

PRESIDENT'S REPORT

PANDEMIC RESPONSE

Still in the grip of the pandemic, the virus continues to command our attention. Whether it is ship operations, shoreside support, credentials, medical clearances, communications, dispatching, politics, restrictions, negotiations, there is little that is unchanged in the COVID-19 era. It is no ordinary problem.

Coronavirus can jump species, travel continents, and kill with treacherous efficiency while spreading by human interaction as benign as a simple conversation. From there it replicates, with seemingly minor symptoms or with no symptoms at all. In fact, research now shows that shed virus spikes (increasing contagiousness) in the days shortly before symptoms appear. In some ways its deceit worse than its lethality because the way to immediately and reliably separate the healthy from the sick eludes us. Medieval methods of blunt separation like quarantine are still among the best methods of prevention available. Testing is, or should be, the light on this darkness. Without a free, widely available, simple, and rapid test for the virus, the pre-symptomatic and/or asymptomatic spread rolls us back to the viral cataclysms of plague, smallpox, and Spanish flu.

We need another round of public funding, we need a therapeutic medicine, and of course, a vaccine. But even if a safe, abundant, and effective vaccine is available by year end, we'll still need continuous testing in the reality of the workplace. Better testing to separate the healthy from the sick more quickly in real-world conditions. Not a silver bullet, the improvements near term will come from a more refined day-to-day diagnosis, a layering of health and safety protocols, a frustrating continuance where we are. Do what you can with what you have where you are, said Teddy Roosevelt. So we rattle the walls for better tests as we keep on taking them, (sometimes several times in a single dispatch), we self-quarantine, and if the test is positive, immediately isolate, treat, contact trace, and take the steps to return to duty. If negative, we maintain a self-quarantine all the way down to the ship and go forward with precautions. A vaccine is coming, says the government, but when and to what effect is another matter of uncertainty and doubt. The immediate fix is still prevention, testing, operational caution, and care: a many-layered long march in a grueling campaign.

Despite all that is not known about the virus we have reached a point in the pandemic where there are practical behaviors and equipment that experts say lower the risk of both transmission and infection. Respiratory and hand hygiene is foremost now, especially the wearing of masks. Keeping distance between people to a minimum of six feet has been updated to include reducing the duration of contacts in general since it appears that there is a threshold of virus needed to achieve infection. Shorter exposure means lower risk. It is now known that good airflow dilutes the virus which is why outdoors is safer than indoors, especially where there are more than a few people in the room and for a prolonged time. There will be much more in the September issue of the *West Coast Sailors* and the SUP website has a lot of the latest information on a dedicated COVID-19 webpage. Urge all hands to check it out at www.sailors.org.

Situation Hawaii: On September 1, 2020, in response to a spike of COVID infections, the State of Hawaii issued new restrictions on arriving travelers that include the existing mandatory 14-day self-quarantine but now come with new enforcement procedures. Government officials and members traveling to Hawaii have both advised a new and aggressive human program, supported by hotels, (that report missing guests and deactivate room keys among other things), putatively to control the spread of the virus. SUP Honolulu Branch Agent Mike Dirksen has warned about the issue repeatedly in his monthly report.

The September 1 restrictions in Hawaii were of a different and more onerous order than before, and so to protect our hiring hall in Hawaii, I contacted Nancy Pomerleau, of the Cyber Infrastructure Security Agency (CISA), within the Department of Homeland Security. CISA had just released an update to its Essential Critical Infrastructure Workers guidance attempting to reflect the changing landscape of the COVID-19 national response. Pomerleau and CISA have been helpful and responsive and have repeatedly characterized merchant mariners as critical infrastructure workers to be accorded fluid travel for work. The legal jurisdiction for public health matters including COVID-19 restrictions rests almost entirely with the states and local municipalities (a subject of great confusion and inefficiency) and so it was Branch Agent Dirksen on the ground in Honolulu who secured the first effective improvement for members traveling to Hawaii. As befitting a bureaucratic matter, it was both contrary to trend and came as government form, specifically application for a essential worker COVID exemption form. The form contains general contact information, nature of the CISA endorsed work (“maritime transportation worker”) and temporary address of residence and work. It allows for a member to break self-quarantine “while performing work in a federal CISA critical infrastructure sector.” It is available at covidexemption@hawaii.gov and Mike Dirksen has successfully guided members through the process that allows attendance at the Honolulu Hall job calls and to go to the Matson Terminal at Sand Island to work standbys during the mandatory 14 day quarantine. It should only be used by members who are actually planning travel to Hawaii to work under SUP contract and for no other purpose.

