

West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXVI No. 4



SAN FRANCISCO, CALIFORNIA

Friday, April 25, 2003

SUP and MFOW reach agreement with Matson

Contentious negotiations result in work in new Hawai'i ships and maintenance of existing fleet

by Gunnar Lundeberg

Faced with compelling evidence that Matson Navigation Company is prepared to double-bread its operation in the Hawai'i trade by letting another company buy the two *Manukai*-class ships being constructed at Kvaerner Philadelphia Shipyard then time-chartering those vessels back for use in its island service, the Sailors' Union and Marine Firemen's Union reached agreements with Matson on April 18 that cover the new ships and protects the work in the existing company fleet.

The agreements are subject to ratification at the May coastwise SUP and MFOW membership meetings.

After exhausting legal remedies and faced with a deadline imposed by Matson, the choice of the Unions was clear: either negotiate agreements that cover the new ships or risk the loss of not only these vessels but any additional new tonnage the company might acquire. In addition, if Matson's corporate scam is effectuated, it will have provided a blueprint that could lead to the demise of the entire existing fleet.

Beginning in August 2001, the SUP, MFOW and the other sea-

going Unions rejected Matson's demands for concessions in the Kvaerner ships. However, during bargaining in 2002, with the SUP, MFOW and SIU-Marine Cooks, the vessels were specifically incorporated in the agreement under the terms and conditions negotiated for the existing fleet.

On February 28 of this year, (see the March *West Coast Sailors*), the company announced that buying and owning the ships "can no longer be viewed as a reasonable investment" and that it had determined "that the ships are not affordable under the present cost model and has requested that Kvaerner seek another buyer." Matson's solution was for another company to buy the ships then time-charter them back which would "lend itself to several, lower cost crewing options."

The change in the "cost model" was not attributable to the SUP and MFOW, which had bargained in good faith eight months previous to the announcement, but rather to the necessity of increased funding for the

MM&P Pension Plan, the possibility of additional funding for the MEBA Pension Plan and the inability of Matson to eliminate the radio operator's job in the *Manukai*-class ships.

The SUP and MFOW responded to the Matson announcement with a fury, characterizing the company's outrageous and duplicitous scheme as Union-busting. Both Unions told

Matson that we had a binding contract that included the Kvaerner ships and that if the so-called "cost model" had changed, the company should be talking to the MM&P, MEBA and ARA.

FLASH!

Matson purchase of *Manukai*-class ships still in doubt according to company CEO

In a conference call with stock analysts and investors broadcast over Alexander & Baldwin's website on April 23, Matson Navigation Company President James Andrasick stated that the company was still considering not buying the *Manukai*-class vessels from Kvaerner Philadelphia Shipyard. He said that since February 28, Matson had "identified potential buyers with lower costs from different Unions." Andrasick said, however, that "good faith negotiations had resumed" with the company's existing Unions and "that progress was now being made."

Andrasick added that there would be "no outcome for several weeks" but that a decision to buy the Kvaerner ships would not be made "until late in the third quarter, or early in the fourth quarter" of this year.

In the question and answer session, an analyst asked what figure the company expects in regard to capital spending this year, using \$100 million as a benchmark. Alexander & Baldwin Chairman and CEO Allen Doane's reply was that "it was complicated, partly because no decision had yet been made on whether or not to buy the two new ships." Responding to another question on the use of Capital Construction Fund (CCF) monies, Doane said that there were a number of potential uses for CCF including investments.

In response to the company's statements, SUP President Gunnar Lundeberg stated, "The only conclusion that can be drawn is that this avaricious outfit continues to double-deal. Clearly Matson is not capable of bargaining in good faith. Only time will tell what the true intentions of these corporate buccaneers really are. The SUP will take all action necessary if—after bargaining with the company twice on the *Manukai*-class ships—Matson makes the fatal move of not buying the ships and begins running a double-breasted Hawai'i operation."

Subsequently, the SUP and MFOW filed unfair labor practice charges with the National Labor Relations Board on March 12 asserting that Matson did not bargain in good faith in 2002 and threatened to make unilateral changes to the collective bargaining agreement. Those charges are still pending.

