

PRESIDENT'S REPORT – December 2021

SUP ELECTION

Balloting for the triennial election of Union officers and Constitution changes began on December 1, and concludes on January 31, 2022. The ballots will be counted at Headquarters on February 1, 2022. In accordance with the SUP Constitution, the entire secret mail-ballot and election shall be conducted by the Impartial Balloting Agent selected by the membership. The Committee on Election recommended that Unilect Election Services be selected as the Impartial Balloting Agent and the membership concurred in the November meetings. As per Article VIII, Section 1 of the SUP Constitution: “members with A and B seniority who are in good standing may vote in all Union elections. Members with C seniority who have ninety (90) days seetime within the preceding year and have been in good standing for that year shall be eligible to vote in all Union elections.” SUP members on pension may cast ballots for Union officers.

If for any reason a member in good standing does not receive his/her ballot, he/she may make a written application to Unilect Election Services, Inc. using the designated form to request a ballot. That form from Unilect is available in all SUP halls and was also mailed with the ballot. The form will also be published in the December issue of the *West Coast Sailors* and is also available on the Union's website at www.sailors.org. Union democracy depends on participation. Urge all hands to vote.

APL MARINE SERVICES

CMA-CGM Dakar: As the membership will recall, the *APL Saipan* was taken out of the Maritime Security Program and reflagged in Guam in late October. Company Labor Relations Manager John Dragone said at the time that the intent was to replace the *Saipan* with another similar geared containership, possibly the *CMA-CGM Dakar*, in December. Management in fact confirmed (following Union inquiry) on December 1, 2021 that *CMA-CGM Dakar* would be the replacement vessel joining the Company's U.S. flag fleet in Busan, Korea on or about January 4, 2022 and operating in the Guam feeder (GSX) service. Like the *CMA-CGM Heradote*, the ship will call at Yokohama, Saipan, Guam, Hakata, and Busan. Crew will test for COVID shortly before fly date and then endure two weeks of hotel quarantine in Korea before joining. Jobs were called initially in Honolulu as per our Shipping Rules. The Company responded to our request for reduced quarantine by pursuing a waiver that was denied by the Korean government.

Standby COVID testing: APL recently made COVID tests a requirement for all standbys dispatched under the APL/SUP Extra Maintenance Agreement. The Pacific District Union's Letter of Understanding with APL on vaccinations include standbys and does not speak directly to testing. But testing has been part of the dispatching protocols from the outset and has been part of the safety solution. During the recent repair period of the *President Eisenhower*, where there were serious cases of COVID-19, testing was necessary if we wanted standbys on the ship. It is no small concern of the Union to maintain the work, especially when APL standby jobs are entirely at the discretion of the Company such that loss of the work is no empty threat. But as Wilmington Branch Agent Leon Gandy reports, members there are understandably irritated by the logistical hassles involved in clearing dispatch, arranging last-

minute COVID test appointments, traveling to the clinic, all in unpaid support of single standby job. We want to protect the crew from contamination, but when we are working mainly outdoors on deck and away from crew in a 100% vaccinated workplace, there are limits to the safety benefit tradeoffs.

With all this in mind Union raised the issue with management, arguing that it strains the limits of reasonable response, and proposed alternatives. Elimination of the extra COVID testing for vaccinated standbys but maintaining adherence to normal safe behavior and social distancing from crew was first on the list. Then we proposed testing at the Hall immediately following dispatch, in nearby clinics or even self-testing with rapid antigen test. And finally, in the case of a continuation of the status quo a day's pay for the testing/dispatch day. Management agreed to nothing except to review options, and with the impact of the Omicron variant still looming, the timing is not great. More to come and will advise.

UFCW LOCAL 5

As was noticed back in January and October, the SUP collective bargaining agreement with the employer United Food and Commercial Workers, Local 5, AFL-CIO, expires at the end of this month. The Union represents Directors, Representative and Organizers from Salinas to Eureka and has notified the Employer of our intent to bargain a successor agreement. That intent has been acknowledged and in recent weeks the SUP has polled each individual member of the unit and solicited proposals. Drafting, research and discussion on those issues is ongoing and some preliminary discussion with the Employer will develop into full blown bargaining in the days ahead. Will keep the membership advised.

SUP WELFARE PLAN

Out of Area Coverage: Contacted recently by some members interested in out-of-area health care coverage, the Union Trustees (SUP VP Matt Henning and myself) again took the matter under consideration. It is something we do continuously and includes a complete and professional review of all of the available benefits, coverage options, and costs. Will take the matter up again at the SUP Welfare Plan and report to the membership our findings.

Holiday Luncheon: Like this time last year, a variety of pandemic gathering restrictions and social distancing requirements in each region make compliance difficult and loaded with problems. After discussion with MFOW President and Welfare Plan Trustee Anthony Poplawski, we have decided to cancel the luncheons again this year for the same reasons.

POLITICAL UPDATE

The U.S. merchant marine exists by legislative decree. Without the legal foundations that keep outrageous, unregulated, and exploitative foreign competition at bay, we are sunk. We're lucky that we have enormous support from U.S. labor, and from some in American business, government, and especially the military. For those that know about it the Jones Act is mostly seen as a vital American law that stretches back much further than 1920 to the founding of the nation. But in this divided era, broad bipartisan support is easily confused by just a few loud