Credentialing: On August 20, 2020, the Coast Guard, responding favorably to maritime labor’s request, issued the Marine Safety Information Bulletin (MSIB) 8-20 Change 3 that extends Merchant Mariner Credentials and STCW endorsements expiring between March 1, 2020 and September 30, 2020 have been extended until March 31, 2021. Importantly, until July 1, 2021, MMC’s that expired between March 1 and Sept 30, 2020, can be renewed without taking Basic Training Revalidation upon demonstration of 360 days of qualifying sea service. Also, take note that STCW Med Certs are extended only until December 31, 2020. This relaxation applies to the expired med cert itself only: the actual medical standards that underpin the med cert remain in place.

The Coast Guard also published on September 10, 2020 an update on the TWIC (MSIB 13-20 CH 1). The TWIC of course is a critical part of our seagoing and shoreside work documentation, that is administered by the Transportation Security Administration. The TWIC exemption on expirations that was issued on April 10, 2020 is unchanged. That made expired TWICs valid for 180 days beyond expiration for cards expiring between March 1, 2020 and July 31, 2020. TSA has not published an extension of this exemption. TWICs expiring on or after August 1, 2020 will no longer remain valid and holders must re-enroll if they require a valid

TWIC. Contact TSA (TWIC.Issue@tsa.dhs.gov) for more information.

These extensions are not for long periods and even if extended again will not go on forever. Members with expiring documents should begin the renewal process and also carry the expired credential as well as a copy of MSIB Coast Guard notice to maintain compliance. The guidance is available at www.uscg.mil/nmc, in the West Coast Sailors, or on the Shipping Documentation page of the SUP website at www.sailors.org.

COVID Hiring Hall Protocols: At the request of some members, and as part of a continuous internal safety review coordinated with all SUP Agents, I revisited the Union policy of a two-week quarantine related to hall access after departing a ship. Recognizing that situation has changed since the outset of the pandemic it is appropriate now to reset the 14 day quarantine clock before returning to the hall after disembarking from a ship in the foreign trades (EX1 or CLX strings) to start on the day of departure from the last foreign port. This will result in a far shorter delay (maybe 2 or 3 days) in seeking new work (all other hall services available remotely) for sailors just off one of those ships. It is the same policy of the Marine Firemen, consistent with original and follow up intent of the Emergency Committee, and still responsive to the changing situation. It is also important to note that that it is because of the magnificent work Branch Agents that things are safe, efficient, and orderly. They remain authorized to take such actions as are necessary to protect themselves and the membership in their halls, each of which has their own considerations.

SUP BUILDING CORP.

The Trustees of the SUP Building Corp. met on September 11, 2020 to discuss matters related to the Union's 450 Harrison St. Headquarters property. They heard a report from SUP Controller Alice Wong on various financial matters relating to insurance, taxes, maintenance, the individual tenant situation, among other things. Generally, the lease rents have become more important than ever to the Union financial health yet they are down sharply as our occupancy rate has suffered the double-whammy of soaring vacancies related to the pandemic-driven work from home trend and the end of a major construction cycle in the area. Like the last Quarterly Finance Committee, however, the Trustees acknowledged the actual and potential revenue shortfall as serious and took such action as available and appropriate to both protect and potentially grow lease income.