In the meantime, events began to spin out of control with the licensed unions making concessions and also soliciting other companies to buy the Kvaerner ships so that they could be time-chartered back to Matson.

Now emboldened, Matson stated that all its seagoing Unions

Continued on Page 3

Congress urged to adhere to U.S.-flag cargo preference laws

Citing the critical importance of the U.S. merchant marine as the nation's "fourth arm of defense," American seagoing maritime Unions and industry advocacy organizations have urged Congress to re-emphasize U.S.-flag cargo preference requirements in legislation for all shipments to Iraq.

In a letter sent to Senator Ted Stevens (R-AK), Chairman of the Appropriations Committee, on March 28, the American Maritime Congress, American Maritime Officers, International Organization of Masters, Mates & Pilots, Marine Engineers' Beneficial Association, Marine Firemen's Union, Maritime Institute for Research and Indus-

trial Development, Maritime Trades Department, Sailors' Union of the Pacific, Seafarers' International Union of North America, Transportation Institute and Transportation Trades Department, stated:

"The United States by policy and statute has always strongly supported the United States Merchant Marine and its essential role in our nation's economic and military security. In crisis, conflict and previous post-war reconstruction efforts, our merchant marine has served our country as a "fourth arm of defense." More than 2500 mariners are serving today in the war in Iraq on U.S. Navy sealift and U.S.-flag commercial vessels delivering vital

equipment and supplies for our Armed Forces.

"Maintaining a strong, reliable fleet of U.S.-flag vessels and their crews for the global war on terrorism and overseas military operations is critically important. With this in mind, all U.S. Government-generated shipment—whether for military operations, humanitarian relief aid in Iraq and elsewhere, or for postwar Iraq reconstruction—should follow the letter of intent of long-standing U.S.-flag cargo preference laws.

"These laws are an investment in our nation's defense. The U.S. Merchant Marine provides immense cost savings to the Defense Department, state-of-the-art

worldwide intermodal cargo capabilities, and trained personnel for our armed forces' sealift. It is essential that the cargo base these laws generate be maintained so that U.S.-flag vessels and their defense-ready civilian personnel remain on the sealanes of the world—available to our military forces and always prepared and willing to serve the interests of the United States of America.

"For these reasons, we respectfully urge that all U.S. cargo preference requirements be re-emphasized in legislation for the President's supplemental and future legislation concerning Iraq by specific acknowledgment of the applicability of these laws to shipments for operations, aid and reconstruction."



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*In lieu of dues increase.

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Sandy Earle	20.00*
Steve Everson	20.00
Diane Ferrari	20.00
Marvin Glasgow	40.00
Duane Hewitt	20.00*
Desmond Johnson	20.00*
Donald Kruse	20.00*
Gunnar Lundeberg	50.00
Joseph McShane	100.00
David Munroe	20.00*
Mike Potenti in memory of "Papa Joe"	55.00
Mario Ramella	50.00
Steven Ross	20.00*
Randy Runyan	40.00
Gary Rymel	20.00
Sam Scott	40.00
Martin Smith	15.00
Ernie Stimach	20.00*
Fred Trench	50.00

Political Fund

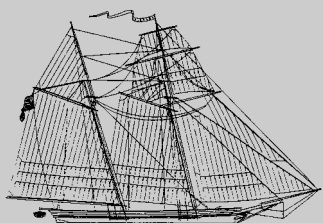
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Senator Collins says marine containers remain nation's greatest vulnerability

Shipping containers remain the single greatest U.S. vulnerability to possible terror attacks, the head of the U.S. Senate Government Affairs Committee said last month.

Senator Susan Collins (R-ME) said after a hearing on the issue that U.S. authorities still had a long way to go to fully secure shipping containers despite recent measures. "I give them good marks for starting these initiatives, but we need to step up the pace," Collins told Reuters. "I believe this is our single greatest vulnerability."

