP Constitution ARTICLE VI DUES AND INITIATION FEE

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

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

## West Coast Sailors

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## Senate and House approve full funding Maritime Security Program for 2008

On September 12, the Senate approved legislation to appropriate \$156 million for the Maritime Security Program (MSP) in Fiscal Year 2008.

The Senate voted 88 to 7 to approve the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, which includes funding for programs managed by the Maritime Administration, including the MSP. The House of Representatives in August approved its version of the legislation by a vote of 268 to 153. The bill will now go to President Bush. The Maritime Security Program supports 60 U.S.-flag merchant vessels in commercial trades in international markets.

In exchange, the ships, their crews and all intermodal and logistics support systems owned or leased by participating companies are available to the Defense Department as needed for strategic sealift and other military support services.

The nine ships, operated by APL Marine Services and crewed on deck by the Sailors' Union, include: *Presidents Adams, Jackson, Polk, Truman, APL China, APL Korea, APL Philippines, APL Singapore* and *APL Thailand*.

The Office of Management and Budget said it is evaluating the makeup of the MSP fleet and monitoring MSP agreements between the Maritime Administration and U.S.-flag merchant vessel operators to ensure that the MSP meets the requirements of the Department of Defense.

## Teamsters fight ruling allowing Mexican trucks on U.S. highways

The U.S. Court of Appeals for the Ninth Circuit, August 31, refused to block the Bush Administration from giving a number of Mexico-based long haul trucks full access to U.S. highways.

A coalition of Union, environmental, and public interests groups August 29, filed a lawsuit challenging the plan announced by the Department of Transportation. The groups sought an emergency motion to stop the program pending the court's review of the lawsuit.

At issue is a pilot program that would allow 44 Mexico-domiciled trucks full access to U.S. roads over 30 days and open the roads to 100 Mexican carriers over the next year. Currently, Mexico-domiciled trucks are permitted only in commercial zones along the borders of California, Arizona, New Mexico, and Texas.

DOT and the Federal Motor Carrier Safety Administration developed the demonstration program to comply with the trucking provisions of the North American Free Trade Agreement. The International Brotherhood of Teamsters, the Sierra Club, Public Citizen, the En-

vironmental Law Foundation, and others filed a complaint in federal court in April that accused the Bush administration of developing the program "in secret."

In its August 31 ruling, the appeals court concluded the petitioners had "not satisfied the legal requirements for a stay pending review of the petition." As a result, the previously established schedule requiring the petitioners' brief by November 19, remains in effect.

"Dangerous trucks should not be driving all the way from Mexico to Maine and Minnesota," Teamsters General President James P. Hoffa said September 1, following the circuit's decision. "We will now proceed to litigate this case on its merits."

Through the lawsuit, the courts "will address the lawfulness of the pilot program after full briefing and argument," said Public Citizen attorney Bonnie Robin-Vergeer. "We are hopeful the court will agree with us that the pilot program fails to meet the requirements set by Congress."

## Norwegian maritime Unions join ship owners in opposing tonnage tax change

Three Norwegian seafarers' Unions have joined the country's shipowners in a barrage of criticism against the government's decision to axe the tonnage tax and collect back taxes on reserves owners built up in the 11-year period the system was in place. The back taxes are estimated to be approximately \$7.1 billion.

The Norwegian Seamen's Union, Ship Engineers' Union and Officers' Union said in a joint statement that the planned measures would reduce equity of the affected companies and that Norwegian-

flagged vessels could be sold abroad so that the owners can raise money. The Unions say they are not, in principle, in favor of a tax system that favors shipping companies, but in their view Norway should be a great shipping nation and offer conditions to owners that are equal to those in competitor countries.

Prime Minister Jens Stoltenberg's Labor led coalition government unveiled the abolition of tonnage tax on September 7. A new system is due to be introduced on October 6, in connection with the government's draft budget.

## Container fee killed by Schwarzenegger

A proposal to impose a \$30 per TEU fee on incoming containers was withdrawn from the California legislature on September 6, after Governor Arnold Schwarzenegger said he would veto it.

In a joint statement with the main author of the measure, State Senator Alan Lowenthal (D-Long Beach), the governor said: "I support the concept and want to work together with Senator Lowenthal on the bill so it addresses the future of goods movement while also reducing environmental impacts." The two will meet later in the year to work out a simi-

lar proposal to be introduced in 2008. The governor said the aim will be to find a solution that would protect California's air quality and also facilitate movement of goods through the state.

Shipping observers say Schwarzenegger wants a combined state/private section effort to raise money for pollution reduction, with all maritime port users sharing the costs equally. The main opposition to be bill has come from the Pacific Merchant Shipping Association, which said that the \$30 levy is not a fee but a tax.

## Presidential candidates endorse Jones Act

The Maritime Cabotage Task Force, which the Sailors' Union is a member, reported this month that the International Union of Boilermakers recently circulated a questionnaire to the 2008 presidential candidates, which included a question about the Jones Act (Merchant Marine Act of 1920). As the *West Coast Sailors* went to press, the following candidates responded:

**Senator Joe Biden** (D-Delaware): The Jones Act is a century old act that has served America's strategic defense needs well. It is crucial that we maintain domestic capacity—particularly in industries that are important to our national security."

**Senator Hillary Clinton** (D-New York): "I am strongly committed to using American products as a way of spurring the creation of new jobs in this country. When we use American products in our coastal vessels, we spur more jobs for hardworking Americans. I oppose efforts to weaken the Jones Act."

**Senator Chris Dodd** (D-Connecticut): "I am a strong supporter of the principles of the Jones Act."

**Former Senator John Edwards** (D-North Carolina): "For decades, the Jones Act has ensured the construction and operation of a merchant marine fleet capable of meeting our nation's commercial and military needs while simultaneously creating a competitive U.S. shipbuilding industry and thousands of good-paying American jobs."

**Representative Dennis Kucinich** (D-Ohio): "As a member of the House, I have signed on as a cosponsor of House Continuing Resolution 65, a statement of full support for the Jones Act and related statutes."

**Senator Barack Obama** (D-Illinois): "I supported the reauthorization of the Jones Act...maintaining the American merchant marine fleet is vital to our economy and national security. I would oppose any move to undermine this Act."

**Governor Bill Richardson** (D-New Mexico): "The Jones Act plays a valuable role in sustaining American projects for American workers...Without the Jones Act...the U.S. share a global commercial shipbuilding, which at one point had reached zero percent, would return to that level."

## Shipowners worldwide face insurance problems as incidents of piracy soar

Recent developments in some of the world's most notorious hot spots have highlighted the increasingly blurred boundaries between piracy, hostage-taking and terrorism. The recent release of the five-man crew of a Danish ship, the *Danica White*, held hostage by pirates off the Somali coast for almost three months, was precipitated by the payment of a ransom believed to be in the region of \$1 million to \$1.5 million. Earlier this year, a payment was made for the release of Indian cargo ship the *Nimatullah*, also seized in Somali water.

These developments come at a time when some countries, most notably Germany, have officially been adopting an anti-ransom stance, fearing that acceding to hostage-takers' demands in places like Iraq and Afghanistan makes Westerners more attractive kidnap targets, as well as enabling kidnapers to better equip themselves for further attacks. But such reasoning can rapidly collapse in cases where hostage taking is motivated purely by financial extortion rather than a political agenda. This is almost always the case when kidnaps occur at sea. In the past, piracy was seen as principally a threat to cargo, nowadays crew and passengers are increasingly finding themselves targeted. The International Maritime Bureau listed 41 kidnap and ransom incidents in the first half of 2007 alone, up from a total of 10 for all of 2005. The real number may well be even higher; it is thought that shipping companies frequently fail to report incidents, for fear of facing higher insurance pre-

miums and becoming involved in drawn-out, time-consuming investigations. The increase in overall piracy incidents in recent years has already sent such premiums sky-high.

For those involved in kidnaps, particularly the crew of smaller ships, it is often the case that the shipowner does not have either the appropriate insurance or the financial means to cover a ransom payment, leaving families or individuals as the last resort to obtain the case. But as the definitions of piracy, kidnap and terrorism become blurred, even those ship owners who do take out policies may find themselves facing complications. While the threat of piracy has traditionally been covered by ship's hull insurance, new risks identified since 9/11 have seen war risk premiums also applied to policies for ships transiting insecure waters.

While some brokers have adopted an innovative approach and developed instruments sensitive to the complex threats facing shipping, others may still refuse to cover kidnap costs under marine piracy policies. The ransom itself is only one of a host of associated costs that may include anything from hiring expert negotiators and interpreters, paying compensation to victims' families, rehabilitation of victims or even the loss of ransom money in transit. Situations where kidnapers kill hostages even though a ransom has been paid, or where pirates lie in wait to recapture a released vessel, also pose a huge headache in terms of the interpretation of policy terms.

## Philly worker fined for seagull massacre

A longshoreman was fined nearly \$20,000 on September 18, after being found guilty of mowing down 189 seagulls at Packer Marine Terminal in Philadelphia.

Municipal Court Judge Deborah Shelton imposed the minimum fine of \$75 per bird against Daniel Gallagher, the president of an International Longshoremen's Association local. In addition, he was ordered to pay \$5,000 to his employers for wrecking a company truck.

The incident occurred in February 2006 when Gallagher was driving across the terminal. According to local media reports, he was talking on a two-way radio and trying to grab spilling coffee when he looked up and saw the flock of birds. But rather than stopping, Gallagher said he panicked, hit the gas and ran down the 189 seagulls before crashing into a parked container chassis. Prosecutors showed the court a videotape of the incident and asked the court to impose a fine of \$47,800. Gallagher's lawyer says he will appeal.

## AFL-CIO declares 2008 elections a mandate for high quality health care

At its annual Labor Day briefing on August 29, the AFL-CIO announced an historic new drive that puts the full force of 10 million AFL-CIO members and 3 million retirees behind winning secure, high quality health care for all by 2009.

“In America, no one should go without health care,” said AFL-CIO President John Sweeney. Health care is the top domestic issue for our members and for all Americans, and the AFL-CIO is making the 2008 elections a mandate on fixing our broken system,” Sweeney said. “We will hold candidates at every level responsible for supporting comprehensive, progressive national health care reform, and we will elect a president and a Congress prepared to turn their campaign promises into reality.”

The announcement came the day after the Census Bureau announced that the number of uninsured rose to 47 million, and is up 22 percent since 2000.

Sweeney said the labor federation and its 55 affiliates will continue efforts to “change our nation’s economic course and guarantee the freedom of workers to form and join unions.”