Ms. Wong also reported that both the Union and the SUP Building Corporation were recently audited by Miller-Kaplan, a certified public accounting firm based in San Francisco. Like the audit of the Union as a whole, the Building Corporation had no findings and a clean opinion was issued. Long-time building manager Terry Lane was recognized for his long and faithful service to the Union and the Building Corporation as he approaches retirement. The SUP membership is fortunate to attract and retain such dedicated and professional staff; along with Martha Vizcarra, Michelle Chang, Berit Eriksson and the entire SUP Welfare, Andrew Furuseth School of Seamanship and SIU-PD Pension Plan staffs, they deserve our ongoing thanks and appreciation.

READY RESERVE FORCE TURBO-ACTIVATION

Government military and transportation leaders, including TRANSCOM commander Adm. Mewbourne and Maritime Administrator Admiral Mark Buzby (ret.), had advised on numerous occasions that a Ready Reserve Activation was pending. Late in the third week of August, SUP HQ received advance notice and required crew on aboard within less than a week. With the hurricanes Marco and Laura gathering in the Gulf of Mexico and the Caribbean, we went to work crewing the *Cape Vincent*, *Cape Victory*, *Cape Trinity*. The USNS *Red Cloud* in its new temporary homeport of Baltimore was activated as part of the same exercise. At the same time Matson got orders for the activations of the *Cape Horn* and then *Cape Henry* and the Union filled those billets.

As Laura built into a Category 4 major hurricane, and a conjoining of the storm with the Category 1 storm Marco was predicted along with landfall near Beaumont Texas, military planners still declined to cancel the activation of the SUP RRF ships. Ultimately the center of the storm came ashore just 40 miles to the east, at Cameron, Louisiana, and the ROS crews in Beaumont had their hands full loading vehicles and gear of emergency personnel and securing the ships for the storm. Laura devastated southwest Louisiana, but the five SUP ships in Beaumont sustained no injuries and small damage despite extremely high winds. Through it all they served as operations platforms for Coast Guard and other emergency services. The crews deserve our commendations for their seamanship and perseverance in extreme weather operations.

Meanwhile, the MARAD and MSC shifted the focus of the Turbo Activation in pandemic conditions from the Gulf to the East and West Coasts. To the Baltimore-based *Red Cloud*, the combination break-bulk/ro-ro Adm. Callaghan in Alameda was activated and SUP members from Los Angeles and Seattle joined with San Francisco crew to both clear COVID testing and report on board for additional quarantining. Likewise, the crews of *Cape Horn* and *Henry* activated and entered the testing and quarantine regimen with fortitude and resolve. All hands – agents and members – deserve recognition for their willingness to get yet another outrageously difficult job done in record time, not because they personally stood to gain anything, but rather to help maintain Union strength and U.S. merchant marine rough conditions readiness.

PATRIOT CONTRACT SERVICES

SNLC PAX: Effective August 3, 2020, a two percent (2%) wage increase was due and applied to the existing Total Labor Cost (TLC) in the tanker *SNLC Pax*, based on the previous winning bid wages from October 2019. The Company asked for a complete SUP wage and benefit rate sheet which I calculated in both Full Operating Status and Reduced Operating Status, and included the full 2% allocation to wages and wage related items as follows:

Patriot Contract Services Wage and Fringe Benefit Rates - Year 2, First Anniversary, Aug 3, 2020
RFP N32205-19-R-3504 Shallow Draft Tanker (MT SNLC PAX)

| Full Operating Status | Supplemental | Supplemental | Supp | Money | SIU-PD |
|-----------------------|--------------|--------------|------|----------|------------------|
| Base Wage | Base Wage | Wage Base | Wage | Overtime | Purchase Pension |

| <u>Rating</u> | <u>Monthly</u> | <u>Daily</u> | <u>Monthly</u> | <u>Monthly</u> | <u>Daily</u> | <u>Hourly</u> | <u>Daily</u> | <u>Daily</u> |
|---------------|----------------|--------------|----------------|----------------|--------------|---------------|--------------|--------------|
| Bosun AB | 5,568.39 | 185.61 | 5,568.39 | 2,598.58 | 86.62 | 27.08 | 20.40 | 20.00 |
| Maintenance | 5,078.04 | 169.27 | 5,078.04 | 2,369.75 | 78.99 | 24.90 | 20.40 | 20.00 |
| AB Watch | 4,153.03 | 138.43 | 4,153.03 | 1,938.08 | 64.60 | 22.84 | 20.40 | 20.00 |