Shipping containers have been used for years by drug and weapons dealers to smuggle illicit products into the country. U.S. officials fear they also could be used to sneak in nuclear or other weapons of mass destruction. "Not only could they cause enormous loss of life, but they could cripple our economy," Collins said at the hearing. Only a small percentage of incoming shipping containers are directly inspected by the Department of Homeland Security's customs and border protection bureau.

Collins expressed particular concern that, as part of a recent government test of container tracking technology, one container visibly rigged with wires and

an antenna passed across five national borders without attracting any scrutiny.

Asa Hutchinson, an undersecretary with the Department of Homeland Security, said security officials have doubled the number of inspections and made other strides toward improving security. Hutchinson said authorities have begun targeting "high-risk" cargo and working with foreign governments to screen ships before they set sail for the United States. U.S. Customs officers are stationed in six of the top-20 "mega-ports" around the world. Twelve others have agreed to do the same in the coming months, he said. U.S. authorities have also begun requiring shippers to file cargo manifests 24 hours before leaving foreign ports, Hutchinson said. They also are working with private companies to study new technology aimed at security containers.

"We can better protect the entire supply chain against potential exploitation by terrorists or terrorist weapons," Hutchinson told the Committee. However Senators on the Committee questioned whether the efforts were being adequately funded and asked about the progress authorities were making toward other possible solutions such as tamper-proof containers.

Customs increases penalties for cabotage violations

The U.S. Customs Service issued a rule last month increasing for inflation the maximum civil penalties for certain cabotage violations. Effective March 21, the penalty for illegal carriage of passengers between U.S. ports increases from \$200 per passenger to \$300. The maximum penalty for illegal towing in U.S. waters increases from \$1,000 against the owner or master to \$1,100. The penalty against the towing vessel increases from \$50 per ton of the vessel to \$60 per ton.

Final Departures

John Givins, Book No. 2486. Born in Washington in 1908. Joined SUP in 1960. Died in Seattle, Washington, March 8, 2003. (Pensioner)

Richard A. Mounteney, Book No. 6288. Born in New York in 1928. Joined SUP in 1951. Died in Florida, March 19, 2003. (Pensioner)

Gilbert E. Bento, Book No. 5539. Born in California in 1925. Joined SUP in 1952. Died in Reno, Nevada, March 10, 2003. (Pensioner)

Svend Lund Poulsen, Book No. 3207. Born in Denmark in 1915. Joined SUP in 1944. Died in Sweden, March 11, 2003. (Pensioner)

Company associations merge in California

The Pacific Merchant Shipping Association in San Francisco and the Steamship Association of Southern California in Los Angeles will operate under the name Pacific Merchant Shipping Association, with offices in Northern and Southern California.

John McLaurin, president of the PMSA, will be president of the merged organization. Tim Parker, executive secretary of the Steamship Association of Southern California, will assist until a vice president is chosen.

The two organizations worked together on state and national issues, while representing their members on local issues in their respective regions. Most of the shipping lines and terminal operators in California are members of both organizations.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2002:

	Hdqs.	Branch
May	12	19
June	9	16
July	14	21
August	11	18
September	8	15
October	14*	20
November	10	17
December	8	15

*Tuesday

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Published monthly by the Sailors Union of the Pacific (an affiliate of the Seafarers International Union of North America, AFL-CIO), Headquarters, 450 Harrison St., San Francisco, CA 94105. Phone: 415-777-3400. FAX: 415-777-5088. Dispatcher: 415-777-3616. Website: www.sailors.org. Second class postage paid at San Francisco. (USPS 675-180). Printed by Howard Quinn Co., a Union shop.

Gunnar Lundeberg,
President/Secretary-Treasurer
Teresa Anibale, Editor

BRANCH OFFICES

Seattle, WA 98106
2414 SW Andover St. (206) 467-7944
Bldg. F, Ste. 105 FAX: (206) 467-8119
Wilmington, CA 90744
533 N. Marine Ave. (310) 835-6617
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Matson agreement continued from Page 1

would have to make concessions in order for the company to reverse course and buy and operate the Kvaerner ships.