“We must have a strategy to create and keep good jobs in our country. For too long, our trade policies have encouraged companies to ship jobs overseas. We will hold every presidential candidate accountable for how they will stop the flow of American jobs out of our country and protect workers’ rights around the world. We will continue to build support for the Employee Free Choice Act, which will make it easier for workers to form and join unions by making it harder for employers to trample their rights.” And, he said, union members are preparing “to change the direction of our country in 2008” with “the largest political mobilization in the history of our movement.”

Sweeney said that while the AFL-CIO is not endorsing a specific health care approach at this time, any proposal that gets labor’s support will have to control costs, cover everyone in the country, provide preventive care, preserve the right of patients to choose their own doc-

tors, require the government to police greed and incompetence, lower employer costs and require them as well as government and individuals to “share fairly” in the cost. He said a health care solution also needs “to step up government’s involvement in making sure retirees aren’t the victims when corporations struggle with legacy costs, including finding early retirement solutions. We can solve our health care problem in a uniquely American way. We need to create a new system that builds on what’s best about American health care—the right to choose your own doctors, and keep the best quality care where it exists— while drawing from what works in other countries,” he said.

According to Sweeney, the “first big push” of the AFL-CIO campaign will take place in September, when union members will “hold George Bush responsible” for his failure to support the State Children’s Health Insurance Program (CHIP). Congress recently agreed to continue coverage for nearly 7 million children and to provide health insurance for the first time to up to 5 million more. Bush has said he will veto the legislation.

Sweeney pledged to build an army of a million union activists to organize for changing the nation’s broken health care system. “Working America—our community organization for people who don’t have a union on the job—is knocking on more than 3500 doors a night talking to people about children’s health care funding,” Sweeney said, adding that the AFL-CIO will continue to support state level health care initiatives as it has done in California.

Sweeney and Heather Booth, who will direct the AFL-CIO campaign, said other elements of the AFL-CIO health care reform campaign include: Education of union members and their families about the necessity for federal action to preserve health care benefit; Recruiting employers to support health care reform; Linking national health care reform to reform work at the state level; Shareholder activism around health care.

## Hunt on for suspected pirate ship off Africa

A description has been issued of a suspected Somali pirate mother ship being hunted in Horn of Africa waters. The Kenyan newspaper *The Nation* quoted French naval officers in Mombasa as saying that ships of the combined Maritime Forces were searching for one particular suspect vessel whose description had been provided by numerous different victims of piracy. The spokesmen belonged to the French navy ship *Blaison*, which had helped escort the Danish cargo ship *Danica White* to a safe port after its release by Somali hijackers.

Andrew Mwangura, the seafarers’ welfare campaigner based in Mombasa, told *Sea Sentinel* that he warships are seeking a vessel whose description corresponds to that of a pelagic purse-seiner. It is said to have a sleek hull, a tall mast or lookout tower, a crane aft and a pile of something resembling fishing nets piled up on the aft deck. A purse seiner usually also carries a small craft used to deploy the net, *Sea Sentinel* sources said.

In the pirate context, this arrangement could explain how commercial ships have been harried by small, fast vessels operating hundreds of miles off the Somali coast. Mwangura expressed regret that the news had come through a newspaper rather than by direct communication from the navies alerting merchant mariners and their representatives to the development.

### Record of SUP Shipping August 2007

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	3	0	3	1	8
Maint. Man	4	0	0	1	5
A.B. Dayworker	0	0	5	3	8
A.B.	11	5	13	4	33
O.S.	2	0	1	0	3
Standby	18	20	71	50	159
<b>TOTALS</b>	<b>39</b>	<b>25</b>	<b>93</b>	<b>59</b>	<b>216</b>

## Foss Maritime Company joins U.S. EPA SmartWay Transport Partnership

Foss Maritime Company, announced on August 7, that it joined the SmartWay Transport® Partnership, a voluntary collaboration between U.S. Environmental Protection Agency (EPA) and the freight industry designed to increase energy efficiency while significantly reducing greenhouse gases and air pollution. Foss is the first carrier accepted into the program for its marine transportation services.

Foss has pledged to contribute to the partnership’s goal to reduce 33 to 66 million metric tons of carbon dioxide and up to 200,000 tons of nitrogen oxide per year by 2012, by improving the environmental performance of its marine operations. Carbon dioxide is the most common greenhouse gas, and nitrogen oxide is an air pollutant that contributes to smog.

“I am pleased to welcome Foss Maritime Company to the SmartWay Transport Partnership,” said Margo T. Oge, Director of the Office of Transportation and Air Quality, EPA. “They join the Partnership in a commitment to increase fuel efficiency and make freight-related environmental improvements.”

“Participation in this program is one of a number of steps Foss is taking to contribute positively to the communities in which we operate,” said Gary C. Faber, Foss President and COO. We consider proactively safeguarding the envi-

ronment for our employees and community members an important part of our company’s mission.”

Foss recently announced it will build the first true hybrid tug boat, scheduled to be delivered in 2008 to Southern California where it will work in the Los Angeles and Long Beach ports. Together, these ports handle over 40 percent of all containerized cargo coming into or leaving the United States. The Foss hybrid tug is expected to achieve significant reductions in fuel consumption and emissions when compared to its sister tugs currently operating in the same market.

Launched in February 2004, the SmartWay Transport Partnership aims to achieve fuel savings of up to 150 million barrels of fuel per year. The Partnership brings together major freight shippers, trucking companies, railroads, logistics companies and others to pursue mutually beneficial efficiencies that result in emissions reductions and other environmental improvements, as well as cost savings to the companies. The Partnership currently has nearly 600 Partners. For information about the SmartWay Transport Partnership visit <http://www.epa.gov/smartway>.

The Sailors’ Union has a collective bargaining agreement with Foss covering the company’s bunkering operations in San Francisco Bay.

## Federal judge orders California to stop enforcing low sulphur fuel law for ships

California’s attempt to compel ships to use low sulphur fuel in auxiliary engines within 24 nautical miles of the coast ran aground in federal court on August 31.

William Shubb, U.S. District Judge for the Eastern District of California, upheld a motion by the Pacific Merchant Shipping Association (PMSA) for a summary judgment that the California statute was preempted by federal law. Judge Shubb did not rule on the issue of California’s jurisdiction beyond three miles of the coast.

The California Air Resources Board (CARB), the principal defendant charged with implementing the law mandated that effective January 1 of this year, that all ships calling at California ports use low-sulphur fuel in their auxiliary or diesel-electric engines within 24 miles of the state’s coast. PMSA, which represents shipping lines and terminals, challenged the law arguing that the federal Clean Air Act (CAA) and the Submerged Lands Act superseded it.

Even though the CAA allows California to regulate emissions from mobile sources, those regulations have to be approved by the U.S. Environmental Protection Agency. CARB regulations have not been reviewed and approved by the EPA, so they are preempted by federal law. Judge Shubb noted the CAA’s objective of “making the states and the federal government partners in the struggle against air pollution” gave states responsibility for regulating stationary sources such as factories. However, the federal scope is wider when it comes to regulating emissions from mobile sources such as motor vehicles. The reason this is a “federal project” is that motor vehicles are harder to regulate as they can move from state-to-state, Judge Shubb said. The possibility of different state regulatory regimes would create the “spectre of an anarchic patchwork of federal and state regulatory programs, a prospect which threatens to create nightmares for manufacturers,” the decision noted.

Defendants argued the CARB regulations were not “emission standards” but rather an “in-use requirements”; and not “environmental standards” but merely “fuel quality standards.” Judge Shubb ruled the regulations were not “local in-use standards,” but regulations “directly affecting international commerce.”

The National Resources Defense Council, the Coalition for Clean Air, the South Coast Air Quality Management District and the City of Long Beach were also codefendants in the suit. It is assumed by legal observers that the ruling will be appealed.

## Naked Russian sailor busted in Beaumont

Shore leave for a Russian seafarer whose ship was docked at Beaumont, Texas, went seriously awry on September 19, when local police found him naked and, apparently trying to break into a pickup truck.

The unidentified crewman from the Gibraltar-flagged general cargo ship *BBC Singapore* was returned to the custody of his captain, who also paid damages for the van’s broken window, media sources report.

According to police reports, the seafarer claimed that while returning to the ship from a walk in the city he was accosted by a robber who demanded his wallet. Rather than surrendering his cash and papers, he leapt into the Neches River, and then, fearing that he might drown, stripped off his clothing. He said that after his assailant had gone, he waded ashore and tried to enter the truck to stay warm. But witnesses say the naked man stole a small electronic organizer and hid in nearby shrubbery until the vehicle’s alarm stopped sounding. When he got back into the van, the man was arrested by local police.

# SUP Election

## Report of the Committee on Candidates

September 18, 2007

In accordance with the Sailors' Union of the Pacific Constitution, the following members were nominated for regular officers of the Union for the 2008-2010 term at the September Headquarters and Branch meetings. As per Section 5 (3) b of Article XII, the names of nominees appear as they do on the membership records at Headquarters.

### President/Secretary-Treasurer

Dave Connolly #4792  
Gunnar Lundeberg #4090  
Vincent O'Halloran #2463  
Paul Herriott #5771  
Daniel McDonald #6492  
Duane Nash #2437

### Vice President/Asst. Secretary-Treasurer

Robert Burns #5736  
Paul Calais #4781  
David Connolly #4792  
Michael Dirksen #2739  
Daniel McDonald #6495  
Trevelyn Motlow #6493  
Duane Nash #2437  
Vincent O'Halloran #2463  
Dennis Sparta #7412

### Seattle Branch Agent

Norman Christianson #4770  
Mike Dirksen #2739  
John Hamann #5856  
Robert Jones #4326  
Arthur Kardinal #3168  
Vincent O'Halloran #2463  
Dennis Sparta #7412

### Wilmington Branch Agent

Robert Burns #5736  
Paul Calais #4781  
Michael Dirksen #2739  
John Hamann #5836  
Verness Johansen #4316  
Thomas Larkin #4065  
Daniel McDonald #6495  
Trevelyn Motlow #6493  
Duane Nash #2437  
Carl Ziegler #267

### Honolulu Branch Agent

Robert Burns #5736  
Paul Calais #4781  
Michael Dirksen #2739  
Michael Duvall #2732  
John Hamann #5856  
Daniel McDonald #6495  
Trevelyn Motlow #6493  
Richard Reed #3181  
Patrick Weisbarth #3644

### San Francisco Business Agent

Knud Andersen #3739  
William Berger #4642  
Paul Calais #4781  
Paul Herriott #5771  
Arthur Kardinal #3168  
Frank Portanier #3835  
Remoni Tufono #3284

### Building Corporation Trustees

William Berger #4642  
Paul Calais #4781  
Norman Christianson #4770  
David Connolly #4792  
Michael Dirksen #2739  
Paul Fuentes #2239  
John Hamann #5856  
Paul Herriott #5771  
Verness Johansen #4316  
Robert Jones #4326  
Arthur Kardinal #3168  
Thomas Larkin #4065  
Gunnar Lundeberg #4090  
Steve Messenger #6487  
Duane Nash #2437  
Vincent O'Halloran #2463  
Charles Schroeder #7427  
Dennis Sparta #7412  
Grant Wegger #3637

This duly elected Committee on Candidates convened on September 18, 2007 to compile this list and determine the eligibility of all nominees according to these criteria. Article XII, Section 3 of the SUP Constitution states that "Any member of the Union shall be eligible to be a candidate for and hold any regular office, provided he/she possesses the following qualifications:

- He/she is a member in good standing at the time of nomination;
- He/she achieved B seniority as defined in the SUP Shipping Rules; and
- He/she is not disqualified by law."