Unlicensed personnel shall earn fourteen (14) days of supplemental wages for each thirty (30) days employed in FOS, or pro rata.

| <u>Rating</u> | <u>Reduced Operating Status</u> | | | <u>Money</u> | <u>SIU-PD</u> |
|---------------|---------------------------------|------------------|-----------------|-----------------|----------------|
| | <u>Base Wage</u> | <u>Base Wage</u> | <u>Overtime</u> | <u>Purchase</u> | <u>Pension</u> |
| | <u>Weekly</u> | <u>Daily</u> | <u>Hourly</u> | <u>Daily</u> | <u>Daily</u> |
| Bosun | 1,714.15 | 244.88 | 27.08 | 21.74 | 20.00 |
| AB/D | 1,575.50 | 225.07 | 24.90 | 21.74 | 20.00 |
| AB/Watch | 1,227.15 | 175.31 | 22.84 | 21.74 | 20.00 |

Unlicensed personnel shall earn one and one half (1.5) days of supplemental wages for each thirty (30) days employed in ROS, or pro rata and paid by the Company.

The Hourly Overtime Rates above shall be paid for all work performed in excess of eight (8) hours on any day Monday through Friday and for all work performed on Saturdays, Sundays and holidays, in FOS and ROS.

In the event that additional ratings are necessary, including bosun, AB maintenance, and Ordinary Seaman the parties agree to establish the appropriate rates based on previous bids

The Pax currently operates with three AB watchstanders on a forty (40) hour work week, Monday through Friday, and paid at the AB/Watch straight time rate. Any work on Saturdays, Sundays or holidays or in excess of eight (8) hours is overtime. I urge all members interested in maintaining this important contract as part of the SUP portfolio of job opportunities to contact any Agent about the training required. *Mr. Chairman, I recommend ratification of the 2% increase and allocated to wages, wage related items, and benefits as presented.*

Watson-class: The Union was informed on September 1, 2020 that the Watson-class contract by Patriot General Counsel Tim Gill that MSC intends to extend the current Watson contract for six months, from October 1, 2020 through March 31, 2021. MSC has not formally exercised their option to extend, but they have provided a preliminary notice under the Federal Acquisition Regulations that they intend to do so. The bid process for the new Watson contract continues independent of any extension. This probable extension of the current Watson contract does not change that bid process or timetable. In other words, MSC still could award the new contract prior to March of next year.

In any case, a two-percent (2%) increase to the Total Labor Cost is due in its wage and wage-related item component to the membership employed in all unlicensed deck ratings Patriot's Watson-class ships, as has been published and re-published in the *West Coast Sailors*. *Mr. Chairman, I recommend ratification of the 2% increase and allocated to wages and wage related items.*

AMERICAN PRESIDENT LINES

Drydocking Schedule: In late August the Union was informed by management that the EX 1 ships *President Wilson* and *President Roosevelt* will be taken out of service for regular service in a Chinese shipyard during August and September. Because China limits entry to ships with crew on board less than 14 days, and because China does not recognize existing travel visas or grant new visas, the West Coast crew changes in San Pedro and Oakland are the last changes possible. Furthermore, crew changes or repatriation while the vessel is in China are not possible and the yard has informed management that all crewmembers will be restricted to ship while in the shipyard facility due to government orders. Crew will be tested for COVID-19 on arrival in the shipyard; work will commence after all tests are returned negative. The *President Wilson* is scheduled to complete the yard period around October 28 and return to San Pedro on November 15, 2020. The *President Roosevelt* is expected to depart the yard on November 18 and return to San Pedro on December 6, 2020, subject to change.