The SUP and MFOW reiterated that the collective bargaining agreement negotiated was binding on the company, with Matson stating that since it did not own the Kvaerner ships the relevant section of the agreement (Section 3 of the General Rules) was not applicable. The Unions demanded and the company agreed to arbitrate the issue.

Just prior to the April 8 arbitration, the Unions met with Matson in an attempt to reach a compromise. The limited "assistance" offered by the SUP and MFOW was dismissed out-of-hand by the company as "not enough".

The arbitrator issued his ruling on April 14, and in a misguided, final and binding decision agreed with Matson that since the company did not own the Kvaerner ships, the vessels were not covered by the Union agreements.

With the stench of the arbitrator's ruling still pungent, the SUP and MFOW met with Matson on April 16, 17 and 18.

On April 17, Matson stated that the SUP and MFOW had to accept an economic package to convince the company and the Board of Directors of Alexander & Baldwin to buy the Kvaerner ships. The goal or benchmark the company set was the SIU-AGLIWD/NMU standard freightship agreement.

The Sailors and the Firemen rejected this contention and proposal, as it was clear to us the company's maneuver was an attempt to extort concessions—as it had successfully accomplished with the licensed Unions.

However, on that same date it was confirmed by several reliable sources on both the East and West Coasts that Keystone Shipping, Interocean Uglund Management Corp. (IUM) and Marine Transport Lines (MTL) were prepared to buy the Kvaerner ships and time-charter them back to Matson. Those companies have collective bargaining agreements with the SIU-AGLIWD/NMU.

With that information, coupled with information gleaned from our ongoing investigation of the company's shenanigans, it became clear that Matson's scheme was not a bluff. Having taken the company to the brink, it was a choice to either walk off the end of the pier and accept the demise of Matson as an employer or to bargain for our survival. The only reasonable and logical option was to bargain.

As bargaining continued on April 16, the company proposed draconian cuts for both the SUP and MFOW.

While Unions bargained together throughout the entire process, each took a slightly different tack, because of the nature of the work, to counter Matson's demands. MFOW President Whitey Disley will report on his organization's settlement in *The Marine Firemen*.

For the SUP specifically, Matson demanded that total labor costs (a combination of wages, overtime, supplemental benefits, welfare contributions, etc.) for the Kvaerner ships—based on a deck gang of six sailors— not exceed \$1,974 per day. That number is what Matson claimed it costs for an SIU-AGLIWD/NMU crew. As a comparison the company said the total labor costs for an SUP gang in the *R.J. Pfeiffer* are \$2,449 per day—a difference of \$475 per day.

The company was adamant that the target cost of \$1,974 had to be met. The SUP, (represented by Vice President Dave Connolly, Business Agent Bill Berger, SUP/MFOW attorney Sandy Nathan and your secretary) keeping in mind that a gun was pointed at our head, rejected Matson's bottom-line and instead bargained the following "assistance" which was ultimately accepted by the company:

CV 2600 Manukai-class vessels

Term of agreement: July 1, 2003 through June 30, 2013 (*The same term demanded by Matson and agreed to by MM&P and MEBA.*)

Wages:

- Wage freeze in 2003 and 2004
- 3.25% increase in wage and wage-related items on July 1, 2005
- 3.25% increase in wage and wage-related items on July 1, 2006
- 3.25% increase in wage and wage-related items on July 1, 2007
- The parties will meet to negotiate increases in wages and wage-related items and fringe benefits (SUP

Welfare, Pension, SUP 401k Plan, SUP Money Purchase Plan, Training and Joint Employment Committee) for the remainder of the Agreement from July 1, 2008 through June 30, 2013. In the event the parties fail to reach agreement by June 15, 2008, the issue will be submitted to arbitration under Section 10 of the General Rules. The Union shall have the option of selecting either regular interest arbitration or baseball arbitration which will be selected prior to June 15, 2008.

Holidays:

The parties agree that the following holidays will be observed at sea and in port:

New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Lincoln's Birthday, Veterans' Day, Thanksgiving Day, Christmas Day.

(*This was the same holiday schedule demanded by Matson and agreed to by MM&P and MEBA.*) Kamehameha Day and Columbus Day are not included.