After full investigation and inspection of the records, the Committee found that Robert Jones #4326, was delinquent in dues at the time of nomination, and therefore ineligible as a candidate.

As per Section 5 of Article XII, all those nominees who desire to become candidates shall have the necessary qualifications and acceptance in the office of the Committee on Election(c/o SUP, 450 Harrison Street, San Francisco CA 94105) prior to midnight October 14, 2007.


The acceptance shall be by letter which shall be dated and shall contain the following:

- The name of the candidate;
- His/her home address and mailing address;

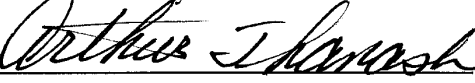
- His/her membership number; and
- The title of the office or other position sought, including the name of the Port in the event the position sought is that of Branch Agent or Business Agent.

No one may be a candidate for more than one office with the exception of the position of Trustee of the SUP Building Corporation.

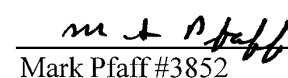
Nominees who fail to comply shall be regarded as having declined the nomination."

  
Bill Berry #5719

  
Romaine Dudley #2593

  
Arthur Thanash #3249

  
Rafael Cooper #4687

  
Mark Pfaff #3852



## ESU Office Assignments

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



SEPTEMBER 2007

Official Publication of the Exxon Seamen's Union

## Pay increases take effect September 1

In accordance with the provisions of our current Collective Bargaining Agreement (CBA) an increase in base wages and overtime rates for all ratings became effective beginning with the pay period that started September 1, 2007. The Agreement, negotiated between the Exxon Seamen's Union and SeaRiver Maritime, Incorporated and ratified by the ESU membership is in effect through August 31, 2008.

In this final year of the three year Agreement, base pay, continuous service bonus (CSB), Saturday-Sunday- Holiday overtime (SSHOT) and all other overtime rates will increase by 3.5 % for all ratings. Penalty rates of pay however, will not increase. This year's increase follows a 3.5% increase on base pay, CSB,

SSHOT and overtime rates that went into effect last year on September 1, 2006.

In addition to the wage hikes, a lump sum non-benefit bearing bonus of \$1,250 was paid to each unlicensed employee who appeared on the active role after September 1, 2007.

A complete and comprehensive compilation of all wage tables can be found in Article XVII on pages 65-72 of our Contract books. Below are excerpts of the wage tables that reflect the increase for 2007.

The monthly wage schedule, including additional compensation for years of continuous service (CSB) shall be as follows:

### Total Monthly Wages - Base+CSB — Effective 9/1/07

RATING	START	1	2	3	5	10	15	20	25	30
451 Pumpmam	3838	4077	4239	4270	4355	4516	4556	4591	4632	4672
452 MM/2nd Pumpman	3622	3847	4000	4030	4108	4256	4294	4333	4372	4413
465 QMED-Oiler	3164	3361	3501	3528	3597	3736	3771	3803	3834	3868
481 Maint. Man/AB	2720	2890	3002	3025	3080	3188	3217	3246	3274	3304
442 Able Seaman 1	2729	2903	3016	3042	3104	3220	3250	3278	3307	3335
441 Able Seaman	2412	2561	2667	2687	2740	2846	2870	2896	2920	2948
468 Maint. Seaman	2141	2276	2369	2394	2442	2543	2565	2589	2613	2639
476 Fleet Chef	3615	3830	3975	4002	4079	4221	4257	4295	4328	4364
478 Cook	2702	2863	2971	2992	3048	3158	3185	3211	3238	3266

### Monthly Sum for Saturday, Sunday, and Holidays (SSHOT)

For work performed during regular scheduled hours on Saturday, Sunday and holidays, the following sums will be paid during each month of the year:

RATING	Sept. 1, 2007
451 Pumpman	\$1047
452 2nd Pumpman	\$987
465 QMED-Oiler	\$931
481 Maint. Man/AB	\$795
442 Able Seaman 1	\$748
441 Able Seaman	\$707
468 Maint. Seaman	\$602
476 Fleet Chef	\$978
478 Cook	\$731

### Overtime and Penalty Time Rates — Effective 9/1/07

The overtime and penalty rates of pay, as provided for within this Agreement, shall be as follows:

RATING	OT	PT
451 Pumpman	\$24.76	\$7.92
452 2nd Pumpman	\$23.36	\$7.47
465 QMED-Oiler	\$22.06	\$7.63
481 Maint. Man/AB	\$18.86	\$7.32
442 Able Seaman 1	\$17.73	\$7.76
441 Able Seaman	\$16.72	\$7.32
468 Maint. Seaman	\$14.25	\$5.70
476 Fleet Chef	\$23.19	\$7.47
478 Cook	\$17.37	\$7.32

## SeaRiver to hire more entry level seamen

SeaRiver Maritime has told the ESU it has plans to hire up to 10 entry level Maintenance Seamen by the beginning of next year. Current plans are to hold interviews for the positions during the first week of December and to conduct the corresponding new hire orientation class sometime in early 2008. According to Fleet Manning ideal candidates will possess an entry level (Ordinary Seaman, Wiper) Merchant Mariner document without qualified rating endorsements such as AB or QMED, although applicants who have an MMD with qualified ratings or those who do not possess a MMD at all may also be considered on a case-by-case basis. As they did with the last new hire group in July, the company intends to assist those without MMDs in obtaining one. Women and minorities are highly encouraged to apply. A new fax line has been set up specifically for accepting applications for these positions. Interested parties can send their resume and/or letter of application with any work history, references and personal information to Ms. Helen Wright at (414) 231-8404.

As can be seen from the accompanying wage increase article in this edition of the *ESU News*, the monthly pay for Maintenance Seamen (base pay plus SSHOT) begins at \$2,743 and increases to \$2,996 after 3 years. The regular overtime rate is \$14.25 per hour. The num-

ber of hours of overtime available to an MS varies according to many factors including the particular ship, route, weather and supervisor but is usually at least 20 hours and sometimes more than 60 hours per 2 week pay period. The Maintenance Seaman is normally assigned to day work with cross-departmental job responsibilities but may be assigned to a watch schedule when necessary. Paid time off is accrued at a rate of 24 days per 30 days worked. Being that SeaRiver is a wholly owned affiliate of Exxon Mobil Corporation, employees receive most of the same benefits as any Exxon Mobil employee including, disability, retirement and savings plans, among others. Medical and Dental benefits are provided under traditional Blue Cross Blue Shield insurance plans.

Recently the MS list has dwindled significantly as a result of resignations and promotions and the unusually large number of retirements expected in the next few months will make the shortage even more severe. The recent new hire class held in July netted only 5 new employees and already one of those five is in jeopardy of not joining the fleet due to document problems. The ESU is optimistic this addition of up to ten new Maintenance Seamen will help head off the inevitable problems resulting from the shortages.

## Exxon seeks Supreme Court review of oil spill fine

Exxon Mobil is making an appeal to the US Supreme Court for a review of the court decision, which ordered the company to pay 2.5 billion in punitive damages for the Exxon Valdez oil spill in 1989. On August 20, Exxon asked the Supreme Court to review an earlier ruling by the U.S. Ninth Circuit Court of Appeals that denied their request for a new hearing in the long running civil case. At least four of the nine US Supreme Court justices must vote in favor of granting the petition for the case to proceed any further.

The company has been fighting the initial judgment for more than a decade and has managed to get the award cut in half from the original \$5 billion, which was awarded by an Anchorage jury in 1994. The Ninth Circuit Court reduced the punitive damages in half because it found that Exxon did not cause the accident deliberately and that the company had worked hard to clean up the spill.

In its petition to the Supreme Court, Exxon raised several criticisms of the Circuit Court's original ruling. Lawyers questioned whether it is legal under maritime law for the Ninth Circuit to impose punitive damages against them for the behavior of one of its employees when the employee's behavior was contrary to company policy. It was also argued that the ruling ignores legal precedent on awarding damages.

The plaintiffs in the case include about 33,000 commercial fishermen, cannery workers, landowners, natives, local governments and businesses. The Supreme Court has until the end of the year to respond to the petition.

## CPA Martin A. Kapp barred from claiming "Mariner's Tax Deduction"

The Justice Department announced on August 22, that well known CPA and tax preparer Martin A. Kapp of El Segundo, California has been barred from preparing federal income tax returns which claim the so called mariner's tax deduction. The permanent injunction was entered by U.S. District Judge George Schiavelli of the Central District of California.

Kapp had become well known throughout the seagoing community at least partially as a result of a series of articles he had written for maritime publications such as Professional Mariner magazine, the first appearing in October/November of 2001. In those articles he discussed tax breaks for mariners and detailed deductions for meals and incidental expenses.

In the August 22 judgment, the federal judge in Los Angeles said Kapp "knew or should have known" the deductions were illegal. The court found that Kapp prepared returns for mariners nationwide, improperly claiming deductions for the cost of meals when their employers had provided the meals to them without cost. In the original court filing in April of 2006 the Department of Justice described Kapp's views as "frivolous" and "unrealistic". Kapp defended his tax advice and referred his clients to postings on the IRS website that he said supported his position.

The court further ordered Kapp to give the Department of Justice a list of names, addresses, e-mail addresses and Social Security numbers of customers for whom he claimed the deductions. He was also ordered to post a copy of the permanent injunction on his web site for one year.

Since 2001, the government has sought and obtained injunctions against more than 200 tax return preparers and tax fraud promoters. In a very similar case a federal court in New Orleans barred Rodney and Cynthia Bourg CPAs of Houma, Louisiana from filing the same type of returns. These court rulings bring to mind the events surrounding the former Space Coast Accounting fiasco in the early 1990s, where numerous ESU members were ill advised by that firm in regard to merchant mariner expenses and tax deductions.