Extension of temporary RTS settlement and policy: As reported last month APL imposed a restriction to ship policy, beginning in the *President Roosevelt*. The increasing pressure for the restriction, over Union objections, was ship detentions, sequestrations, and the COVID-related death of a crew member in the *Maersk Idaho* a U.S.-flag merchant ship. The Union objected and along with all other APL unions we reached a temporary agreement with APL on West Coast restrictions to ship that was shortly thereafter ratified by the membership. Contained within that settlement was the provision to extend on a monthly basis by mutual agreement, and an additional 30 days was offered by the Company in late August. After a review of the conditions with the other Unions, including the ongoing burden and risks, consideration of the alternatives, and some debate about the specific provisions, the SUP along with the MFOW and all the other Unions temporarily agreed to the 30 day extension of the settlement agreement. *Mr. Chairman, I recommend approval of the extension of the previously ratified temporary agreement on APL restrictions covering August to September 30, 2020.*

Negotiations: The two-year agreement between APL and the SUP, MFOW, and SIU (bargaining as the SIU-Pacific District) expires on September 30, 2020. Until last week it was unclear whether or not APL was in a position to bargain in the traditional format or via Zoom or some other means. But on September 4th and again on September 8th APL Director of Labor Relations John Dragone, responded to the SIU-PD's request to bargain, informed the Unions that a hybrid in person and video conference was possible. The SIU PD proposed and the Company agreed to a compressed bargaining schedule beginning during the final full week of September. All members are invited to send proposals on all aspects of employment for improvements to the collective bargaining agreements. As noted last month in this report and as per our past practice and Article X of the SUP Constitution, we must elect a Negotiations Committee to bargain a new contract with APL. *Mr. Chairman, I recommend a call for nominations.*

MATSON NAVIGATION CO.

Pacific Northwest Operations: On August 26th the Union was formally notified by Matson that the company will discontinue its Seattle operations at Terminal 5 and consolidate all its Pacific Northwest cargo operations at the Port of Tacoma. This means that ships in the Hawaii service will now call in Tacoma. (See SUP Seattle Branch Agent Brendan Bohannon's report for more specifics on the new location.) The purpose of the move is to increase operating efficiency

and better serve customers for the long term, but the sailing schedules for Hawaii and Alaska remain unchanged. The move comes after years of consideration beginning in 2015 when Matson acquired its Alaska service. Management told us that the current economic environment, as well as uncertainty about accessibility to Seattle's Terminal 5 due to the extended closure of the West Seattle Bridge, as well as a major redevelopment of the terminal as part of a large and complex port plan, requires the consolidation.

Significantly, management acknowledged continued recognition and enforcement of SUP and MFOV work jurisdiction over the ships and the shore support standby work associated with them.

COVID-19 standby protocol update: On August 28, Matson revised again its COVID-19 protocols for standbys. While maintaining the jobs and without impeding the work of shoreside support, all ships are directed to reduce standby access to the ship and to certain living and working spaces to reduce the crew's exposure to the virus. Specifically, port reliefs and standbys shall adhere to the following policies: a) must wear a mask at all times as well as practice social distancing of a minimum of six feet with frequent hand washing and sanitizing, b) shall not be allowed to enter the ship's living spaces (staterooms, mess rooms, ship's offices, lounges, gym, store rooms, interior decks, etc.) in the accommodation structure unless necessary to maintain critical operations; c) shall not enter the galley space; d) shall follow CDC social distancing guidelines to the greatest extent possible; e) shall not take meals in the officer's or crew's dining rooms, f) if shipboard meals are provided steward will prepare box or bagged lunches to be taken away from crew living spaces and standbys should bring own food; g) shall not take coffee with the ship's crew, h) gangway watch standers will sign in personnel and none but watch will touch the logbook or pen; i) use designated sanitary head only k) all interior areas accessed by standbys or port relief will be sanitized daily in accordance with CDC recommendations.

These items are consistent with our goal of a safe workplace, and some of these provisions are new and significant improvements that the Union has advocated for, on behalf of specific requests, to help protect the embarked crew. This policy and others will be available on the SUP website under the COVID-19 page at www.sailors.org.