voices, and these voices may have an American mouthpiece but are not often American in their origination. Wealthy and powerful foreign competitors seeking to gain access to the vast American marketplace pay handsomely for that access. Enemies of the Jones Act often raise fake emergencies and demand waivers every time a storm hits the coast. But they hide in the shadows too, such as in the absurd gyrations of Jones Act evasion, such as the foreign port loophole (and its proposed permanent exemption) in the PVSA, or the silly 100 yard “railway” of a fishing outfit in Canada to invoke the arcane Third Proviso exemption, or the weird lease-financing schemes designed to obfuscate ownership in the deepwater offshore oil industry. So, it almost refreshing to confront again Senator Mike Lee from Utah, who on the floor of the U.S. Senate came straight out with the argument that Jones Act “written by the devil himself.” Lee routinely introduces toxic legislation designed to directly and immediately dismantle the Jones Act. Such is the case of his legislation called “Surpassing Temporary Obstructions at Ports and Guaranteeing Resources to Increase the Nation’s Commercial Health Act” or the “STOP the GRINCH Act.” (In the House, Rep. Michelle Fischbach (R-MN) submitted companion legislation as H.R. 6028.) To introduce an unnecessary and deceptive piece of legislation suggests big money is behind it. This bill would aid foreign multi-national flag-of-convenience scofflaws in the cruise industry, a big supporter of Lee and the Alaska and Florida delegation. But there are likely even deeper pockets in support, notably in big oil and big oil states and especially related to the domestic transport of Liquefied Natural Gas. Whatever the sources and motivations of treachery, and treachery it is, and we will not stand by and let it happen. Via the Transportation Trades Department of the AFL-CIO and by other means we’ve communicated that message to Congress. Like it or not, our future is still tied to the special politics of the Jones Act.

National Defense Authorization Bill: the \$768 billion dollar bill known as the NDAA, cleared the House on December 7, 2021, by a vote of 363-70. The bill calls for a raise in pay of 2.7% for servicemembers, among many other things. It would also include critical status quo funding for the Maritime Security Program among other support for the U.S. merchant marine in the foreign trades. If passed in its current form it will beef up resources to counter Russia and China by authorizing \$4 billion for the European Deterrence Initiative, intended to discourage Russian aggression in Europe and allocates \$7.1 billion for the Pacific Deterrence Initiative to discourage China's aggression in the Pacific. Importantly for U.S. carriers in the Pacific trades, such as some of our employers, it will bolster the U.S. presence there. The compromise measure now heads to the Senate where companion legislation has stalled. Congress has passed the NDAA, usually in a bipartisan manner, for over 60 years in a row.

HONOLULU BRANCH AGENT

Honolulu Branch Agent Mike Dirksen has informed me verbally and in writing that he intends to resign and retire on December 31, 2021, for personal and medical reasons. Mike has been a strong advocate of members and a steady hand for the Union for many years. In recent months, while out on medical leave, he worked background to assist and give advice on pending issues. His straightforward and reliable work will be missed by all. During the remaining election period, and pending the results, the Acting Honolulu Agent will finish out the rest of Mike’s term. We wish Mike all the best and thank him for his unflinching dedication to the Union.

THE YEAR IN REVIEW

This year dawned in lockdown and restrictions as COVID-19 maintained its grip. COVID testing became normal while we grappled with vaccine access, then mandates, and all that while Delta was only an airline. We lost members and pensioners, friends and family. We lost an employer who sold out to cheap competition. But the Union survived the shocks as members held fast, opened new service trades to China and the South Pacific, won Watson class and added more tanker billets, and crewed up the Ready Reserve Fleet in a blitz of activations. We achieved new main and secondary agreements with Matson and likewise engaged APL on a range of issues from restrictions to vaccinations to standbys. Wages and conditions were improved, benefits maintained and expanded, and we handled too many grievances to count. We defended the Jones Act from repeated opportunistic attack, and helped shepherd legislation that funded the Maritime Security Program and other U.S.-flag support. Despite the latest Omicron variant, we are today less locked down, less restricted, less uncertain, and less anxious about how to handle the coronavirus. As our trade became abnormal in a thousand ways, we still got the job done. Now, as the ominous Omicron wave builds at almost exactly the same time, I urge again the same safe behaviors, perseverance and patience that has been our polestar through the pandemic. And on behalf of all agents and staff, I want thank again SUP members and their families for their dedication to the Union at an historic time and wish everyone a safe and pleasant holiday season.

HOLIDAYS

SUP Hiring Halls will be closed this month on the following SUP contract holidays:

Christmas Day – Saturday, December 25, 2021. Since Christmas falls on a Saturday, in accordance with the Offshore Agreements, SUP halls are closed Monday December 27, 2021.

New Year's Day – Saturday, January 1, 2022. Since New Year's Day falls on a Saturday, SUP halls will be closed on Monday January 3, 2022.

Martin Luther King, Jr. Day – Monday, January 18, 2022. All SUP halls will be closed on Monday, January 17, 2021, for Martin Luther King, Jr. Day, an SUP holiday in all Agreements.

SUP hiring halls in San Francisco, Wilmington and Seattle will also be closed in observance of the following ILWU holidays on the West Coast, which are therefore recognized SUP holidays aboard APLMS and Matson vessels in Pacific Coast ports:

Christmas Eve - Friday, December 24, 2021. Since Christmas Eve is a Mainland ILWU holiday, SUP halls in Seattle, San Francisco and Wilmington will be closed on Friday December 24, 2021

New Year's Eve – Friday, December 31, 2021. New Year's Eve is not a holiday in Hawaii but the SUP Honolulu hall will close at noon on both Christmas Eve and New Year's Eve.

Jack Hall Day - Jack Hall Day (January 2) is an ILWU Local 142 holiday in Hawaii and will be observed by the Honolulu hall on Monday, January 3, 2021 in accordance with local custom and practice. Jack Hall was a member of the SUP and an ILWU organizer in Hawaii in the 1930's as well as an ILWU Vice President. The holiday applies to all Matson ships in Honolulu plus the Paint and Rigging Gang and all members working under the Maintenance and Extra Maintenance Agreements.