## ESU News

# S/R American Progress arrives at historic Gdansk Shipyard

On September 15, 2007 the S/R *American Progress* sailed into Gdansk, Poland to enter the Gdansk Stocznia Remontowa shipyard. This yard period will be the first for any SeaRiver vessel in Poland. At press time it was still not known exactly how long she will remain in the yard but it is expected to be around the usual one month duration.

Sources at SeaRiver have told the ESU that the Gdansk shipyard has been used by Exxon Mobil's foreign marine affiliate IMT and that IMT has been happy with the costs and quality of work at the facility. Other factors considered in making the decision to use Gdansk versus Singapore included its closer proximity to the US and to send a signal to Jurong Shipyard that other low cost competition does exist in the worldwide ship repair market.

Gdansk is a port city of 458,053 inhabitants on the Baltic Sea and is part of the Tricity metropolitan area comprised of Gdansk, Sopot and Gdynia which together have a population over 1 million. Gdansk is about 225 miles east of Copenhagen, Denmark. In October the average high temperature is 57 degrees and the average low temperature is 40 degrees. Just outside of town is Lech

Walesa International Airport which is served by numerous airlines including major international carriers such as SAS, Lufthansa, LOT Polish Airlines and others which should make for at least reasonably convenient crew changes and flight connections.

The Gdansk Remontowa Shipyard is on Ostrow Island in central Gdansk and is directly adjacent to what was once known as Lenin Shipyard. In 1970 a number of shipyard workers at the Lenin yards were killed in clashes over working conditions with the militarized police known as ZOMO. These events sowed the seeds of resentment and discontent and ten years later in 1980 inspired a young idealistic electrician named Lech Walesa to lead his fellow shipyard workers in a new series of demonstrations. Soon workers from Remontowa and Northern Shipyards joined forces with those of Walesa and the ensuing 17,000 member strike eventually forced the government to recognize Solidarity, the communist bloc's first free trade union. The strike helped lead to the signing of the "August agreements" that triggered democratic and pro market economy changes in the former eastern block. It also turned Walesa into



S/R Wilmington sits in Jurong Drydock Singapore. Photo by John McCarthy.

an international figure and sparked a groundswell of opposition that helped hasten the final demise of Poland's regime in 1989 and of the former communist bloc overall.

The ESU is looking forward to the challenges of working in this new environment and feel it an honor and privilege to do so in a place of such historic significance to the worldwide labor movement.

## Ship reports

### S/R American Progress

The *American Progress* sailed from Portland, Maine, on September 1, after a short port call for tank inspection. She was due into Gdansk Remontowa Shipyard in Poland on September 15 (see related article). Pat Campbell is filling in as Temp. Rep. and reported a happy ship from Portland. Fleet Chef Joe Pereira is onboard and has told the ESU he will not run for re-election to Steward Trustee in the upcoming election. Pat Campbell has announced his intention to run for Deck Trustee. Rudy Benavides and Allen Bostwick are both seeking the *American Progress* Rep position.

### S/R Baytown

A Board officer visited the vessel on September 10 at ExxonMobil in Baytown, TX. It's worth noting that it has been nearly two decades since the *Baytown* last called upon the city for which she is named. Reid Decker is filling in as Ship Rep. The crew is disappointed with delays in getting email and internet access. She is slated to call on Port Everglades and Nova Scotia before returning to U.S. Gulf.

### Kodiak

The *Kodiak* continues in the Valdez to Puget Sound trade. Regular Ship Representative Tim Williams has gone home on paid leave and has been relieved by Engine Trustee Wil Ackley. Tim has been very good at holding timely union meetings and sending the minutes to the ESU offices for distribution. The ESU wishes to congratulate *Kodiak* crewmember Aaron Rathbun and his wife Jena on the birth of their second child Alyssa Jane who was born on July 25. Alyssa weighed in at 7 pounds 15 ounces. Tim reports no beefs on the *Kodiak*.

### S/R Long Beach

The *Long Beach* was due back into Port Angeles, Washington on September 20, after spending most of this year in foreign trade. A big crew change was due on the 22nd. SeaRiver sources have reported the chances are good the heavy mooring wires required at Persian Gulf ports will be replaced by standard spectra lines while in PA. As of yet no one has put their name in the hat for the *Long Beach* Ship Rep. position in this fall's election. The *Long Beach* will OPA out by the end of 2009.

### Sierra

The *Sierra* was visited by a Board Officer on September 6 at the Richmond Long Wharf. AB Tony Curtis was doing a fine job filling in as Temp. Rep and reported no beefs. Company Vice President for Operations Stu McRobbie was onboard the same day and held an impromptu meeting with crewmembers. Mr. McRobbie gave a synopsis of future company plans and answered questions from the members. Among other items, concerns about the difficulties of doing crew changes at Richmond were voiced by the members. The *Sierra* was scheduled for a short repair period in Portland after her next port call in Puget Sound.

### S/R Wilmington

The *Willy* continues her yard period at Jurong Singapore. Mike Gore is filling in as Temp Rep and reports no beefs despite lots of work. Many members have been sick with the flu but soldier on in typical ESU style. The ESU thanks Mike and AB John McCarthy for keeping in regular touch and sending ship photos to the ESU offices. The *Wilmington* is currently scheduled to leave Singapore around October 9.

## Charlie Pollard retires

Long time ESU member Charlie Pollard retired on September 1 with over 32 years of service. Charlie began his career as ordinary seaman on the *Exxon San Francisco* in December 1975 and continued to sail as OS and mess utility until entering the Pumpman Training Program in 1977. In 1978 while aboard the *Exxon Houston*, he successfully completed the program and was subsequently promoted to 2<sup>nd</sup> Pumpman. Over the next several years he sailed as both 2<sup>nd</sup> Pumpman and Chief Pumpman on various ships in the fleet. In 1987 he was promoted to Cargo Maintenance Specialist when that position was created. In later years he sailed on numerous vessels but spent most of his time on the East Coast specialty ships, the *Exxon Charleston* and *Exxon Wilmington*. His last assignment was to the *S/R Wilmington* earlier this year.



Charlie Pollard in 2001

Charlie has always been a staunch union supporter and served on the ESU Executive Board as Engine Department Trustee from 1994 through 2001. He also served as Ship Representative aboard the *S/R Wilmington* from 2004 thru the beginning of 2006. In the tumultuous year of 2001 Charlie was an active participant in the picketing, strike vote and labor action which resulted in a substantial and long overdue wage increase that year and an improved contract the following year.

The company also recognized that Charlie was a man who possessed both intelligence and adept communication skills, and as a result selected him in 2003 to join their core team responsible for developing and implementing the LPS system. Charlie also participated in the initial onboard LPS training when it was introduced to the fleet.

Charlie is one of those rare shipmates who impressed everyone who had the pleasure to sail with him, with not only his skill as a mariner but more importantly with the quality of his character. He will always be remembered as a man of honesty and integrity and as a genuine friend and respected shipmate. Charlie will be missed and we bid him a heartfelt farewell and contentment in his retirement.

Charlie was a man who possessed both intelligence and adept communication skills, and as a result selected him in 2003 to join their core team responsible for developing and implementing the LPS system. Charlie also participated in the initial onboard LPS training when it was introduced to the fleet.

**EXXON SEAMEN'S UNION**  
 Founded March 28, 1941  
 Affiliated with the Sailors' Union of the Pacific

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**President Kevin Conroy**

<b>Vice President John Straley</b> <b>Secretary/Treasurer Leo DeCastro</b> <b>Recording Secretary Thomas Thompson III</b>	<b>Deck Trustee Michael Harrison</b> <b>Engine Trustee William Ackley</b> <b>Steward Trustee Joe Pereira</b>
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# APL Wage and Overtime Rates

Effective October 1, 2007

Maritime Security Program Vessels (C-10 Class & C-11 Class)						
Rating	Wages		Supp.	Supp.	Benefit	Money Purchase Pension Plan
	Monthly	Daily	Benefit Base Monthly	Benefit Daily	Monthly	Daily
Bosun	\$4,578.76	\$152.63	\$4,718.58	\$78.64	\$2,359.29	\$25.00
A.B.	\$3,244.28	\$108.14	\$3,543.19	\$59.05	\$1,771.59	\$25.00
AB Watchstander/ Daystander	\$3,244.28	\$108.14	\$3,543.19	\$59.05	\$1,771.59	\$25.00
O.S.	\$2,500.55	\$83.35	\$2,794.61	\$46.58	\$1,397.31	\$18.51

OVERTIME RATES		Money Purchase Pension Plan
The hourly overtime rate for all ratings except the Ordinary Seaman ..... \$26.04		
Ordinary Seamen ..... \$19.53		

CARGO RATES		Money Purchase Pension Plan
The hourly cargo rate for all ratings:		
Straight Time Hours ..... \$19.53		
Overtime Hours ..... \$32.17		

SHORTHANDLED (Section 7 SUP Work Rules)		Money Purchase Pension Plan
Bosun ..... \$44.44		
A.B. .... \$33.49		

STANDBY RATES (Section 43 SUP Work Rules)		Money Purchase Pension Plan
Bosun		
Straight Time Hours ..... \$24.86		\$25.00
Overtime Hours ..... \$40.88		
A.B.		
Straight Time Hours ..... \$23.81		\$25.00
Overtime Hours ..... \$39.25		

SHIFT SHIP GANGS (Section 44 SUP Work Rules)		Money Purchase Pension Plan
Bosun		
Straight Time Hours ..... \$22.02		\$25.00
Overtime Hours ..... \$36.61		
A.B.		
Straight Time Hours ..... \$20.76		\$25.00
Overtime Hours ..... \$35.00		

DECK PORT WATCHES (Section 55 SUP Work Rules)		Money Purchase Pension Plan
Bosun		
Straight Time Hours ..... \$29.64		
Overtime Hours ..... \$44.44		
A.B.		
Straight Time Hours ..... \$22.32		
Overtime Hours ..... \$33.49		

FUEL OIL SPILL CLEANUPS		Money Purchase Pension Plan
Straight Time, all ratings ..... \$15.19		

Maintenance and Extra Maintenance Rates		Money Purchase Plan
<b>Rating</b>		
Rigging-Splicer and Sail Maker		
Straight Time ..... \$28.90		\$25.00
Overtime ..... \$47.42		
Rigging-Wire Splicer's Helper		
Straight Time ..... \$26.56		\$25.00
Overtime ..... \$44.04		
Rigging-General Maintenance Work		
Straight Time ..... \$25.44		\$25.00
Overtime ..... \$42.25		
Spray Painting, Sandblasting, Steam Cleaning and Welding		
Straight Time ..... \$27.64		\$25.00
Overtime ..... \$45.57		
Storekeeper-General Maintenance		
Straight Time ..... \$26.83		\$25.00
Overtime ..... \$44.24		
Bosun		
Straight Time ..... \$30.90		\$25.00
Overtime ..... \$50.16		
Bosun's Mate or Leaderman		
Straight Time ..... \$28.90		\$25.00
Overtime ..... \$47.42		
Carpenter		
Straight Time ..... \$28.29		\$25.00
Overtime ..... \$46.64		
Spraying, Sandblasting enclosed spaces additional per hour .... \$1.65		

## Welfare Notes

### September 2007

#### NEW PPO PLAN FOR OUT-OF-AREA ACTIVE PARTICIPANTS

The ULLICO PPO Plan for active members who live outside of an HMO area was terminated September 1, 2007 and replaced by Health Net PPO Plan. Participants who were enrolled in the ULLICO Plan with continuing eligibility into September 2007 were transferred into the Health Net Plan; however, the participants need to complete the enrollment form that was sent to them and return the completed form to the SUP Welfare Plan.