MARITIME SECURITY PROGRAM

The Maritime Security Program as contained within the Fiscal Year 2021 National Defense Authorization Act (NDAA) has been passed by both the House and Senate and is presently in conference. It is unlikely however that there is any movement on the NDAA until Congress can agree on an overall coronavirus funding package that remains as of today's meeting in limbo as it has been for months. Last week an attempt in the Senate failed due to divisions within the Republican caucus. Congress has until September 30th to either come up with the relief package and everything associated with it or to fund a stopgap measure, known as a Continuing Resolution (CR), to keep the government open through to the election. The content and the duration of the CR is also a matter of debate, since although a "skinny" or "clean" or mostly non-controversial CR is easier to pass, the length of the CR would defer the next deadline and potential shutdown to a lame-duck session of Congress. Clearly, the election figures heavily into everything and since Congress remains divided at least until the election the probability of delay via a CR that carries through to December is high.

In the meantime, the Union took action via a letter coordinated by the Transportation Trades Department (TTD) of the AFL-CIO addressed to the leaders of Congress. We urged passage of the

relief package that would give frontline transportations workers the support they need and deserve. “They have continued to show up and do their jobs because they know that America is counting on them,” the September 11 letter said. There was a specific reference to the “emergency funding needed to maintain maritime and seaport commerce” which was linked by reference to our earlier letters of increased funding for MSP. “It would be unacceptable, a slap in the face to the people who are bearing the brunt of this crisis, if Congress fails to pass legislation that addresses the need in its totality.”

We also took earlier action through the TTD to support the inclusion of the Tanker Security Program (TSP) in the NDAA and recently in an August 28 letter to retain that language in conference. The TSP would authorize 10 privately-owned militarily-useful U.S.-flag product tankers. It would be modeled after the MSP and provide badly needed sealift capacity for fuel products while ensuring that those cargoes are carried on ship owned by U.S citizens, crewed by American mariners and operated under the U.S.-flag. It too is awaiting the larger funding issues pending in Congress.

EAST OAKLAND STADIUM ALLIANCE

As a member of the East Oakland Stadium Alliance and supporter of the continuing use of existing maritime industrial land for maritime purposes, the SUP joined with others in a letter opposing a new effort to seek City of Oakland support for a Oakland A’s lawsuit against a state agency called the Department of Toxic Substances Control. The effort was spearheaded by a shadowy group called “Town Business,” apparently to mislead elected City leaders into thinking that there is widespread support for the A’s lawsuit. The lawsuit argues that one of Oakland’s oldest businesses and maritime employers, Schnitzer Steel, which is adjacent to the Howard’s Terminal site of the proposed ballpark, is a highly technical attempt to find Schnitzer’s metals recycling operation as a threat to human health or the environment and appears to misrepresent DTSC regulations. The Port of Oakland is one of the very few deepwater ports on the Pacific Coast and therefore should be treated as an irreplaceable national treasure as exempt from unrelated non-maritime development as a national monument or park. Joining the letter is consistent with many previous actions taken by the Union on this topic generally, and issue of Howard’s Terminal in particular.

CHEVRON SHIPPING CO.

On August 20, 2020, Chevron management informed the Union that as part of its pandemic response it was introducing a new child care program. The benefit includes a daycare search service, a school support program, a social support network, and eventually \$2000 of financial support for child and school related expenses. All U.S.-flag seagoing employees including SUP members are eligible for the program.

HOLIDAYS

Columbus Day: All SUP hiring halls will be closed on Monday, October 12, a holiday under all SUP agreements. Due to the holiday, the Headquarters meeting will be held on Tuesday, October 13, 2020.

ACTION TAKEN

M/S (Ortega, several) to approve the SNLC PAX 2% wage increase allocated to wages and wage related items. Carried unanimously.

M/S (Jenkins, Reed) to approve the Watson-class 2% wage increase allocated to wages and wage related items. Carried unanimously.

M/S (Frizzi, Thanash) to approve the renewal of the temporary APL RTS settlement agreement. Carried unanimously.

M/S (De Mesa, several) to elect the nominees of the APL Negotiating Committee (Robert Reed, Mike Worth, Dave Frizzi, Haz Idris, and Roy Tufono). Carried unanimously.

M/S to concur in the balance of the President's Report. (Worth, several). Carried unanimously.