If you were enrolled in ULLICO and did not receive the information, please contact the Plan office at 1-800-796-8003.

#### TIMELY FILING OF CLAIMS

REMINDER: Reimbursement for co-payments and other eligible medical, dental, vision, or prescription charges must be submitted to the Plan office within 90 days of the dates of service. This time limit for filing claims includes eligible expenses for active employees and pensioners covered under the pensioners' annual allowance.

#### PENSIONERS' ALLOWANCE

The Pensioner Annual Hospital Medical Benefit Reimbursement Claim Form is required to be completed and sent to the Plan office at least once every fiscal year. A blank form is included with payments sent to pensioners along with payments for reimbursement. If you need a form, please contact the Plan office at 1-800-796-8003 or 415-778-5490.

Invoices that state "This is not a bill" and proposed treatment plans are not adequate proof of loss for reimbursement under the Pensioners' Annual Allowance. Please submit itemized bills that include the name of the patient, the name and address of the provider of services, the charge, and the dates of service. Medicare explanations of benefits and itemized prescription bills with the above information are also acceptable.

Michelle Chang, Administrator [mcsupsiupd@sbcglobal.net](mailto:mcsupsiupd@sbcglobal.net)  
 Patty Martin [martinpatty59@sbcglobal.net](mailto:martinpatty59@sbcglobal.net)  
 Virginia Briggs Claims [vbriggs80@sbcglobal.net](mailto:vbriggs80@sbcglobal.net)  
 Michael Jacyna Eligibility [mjacyna67@sbcglobal.net](mailto:mjacyna67@sbcglobal.net)

**SUP Welfare Plan**  
 730 Harrison Street, #415  
 San Francisco, CA 94107  
 Phone Numbers: 415-778-5490 or 1-800-796-8003  
 Fax: 415-778-5495  
 SIU-PD Pension 415-764-4987  
 SIU-PD Supplemental Benefits 415-764-4991

**Revised**

## Moku Pahu Wage and Overtime Rates

Effective September 1, 2007

RATING	Money Purchase Plan
Bosun	
Monthly Base Wage ..... \$4,380.02	
Daily Base Wage ..... 131.90	
Daily Supplemental Wage ..... 48.67	\$23.00
A.B.	
Monthly Base Wage ..... \$3,416.20	
Daily Base Wage ..... 88.55	
Daily Supplemental Wage ..... 37.96	\$19.00
Overtime ..... \$25.49	

CARGO RATES	
Straight Time Hours: ..... \$19.12	
Overtime Hours: ..... 31.51	

FUEL OIL SPILL CLEANUPS	
All Ratings: Straight Time ..... \$14.87	

Supplemental wages at 10 days per month.



# Sailors' rich work culture explored in new book

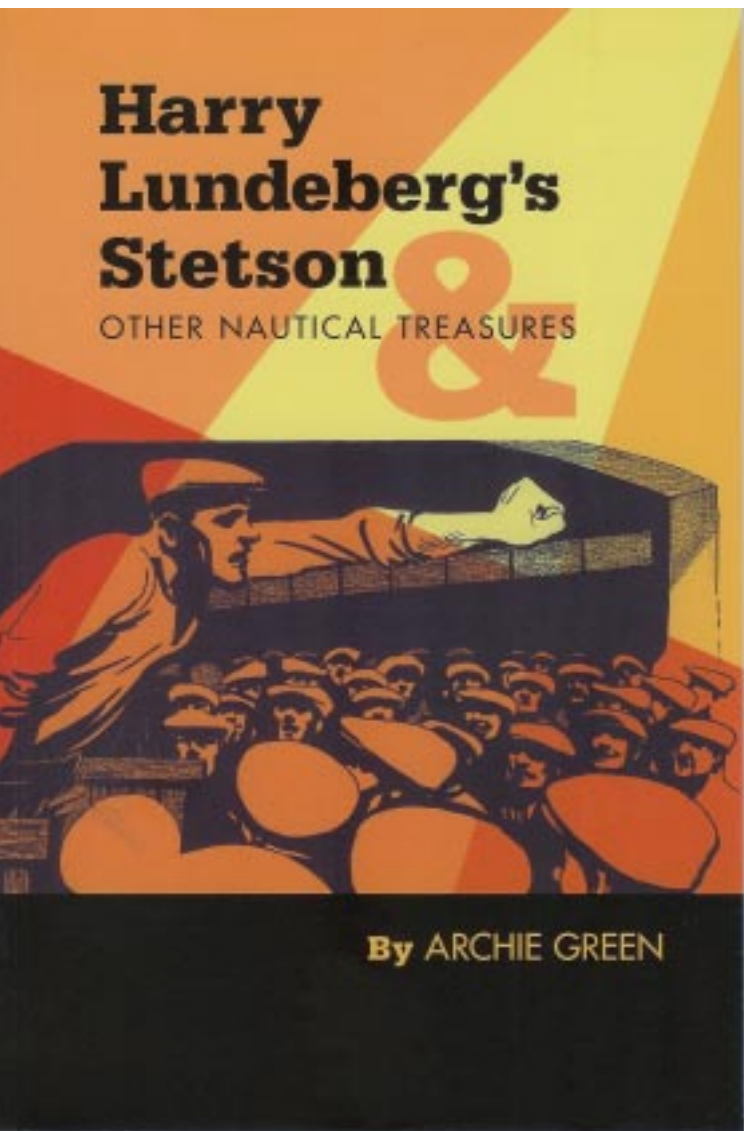
Reviewed by Fred Glass

*Harry Lundeberg's Stetson and Other Nautical Treasures*, by Archie Green, Carquinez Press, Crockett, California, 155 pages, \$24.95, paperback, [www.carquinezpress.com](http://www.carquinezpress.com)

In the first chapter of *Harry Lundeberg's Stetson and Other Nautical Treasures*, author Archie Green tells us how the traditional white sailor's cloth cap got its nickname. During the late nineteenth century, when steam schooners hauled lumber along the Pacific Coast, the "West Coast Stetson" was worn at the urging of winch operators by the men who handled the cargo in the holds. Before electrical lighting, safety demanded that something distinguish the workers from the dark background in which they labored. The white cap served that function.

The "West Coast" part of the nickname is obvious. But why "Stetson?" At a time when sailors were considered outcasts by polite society, they had no one to rely on but themselves for a sense of pride in their work lives. By borrowing another hat's name—that of the cowboy, a traditional American folk hero, also associated with the western United States—the sailors' headgear gained a light-hearted connection with a well-regarded style.

From "West Coast Stetson" to "Lundeberg Stetson" took a few decades, until Harry Lundeberg ar-



rived at the helm of the SUP. Lundeberg's approach to labor relations and his clothing were cut from the same no-nonsense cloth. For sailors, the switch in the name of the hat he and his men wore honored Lundeberg's values. Green reviews longshore and sailors' union publications to show that by the early 1940s, the "Lundeberg Stetson" was considered "the usual rig" to wear to Labor Day parades by both unions' members.

This is but part of one of the many tales of work culture told in Archie Green's recent book, *Harry Lundeberg's Stetson and Other Nautical Treasures* (Carquinez Press, 2006). The collection features stories that mostly appeared first in the pages of *West Coast Sailors*. The book is meant to preserve the "laborlore" of maritime unionism, and of sailors in particular.

Green is the right man for the job. A former waterfront union activist, Archie Green worked as a shipwright in San Francisco. He served his fellow workers as secretary of his local union, and his country during World War II in the navy. After earning a doctorate, he taught folklore in universities, and blazed an academic path in the folklore of working people. He has written a number of books in the field, including *Calf's Head and Union Tale: Labor Yarns at Work and Play*, and most recently co-edited this year a revival of the IWW classic *The Big Red Songbook*.

While informed by academic categories and a vast store of references, *Harry Lundeberg's Stetson* never becomes so arcane that the lay reader can't follow its thread. In a book that largely and necessarily consists of digressions, that is no mean feat. One of the differences between labor cultural history and more orthodox investigations of mainstream culture is that laborlore often must rely on much more limited sources and documentation. Oral history is sometimes all we've got to go on, with tricks of memory and partisan viewpoints contending with the intervening years to create a tough case for interpretation.

Sometimes Green deals with even slimmer elements: fragments of oral culture, just a phrase or term or even one word ("crimp") as clues to begin the search for bigger pictures. Especially valuable is Green's ability to fill in the gaps, sketching the outlines of meaning around the bits of evidence until a realistic possible picture emerges. In his hands, the process of labor folklore—imagining a world on the basis of a few shards—is like the task of the archaeologist or paleontologist who must reconstruct an entire civilization or skeleton on the educated guesses that surround a single pot or bone.

Where did the term "bucko mate" come from? For several pages we wander with Green from dictionary to eye-witness reports in the 1880s of brutality at sea. We

push past the noun "buck" and its several meanings to the word's use as a verb. We find that the *Coast Seamen's Journal* (predecessor to the *West Coast Sailors*) publicized a number of cases of brutalized sailors, and that longtime SUP leader Andrew Furuseth gathered these in a single pamphlet, "The Red Record," which the SUP published and sent to legislators and publications all over the country. In speculating on the origins of the term, Green notes that its appearance coincides with the transition from sail to steam. This technological transformation meant that in order to compete, sailing ship owners cut crew sizes, "an early instance of corporate "downsizing." In turn, captains demanded extraordinary, life threatening efforts from undermanned crews. Such conditions produced buckoism."

In conjuring these lost worlds of workers culture through his dual lenses of worker activist and academic investigator, Green could easily make it seem as if his pronouncements were the final words on the matter. Instead, his method is the opposite, an open-ended pursuit of knowledge that expects that individuals can only see so much. After reaching what seems to be the end of his lines of inquiry, he calls on his readers to take up the search where he ran out of steam. He is generous in his invitations to participate, confident that his future collaborators can succeed where he failed, and modest in his assessment of his own accomplishments.

With these impulses he provides a working model for labor folklore, and hints at the necessity for workers to—by definition—create culture collectively. His approach also—like the best labor history—pushes the reader squarely, over and over again, from long-vanished worker cultures into the present, using the stories to unravel implications and parallels for workers' struggles today. As Green notes, the old names and precise anti-labor practices may disappear, but new forms of exploitation inevitably emerge or reemerge under new guises. In the chapter on "crimping," he concludes with a reminder that "the practice of supplying men under questionable contracts persists."

In a similar vein, having shown how unions ended the historical practice of "buckoism," Green nonetheless muses that "contemporary buckoism need not be physical," referring to the often inhumane conditions found on ships manned by crews under flags of convenience.

Whether he is chasing the origins of a term like "pier head jump"—and in the process uncovering earlier usages than the *Oxford English Dictionary*—or finding that a "fink" might have surfaced in the 14<sup>th</sup> century with Chaucer's *Canterbury Tales*, Green carefully keeps to a collective focus. In Green's hands, we find that the impulses underlying laborlore are not very different from the assumptions that guided the Congressional framers of the National Labor Relations Act in 1935. For Senator Robert Wagner and his colleagues it seemed evident that workers, to participate as citizens and equals in the workplace with their employers, had to be able to act collectively.

Today the promise of the National Labor Relations Act has become tarnished with the passage of time and the erosion, through court decisions and employer power, of the enforcement of the Act. As a result, the labor movement has proposed the Employee Free Choice Act, a new law for new times, to replace it so that workers might once more organize without fear of firing and other forms of employer intimidation. Shifts in the balance of power between the working class and capitalist class require new solutions for workers.

Referring to laborlore and workers' cultures, Green notes that "words shift about and are recycled as social conditions change." He laments that "finks are now called "replacement workers." Fink halls come disguised as "career enhancement centers." These changes reflect the dwindling of labor's power in society, and the dimension of that power that we find in phrases, terms, and words: who creates them, what broader social purpose their uses serve, the consciousness or unconsciousness of these uses by the people who utter them.

Culture, in other words, remains contested terrain. It belongs to the people who recognize that and who make the successful effort to create it, own it, and convince others to adopt their viewpoints. For commercial interests, the task is easier than for advocates or practitioners of workers culture. With enough money behind production and advertising, a movie or CD instantly becomes woven into popular consciousness, including the consciousness of the vast majority of the population, the people who work for a living.

Workers' culture is tougher, in the United States, to nurture and promote. Green tells us that during World War II, the Liberty Ship "Bret Harte" passed another one at sea. That other one was named the "Andrew Furuseth." The captain asked the sailor at the wheel if he knew who that was. Neither he nor his shipmates did. This was just a few years after the man who guided the SUP for nearly half a century and did as much or more than any person to secure the rights of sailors had died.

Contemplating this story, Green asks, "Who best represents America's worker? Why do we lack a hallowed pantheon? Who deserves beatification?" Green does not pretend to have all the answers. But with *Harry Lundeberg's Stetson and Other Nautical Treasures*, he poses the right questions, and demonstrates that workers culture remains not only possible, but necessary.

A final note: Still going strong at 90, Archie Green practices what he preaches. He is actively involved in the preservation of worker culture through the Fund for Labor Culture and History. If you are interested in the Fund and its work, or would like to make a contribution, contact the organization at 224 Caselli Avenue, San Francisco, CA 94114.

*Harry Lundeberg's Stetson & Other Nautical Treasures* is \$25.00 (including postage and shipping) and can be obtained from: **Sailors' Union of the Pacific, 450 Harrison Street, San Francisco, CA 94105**

[Editor's Note: Fred Glass is the Communications Director for the California Federation of Teachers, AFL-CIO.]



# SUP President's Report

September 10, 2007

## SCOPE OF WORK VIOLATION

On July 2, while the Matson vessel *Manukai* was in Long Beach, the company hired three individuals from an outfit called L.A. Maritime Services to assist the crew in changing the ship's port lifeboat falls.

Given the facts regarding this issue, one can only conclude that hiring non-SUP personnel was a deliberate and calculated scheme by Matson to circumvent and breach the Scope of Work (Section 4) of the SUP Work Rules.

Matson's initial contention was that "it was necessary to hire an outside vendor to work along with SUP crewmembers to complete the annual lifeboat and davits inspection, complete integrated repairs, have ABS witness and meeting the vessel's departure schedule." The facts of the matter are that Matson contracted with L.A. Maritime Services on June 27 while the *Manukai* was enroute from China to Long Beach. The ship arrived in Long Beach on Sunday, July 1, but the company did not call the Wilmington Branch for sailors the previous Friday to do the work. The ship did not sail Long Beach until the afternoon of July 4.

When notified by your secretary that this rationalization did not hold any water and that the company was still in violation of the collective bargaining agreement, Matson changed its story an attempt to justify the jurisdictional breach. Contending that it was only following international law, the company forwarded a Safety of Life at Sea (SOLAS) circular with an effective date of July 1, 2006, to justify the violation. That document states: "Except for weekly and monthly inspections, and routine maintenance as defined by the manufacturer, all inspections, servicing and repair *should* be conducted by the manufacturer's representative or a person appropriately trained and certified by the manufacturer for the work to be done."

The Union responded that it has no problem with manufacturer's representatives, ABS representatives, ship's officers, etc., making sure the work is done properly, but the actual physical work is, by contract, to be accomplished by SUP sailors and that if a government ruling affects what is contained in the collective bargaining agreement, the company has an obligation to discuss and negotiate the issue with the Union under the provisions of the National Labor Relations Act.

Matson continues to deny that it violated SUP Scope of Work and refuses to resolve the issue in an appropriate manner. Realizing the futility of further discussions with those unwilling to do so, the Union filed unfair labor practice charges against Matson on August 30, with the National Labor Relations Board in Oakland.

Will keep the membership fully informed.

## GOVERNMENT VESSEL RFP

At the request of Matson, met at MFOW Headquarters on August 21, to discuss the Military Sealift Command's recently released Request for Proposal (RFP) for the operation and maintenance of eight Watson-class Large Medium Speed Roll-on/Roll-off (LMSR) vessels. These ships are currently operated by Maersk Line. In attendance for the Unions were MFOW President Anthony Poplawski, MFOW Vice President Bill O'Brien, SUP Vice President Dave Connolly, and your secretary. Company representatives were Tom Percival, Manager Labor Relations & Vessel Operations, and Dale MacGillivray, Manager Labor Relations.

The vessels (*USNS Watson*, *USNS Sisler*, *USNS Dahl*, *USNS Red Cloud*, *USNS Charlton*, *USNS Watkins*, *USNS Pomeroy* and *USNS Soderman*) were originally all part of the Defense Department's pre-positioning force and kept in Full Operation Status (FOS) with enough fuel, water, and ammunition to sustain a heavy armored U.S. Army brigade for a minimum of fifteen days anywhere in the world. Perhaps because of the cost of the Iraq War or changing military strategy, or both, the pre-positioning plan has changed.

Under the current RFP, only one of the eight vessels will be in FOS and is slated to be homeported in Saipan. The seven others will be kept in two different levels of Reduced Operating Status (ROS) known as ROS 4 and ROS 30. The number refers to projected days of readiness before sailing. The RFP calls for three ROS 4 vessels and four ROS 30 vessels. Although it is subject to change it is expected that two of the ROS 4 ships would be stationed in Charleston. Norfolk would be the immediate homeport for one ROS 4 vessel and all four of the ROS 30 vessels.

The manning in the ROS 4 vessels would be a Bosun, an AB, and an Ordinary Seaman. In ROS 30, the vessels are expected to be "nested," and maintain one Bosun and one AB for two ships. In the one FOS ship, the manning according to the RFP, is a Bosun, five AB's, and two Ordinary Seamen. Therefore, the total number of jobs for the SUP in the RFP, as it is proposed by the government, is 21. How the ships will actually be operated, given the amount of materiel in Iraq that must eventually come home, could be considerably different than what is suggested by the RFP. For example, if all the vessels were activated, it would represent 64 SUP jobs.

At the meeting with Matson, the company—in order to be "creative"—proposed changes to the General Rules that were, to say the least, a departure from standard government vessel language. The SUP and MFOW rejected these outlandish proposals that would have put every unlicensed crew member under the thumb of the ship's master and the company. Matson ultimately agreed to review standard government contract language.

SUP Vice President Dave Connolly met with the company on contract language issues on September 7, and indicated that some progress was made.

Whether or not Matson will bid for these vessels is unknown at this time. Patriot Contract Services has also expressed a tentative interest in bidding, while APL has said it will definitely not bid.

Will keep the membership informed as to developments.

## MARINER'S "TAX DEDUCTION"

SUP members should note that on August 22, the Department of Justice announced that U.S. District Judge George Schiavelli of the Central District of California barred Martin A. Kapp, a certified public accountant from El Segundo, from preparing income tax returns claiming a so-called mariners tax deduction.

The court found that Kapp prepared returns for merchant mariners nationwide, improperly claiming deductions for the costs of meals when their employers had provided meals. The court also said Kapp "knew or should have known" the deductions were illegal.

Judge Schiavelli ordered Kapp to give the Justice Department a list of names, addresses, email addresses and social security numbers of customers for whom he claimed the deductions. The judge also ordered Kapp to post a copy of the permanent injunction on his website for one year.

For the record, your secretary was contacted by Kapp several years ago about publishing information about his "tax deduction" in the *West Coast Sailors*. The offer was rejected.

## SUP WELFARE PLAN

### Reimbursement Issues

Have been 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 are submitted to the Plan within 90 days after the charges are incurred. The experience of some members has been that health care providers are slow in billing and/or that the member is at sea when the bill arrives and is thus unable to mail the bill in the time stipulated by the Plan.

In the judgment of your secretary, this requirement needs to be adjusted and will request, along with Vice President Connolly, that it be changed when the SUP Welfare Plan Trustees meet on October 10.

### SUP Training Representative

Terry O'Neill, the SUP Welfare Plan's Training Representative, due to family problems, regrettably resigned his post last month. Brother O'Neill was a valuable source for the membership and served with distinction.

For the time being, Vice President Connolly will assume the Training Representatives' responsibilities.

## IMMINENT DANGER BONUS

The Ready Reserve Force (RRF) vessel *Cape Orlando*, operated by Patriot Contract Services for the Maritime Administration, recently completed a three-month voyage which included substantial time in the Arabian Gulf before paying off in Alameda on August 26.

Since the Arabian Gulf is designated by the Defense Department as an Imminent Danger Zone, Vice President Connolly inquired whether this payment was made to the crew.

Section 1(G)(3) of Addendum "A" of the Memorandum of Understanding between the SUP, MFOW and SIU-A&G and Patriot regarding RRF vessels states that "While a vessel is being operated in or traversing waters described as being an Imminent Danger Zone by an appropriate government agency, all unlicensed personnel shall receive a daily bonus paid to military personnel assigned to the area, or civilian mariners, whichever is higher." The current Imminent Danger pay rate for military personnel assigned or deployed to a qualified combat zone is \$225 per month.

Prompted by Connolly, Patriot has requested the master of the *Orlando* to compile the dates when the vessel was in the zone so that the company can make an official request to MarAd for approval of the Imminent Danger payments to the crew.

## APL: WAGE INCREASE

In accordance with 2005-2015 collective bargaining agreements with APL Marine Services, Ltd., wages and wage-related items (overtime, Supplemental Benefits, etc.) are scheduled to increase 2.5% effective for those covered under the Offshore, Maintenance and Extra Maintenance Agreements. In addition, there will also be an increase in the company's contribution to the SUP Welfare Plan based on the medical services component of the Consumer Price Index (CPI), as well as a 2.5% increase in contributions to the SUP Training Plan.

Under the terms and conditions of the agreements, the Union has the right to allocate monies from the wage increase to the various benefit plans.

As with recent wage increases under all Matson commercial agreements, the San Francisco Bar Pilots marine personnel agreement, and Ready Reserve Force agreements with Matson and Patriot Contract Services, recommend that \$3.00 per manday be allocated from the APL wage increase to fund the Special Pensioners Medical Benefit.

In order to reduce the impact of the allocation on base wages, a ratio was formulated to spread the one-time \$3.00 cost over both base wages and Supplemental Benefits. If the allocation recommendation is approved, base wages and all wage-related items will be increased by 2.5% and then a proportional reduction will be made to the base wage and the Supplemental Benefit. Overtime rates and cargo rates are not included in this formula and will be increased by the full 2.5%.

Except for the Maintenance Agreement and Extra Maintenance Agreement (for which there is no Supplemental Benefit), the ratios are derived by multiplying the \$3.00 per manday allocation by either the Daily Base Wage or the Daily Supplemental Benefit rate divided by the sum of the Daily Base Wage and Supplemental Benefit.

It is important for the membership to note that this one-time allocation is necessary to keep the Special Pensioner Medical Benefit afloat for both current and future SUP pensioners. This benefit, originally derived

*continued on next page*

## President's Report continued

from the sale of the parking lot adjacent to the Headquarters building in 1999, provides an extra \$4,000 annually combined with \$2,000 annually negotiated with the shipowners over the years, provides funds necessary to cover most medical premiums, prescription drugs, etc., for retired members.

### SUP OFFICER'S WAGES

Article XV, Section 1(a) of the SUP Constitution states that "The salaries and supplemental pay [of Union officers] shall be adjusted automatically on the same percentage basis whenever the membership has a percentage adjustment in wage and vacation pay from the offshore agreements."

Due to the financial condition of the Union, wages for officers were frozen between 1992 and 2000. Wages were again frozen in 2005 due to the fact that those sailing in American Ship Management's (now APL's) fleet did not receive a wage increase. Last year wages were also frozen when the membership voted in the 2005-2006 election to amend the Constitution to provide for a \$100 per week car allowance for officers, but failed to pass a dues increase to pay for it.

This year under the offshore agreements (APL and the majority of the Matson fleet) a 2.5% wage increase was payable. Therefore, despite the continuing General Fund deficit, recommend that SUP officers receive a 2.5% increase effective October 1, but with the stipulation that \$3.00 per manday from wages and vacation pay be contributed to the Special Pensioner Medical Benefit.

### MOKU PAHU: CORRECTION

Last month reported on the wage increase in Matson's ITB *Moku Pahu*. In both the report and the wage scale printed in the *West Coast Sailors*, there were errors that are hereby corrected.

[The fully revised wages are printed on page 8.]

### SUP ELECTION: NOMINATIONS

In accordance with Article XII of the SUP Constitution, nomination of regular officers of the Sailors' Union of the Pacific for the 2008-2010 term shall commence at today's Headquarters' meeting and conclude at next week's Branch meetings. Written notice of this fact was published in last month's *West Coast Sailors* and posted at all Union halls.

Any eligible member may place his or her own name in nomination for any regular office or may be nominated by another member. Nominations may be made either in person or by mail; however, any nomination made by mail must be received at the Branch or Headquarters at least one day prior to the meeting at which nominations will be received.

The following are the regular offices of the Sailors' Union of the Pacific:

President/Secretary-Treasurer  
Vice President/Assistant Secretary-Treasurer  
Seattle Branch Agent

Wilmington Branch Agent  
Honolulu Branch Agent  
San Francisco Business Agent  
Trustees of the SUP Building Corporation (5)

All nominees shall be notified by mail of their nomination. A list of names and nominees for each office shall be conspicuously posted in each Union hall and will be published in the September issue of the *West Coast Sailors*.

A Committee on Candidates will be elected at today's Headquarters' meeting and will meet on Tuesday, September 18, to review the list of nominees and mail notification of their nomination.

All nominees who desire to become candidates for and hold any regular office shall have the following qualifications:

- He or she is a member in good standing at the time of nomination.
- He or she achieved "B" seniority as defined in the SUP Shipping Rules; and
- He or she is not disqualified by law. A member shall not be eligible to be a candidate for and hold any regular office if within the past five years he/she has been convicted of, or served any part of a prison term resulting from conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or violation of Title II or III of the Landrum-Griffin Act, or conspiracy to commit any such crimes.

All nominees who desire to become candidates shall have the necessary qualifications and acceptance of the nomination in the office of the Committee on Candidates at Headquarters prior to midnight, Sunday, October 14, 2007.

The election itself shall be conducted by secret mail ballot from December 1, 2007, through January 31, 2008. In addition to the election of officers, the ballot will include a referendum on one proposed amendment to the SUP Constitution.

### COLUMBUS DAY

All SUP halls will be closed for Columbus Day, Monday, October 8, a holiday under all SUP agreements. Due to the holiday, the Headquarters meeting will be on Tuesday, October 9.

### ACTION TAKEN

Election of Committee on Candidates: Nominated and elected were: Arthur Thanash, Romaine Dudley, Sonny Cooper and Bill Berry.

M/S to allocate \$3.00 per manday from APL wage increase to Special Medical Pensioners Benefit. Carried unanimously.

M/S to increase SUP official wages by 2.5% with an allocation of \$3.00 per manday. Carried unanimously.

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

Gunnar Lundberg

# Vice President's Report

September 2007

### SIUNA Convention

Along with San Francisco Business Agent and Convention delegate William Berger, I traveled to the Paul Hall Center for Maritime Training in Piney Point, Maryland, to attend the Quinquennial Convention of the Seafarers' International Union of North America (SIUNA). Gunnar Lundberg, also an elected delegate and a Vice-President of the SIUNA, was unable to attend due to a jury duty commitment in San Francisco.

John Sweeney, President of the AFL-CIO, addressed the Convention declaring that labor was poised to capitalize on the gains made in the last election and called on union members to get active in next year's presidential election. Delegates took affirmative action on the many resolutions that declared the position of the SIUNA on a range of issues. Taking a particularly strong stand against the Transportation Worker's Identification Credential, the delegates also voted to adopt positions on federation solidarity within the AFL-CIO, to "Buy Union, Buy American," for affordable health care for all, and to support the "Belated Thank You" legislation which would benefit merchant seamen who served during World War II.

In addition to attending the plenary sessions and other meetings, I delivered the report of the Sailors' Union of the Pacific to the delegates. Our report reminded the delegates of the history of the SIUNA, especially that it is the second of two internationals for merchant seamen, both of which were created by the SUP. With the recognition that the burden of maintaining and developing the U.S. merchant marine remains with us, we emphasized that the rank-and-file of our unions expect us to adhere to the principles that have guided the American seamen's movement for more than a century. There will be more information on the Convention in next month's *West Coast Sailors*.

### Ships checked

In addition to performing the routine duties of the front office at SUP Headquarters, I made the following ships/units.

**Cape Orlando:** delegate Rhonda Benoit. Paid off in Alameda on August 26 after a 93 day voyage to the Persian Gulf, Australia and Alaska. Collected Imminent Danger Pay for the gang—checks for \$450 (two calendar months of exposure at \$225 each) are in the mail. Gang held together despite some friction.

**Lurline:** delegate Dave Mercer. Clarification on stores. No beefs.

**Mahimahi:** delegate Paul Barbour. Clarification on travel for a "relief for a relief:" original relief's port of engagement is where the job terminates. Company paid the travel.

**Moku Pahu:** delegate John Duran. Email from the bosun in the Far East. Disputed time for garbage removal on the dock in Crockett taken up with the Company.

**Washington Voyager:** delegate Ron Gill. Call from Portland indicates most things okay.

**USAV Worthy:** delegate Doug Olney. Ship paid off in Pearl Harbor with no problems. May call the crew back in October.

**Cape Farewell:** delegate Asad Al-Rasusullah. Ship paid off in Beaumont after one week of barge movements and other maintenance. Possible yard period later this year.

**Cape Jacob:** delegate Mark Reed. With bosun Sam Scott and the hard work of the delegate this ship is running smooth.

**Foss Maritime Company:** delegates Mike Worth, Tom Tynan, and Mel Jackson. Investigated safety policy violations, payroll issues, and adherence to call-out order. No beefs.

**San Francisco Bar Pilots:** delegates Louie Urbano and Steve Ross. Bosun Leo Moore has things well in hand. Relief work should be done only at the negotiated rates.

Dave Connolly

## Attend your Union meetings

### SUP Officers' Wages

In accordance with Article XV, Section 3, of the SUP Constitution: "Every time the new wage scale is printed in the *West Coast Sailors* showing the seagoing [dry cargo-offshore] members and standby gang wage scale, the benefits and wage scale of the Union officials shall be printed right along with, and in the same issue, of the *West Coast Sailors*."

#### Weekly Wages for SUP officers effective October 1, 2007\*:

President/Secretary-Treasurer .....	\$1,558.80
Vice President/Assistant Secretary-Treasurer ....	\$1,232.39
Branch Agent .....	\$1,232.39
Business Agent .....	\$1,210.32

**Benefits:** Medical and dental coverage (SUP Welfare Plan); four weeks vacation per year, and participation in the SIU-Pacific District Pension Plan. SUP officials are not participants in the SUP Money Purchase Pension Plan.

\*Reflects the \$3.00 per manday allocation to the Special Pensioners Medical Benefit.

# SUP Branch Reports

## Seattle

August 20, 2007

Shipped during the period: 7 Able Seaman's jobs shipped to: 2 A's, 3 B members and 1 D registrant to steady jobs, 1 A returned from a trip-off. 20 standby jobs shipped to 14 A members, 3 C members and 3 D registrants.

Registered during the period: 10 A cards for a total of 23; 7 B cards for a total of 22; and 0 C cards for a total of 5.

### Ships Checked

President Truman back from the Far-East with no problems. This ship will sail out of Seattle and into the Suez Express run. Norm Christianson is the serang and the gang reports hard work for good money. The Matson ships *Kauai* and *Manoa* in twice with no problems. Frank Portanier is the snapper in the *Manoa* and this is again a happy ship.

During the month, I attended the King County Labor Council Executive Board and delegates meetings. The Seattle Freight Mobility Advisory Committee meeting; The Puget Sound Harbor Safety Committee meeting; and the Puget Sound Ports Council, Maritime Trades Department, AFL-CIO meeting.

I represented the SUP at the "Change of Command" ceremony for USCG District Thirteen. During this event Captain Del Mackenzie, President of the Puget Sound Pilots and I were offered a private meeting with the United States Coast Guard Commandant, Admiral Thad Allen. Captain Mackenzie addressed merchant mariner physicals, sea-time accumulation and local autonomy for the issuance of mariner's documents; and I spoke to our participation and input on the Area Maritime Security Committees and the importance of U.S.-flag ships and seaman. We had the Commandant's full attention.

Along with Seattle Branch Delegates Mike Dirksen and Robert Jones, I attended the Washington State Labor Council's convention at the Sea-Tac airport. The SUP seconded and spoke on a resolution for the perseverance of maritime industrial land throughout the Puget Sound. We were joined by Robert's father and SUP pensioner Tony Jones who served as a delegate from the Pierce County Labor Council.

Vince O'Halloran  
Branch Agent

## SUP Members

Is your current address on file at Headquarters? If not, mail, fax or email it to:

Sailors' Union of the Pacific  
450 Harrison St.  
San Francisco, CA 94015  
Fax: 415 777-5088  
email: editor\_wcs@msn.com

Ballots for the 2008-2010 SUP election will not be mailed to the Union halls.

## Wilmington

August 20, 2007

Shipped during the period: 1 Bosun, 8 ABs, 5 ABDs, 2 OSs, and 61 standbys for a total of 77.

Registration: 38 Class A cards, 29 Class B cards, and 6 C cards.

### Ships Checked

*Manukai, Singapore, Philippines, China, Korea, Thailand, Matsonia, Mahimahi, Maunawili, Manulani*

I met with the L.A./Long Beach harbor coalition several times to work on health care issues and to set up the Labor Day parade and picnic.

I attended the Headquarters meeting with a delegation from the Wilmington hall. Made two motions; both passed. I spoke on the democratic policy of our Union and gave demonstration of its power. Brothers, there are those among you that say that our Union meetings are of no use. You are wrong. This is your Union and you have powers in it. If this was not true, then I would not be in office today. Brothers, we are in trying times and it will take all of us to make it through. We need your voice to be heard at our Union meetings. All brothers need to be heard and their words weighed and voted on. Whereas sometimes truth and knowledge come from unlikely places.

So then comes the question should we vote for a dues increase. Well do you want a Union that you control by the democratic system? Or would you rather belong to another Union? It's only \$20 a quarter more, the truth be told that is less than you spend on taxis, beer or other diversions. It's your turn to fight; it's your Union. So what kind of man are you: a fighter or an opportunist meat swinger.

As always, yours in struggle,  
Paul Calais  
Branch Agent

## Honolulu

August 20, 2007

During the month of July, dispatched the following: 1 Bosun, 1 Bosun relief, 4 ABDs, 1 ABD relief, 6 ABWs, 1 ABW relief, 1 AB maint., 1 OS. These jobs were filled by 8 A members, 7 B members, and 1 C member. Also shipped 37 standby jobs, filled by: 3 A members, 19 B members, 9 C members, and 6 D registrants, for a total of 53 jobs shipped.

Registered during the month of July: 12 A members, 7 B members, 3 C members and 1 D registrant. To date, registered are: 17 A members, 11 B members, 8 C members, and 3 D registrants, for a total of 39.

### Ships Checked

*Mahimahi, Manoa, R.J. Pfeiffer, Matsonia, Lurline, Kauai, Maunalei, Manulani, Maui, Manukai, Lihue and Maunawili*; all with few or no beefs. Paint and Rigging gang running smoothly with Monte Kalama as bosun.

On August 15, attended the Hawai'i Ports Maritime Council meeting. Hawai'i's 2<sup>nd</sup> Congressional District Representative Mazie Hirono was in attendance. Discussions on TWIC and MMD renewal time.

The Hawai'i Super Ferry service is currently suspended; hung up in court over environmental issues.

Mike Duval, Branch Agent

## SUP member join pension ranks

The following SUP member joined the rank of pensioner, bringing the total number of SUP members to 656:

Robert J. Copeland, 65, Book No. 4763, joined SUP in 1960, 29 years of seetime.

## APL vows to accelerate growth after good results

APL, the liner shipping arm of Singapore's Neptune Orient Lines, wants to accelerate growth and recover lost market share. That was the clear message from NOL president and chief executive Dr. Thomas Held when he unveiled a promising set of second quarter results a few weeks ago. Cargo volumes saw double-digit growth and freight rates are heading north. The company reported net profit in the second quarter of \$93 million, up 38% year-on-year. That followed a 64% drop in the first three months of 2007.

Dr. Held expressed confidence that the bottom of the industry cycle had been passed, and predicted that the momentum of growth experienced over the past few months would continue into the second half.

APL has seen its market share decline from 4% in 2000 to 3.3%, according to AXS-Alphaliner data, largely reflecting its conservative ship investment program. But after deliberating about whether to move beyond 6,000 teu tonnage, the line recently unveiled a \$1 billion investment in eight 10,000 teu ships. The line will also be chartering some of the 8,100 teu ships that alliance partner Mitsui O.S.K. Line (MOL) has on order as it upgrades the size of ships in its fleet.

Dr. Held, who took over the top job just a few months ago, also said NOL wanted to be "an active player" in future industry consolidation. He would not be drawn on whether the company was involved in any takeover talks, but said there were plenty of acquisition opportunities in both the shipping and logistics sectors.

The group reported net profit of \$136 million for the first half of the year, down 27% on a year ago, but recorded a big improvement between the two quarters. APL achieved a 29% increase in earnings before interest and tax in the April-June period to \$98 million, with revenues 13% higher at \$1.52 billion and cargo volumes up 12%. Ship utilization on head haul routes averaged 98% compared with 95% in the 2006 second quarter, despite an 11% increase in capacity as new vessels and services were introduced. Average freight rates were 2% higher, at \$2,651 per feu.

In the Europe trades, second quarter volumes were up 5%, while average revenue per 40-foot container gained 6% in the same period to \$2,662 per feu.

In the Pacific, though, average revenue per feu fell to \$3,358, down 1% on the second quarter of 2006. Nevertheless, weaker transpacific trades, which account for 34% of APL volumes, also saw some improvements.

## San Francisco Business Agent

September 10, 2007

Visited and paid off the following ships:

**Kauai**— Chuck Maringer, delegate: Visited at Howard Terminal. Charles Schroeder shipped in Seattle. No disputes.

**Lurline**— David Mercer, delegate: Received a call from Bosun Paul Fuentes, to say that shoreside workers were going to renew the wires for the blocks on gear that lifts the car ramp, which is sailors' work. This work was cancelled. The main problem is the fleet angle compensator which distributes the wire evenly on the drum, and wire gets fouled up in the drum.

**Manoa**— Randy Runyan, delegate: Running coastwise to Honolulu; no disputes.

**Maui**— Dennis Sparta, delegate: Second trip since shipyard. No disputes; good crew.

**Moku Pahu**— John Duran, delegate: Visited at Crockett; hauling scrap to Korea.

**APL China**— Tonny Nielsen, delegate: Voyage pay off. Running smoothly with no disputes.

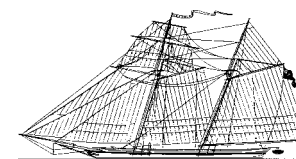
**APL Korea**— Singapore Sid, delegate: No disputes. Always a pleasure to pay this ship off. Good crew from top to bottom.

**APL Philippines**— Bill Remoto, delegate; Gus Silva, bosun: Voyage pay off. Very clean ship.

**President Adams**— Kris Skorodynski, delegate: President Lundeberg made her at the New York Container Terminal on Staten Island. Clean pay off. This ship inaugurates APL's new Suez Express Service.

Also visited APL Wash Rack; Norman Kwak, bosun. It seems one of the trucks hit the corner of the van where they stay. Fortunately no sailors were in it.

Bill Berger



## Dispatcher's Report

Headquarters-Aug. 2007

<b>Deck</b>	
Bosun .....	4
Carpenter .....	0
MM .....	4
AB .....	11
OS .....	2
Standby .....	18
<b>Total Deck Jobs Shipped .....</b>	<b>39</b>
<b>Total Deck B, C, D Shipped .....</b>	<b>10</b>
<b>Engine/Steward</b>	
QMED .....	0
Pumpman .....	0
Oiler .....	0
Wiper .....	0
Steward .....	0
Cook .....	0
Messman .....	0
<b>Total E&amp;S Jobs Shipped .....</b>	<b>0</b>
<b>Total E&amp;S B, C, D Shipped .....</b>	<b>0</b>
<b>Total Jobs Shipped - All Depts. ...</b>	<b>39</b>
<b>Total Registered "A" .....</b>	<b>64</b>
<b>Total Registered "B" .....</b>	<b>54</b>
<b>Total Registered "C" .....</b>	<b>6</b>
<b>Total Registered "D" .....</b>	<b>4</b>