SUP Work Rules:

• One-man watch

Appendix A to the Agreement shall be amended to provide that one AB will be assigned to each watch. All other members of the unlicensed deck department shall be assigned as day workers and shall work hours as described in Section 11(c) of the SUP Work Rules.

Section 11(d) of the SUP Work Rules shall be amended to read as follows:

d. "When the vessel is underway the bosun shall knock off one of the day working AB's at 4:00 P.M. each day to relieve the watchstanding AB on the wheel for supper relief. The supper relief shall be done without the payment of overtime."

• Bosun's wages and Supplemental Benefit

The bosun's wages and supplemental benefit shall be reduced by a total of \$500 per month on the CV2600 vessels. This is for the first year (2003) of the agreement.

• New built vessel wages

A third new built vessel, if it is included in the fleet in the future, shall have terms and conditions of employment equal to the other CV2600 vessels.

• **All other terms and conditions of the 2002-2005 agreement shall remain status-quo.**

Existing Matson vessels

(*Chief Gadao, Ewa, Kauai, Lihue, Lurline, Mahimahi, Maui, Manoa, Manulani, Matsonia, Mokihana, R.J. Pfeiffer*)

Term of Agreement: Extend the expiration date of the current agreement from June 30, 2005 to June 30, 2008. (*This coincides with the expiration of the ILWU/PMA agreement.*)

Wages:

- July 1, 2003: 3% increase in wages and wage-related items (*The 2002-2005 agreement called for a 3.25% increase.*)
- July 1, 2004: 3% increase in wages and wage-related items (*The 2002-2005 agreement called for a 3.25% increase.*)
- The parties will meet to negotiate increases in wages and wage-related items and fringe benefits (SUP Welfare Plan, Pension, SUP 401k Plan, SUP Money Purchase Plan, Training and Joint Employment Committee) for the remainder of the Agreement from July 1, 2005 through June 30, 2008. In the event the parties fail to reach agreement by June 15, 2005, the issue will be submitted to arbitration under Section 10 of the General Rules. The Union shall have the option of selecting either regular interest arbitration or baseball arbitration which will be selected prior to June 15, 2005.

SUP Work Rules:

• **One-man watch on existing vessels - effective July 1, 2003**

a) Vessels Sailing to the Far East (as per the SUP American Ship Management Work Rules)

i) Appendix A to the Agreement shall be amended to provide that the Bosun and two AB's shall be assigned as day workers on departure for trans-ocean voyages and shall work hours as described in Section 11(c) of the SUP Work Rules. On arrival from such trans-ocean voyages, the Bosun and the two AB's shall revert to watchstanders.

ii) Section 11(d) of the SUP Work Rules shall be amended to read as follows:

(1) (d) During transocean voyages, when the Bosun and two AB's are on day work, one AB shall be knocked off a 4:00 P.M. each day and shall relieve the watchstanding AB on the wheel for supper relief. This supper relief shall be done without the payment of overtime."

b) Vessels in Domestic, Intercoastal and Nearby Foreign Trades

i) Appendix A to the Agreement shall be amended to provide that one AB will be assigned to each watch. All other members of the unlicensed deck department shall be assigned as day workers and shall work hours as described in Section 11(c) of the SUP Work Rules

ii) Section 11(d) of the SUP Work Rules shall be amended to read as follows:

d) "When the vessel is underway the Bosun shall knock off one of the day working AB's at 4:00 P.M. each day to relieve the watchstanding AB on the wheel for supper relief. This supper relief shall be done without the payment of overtime."

Manning:

Effective July 1, 2003, one AB shall be removed by attrition from the unlicensed deck department on C8 Class vessels (*Chief Gadao, Ewa, Lihue*) reducing the manning from seven to six.

All other terms and conditions of the 2002-2005 agreement shall remain status-quo.

While the SUP and MFOW were coerced and extorted into making concessions by the corporate pirates of Matson, the company was unsuccessful in realizing its total labor cost goals as we met them less than halfway.

As painful as the changes to the agreement are, what was achieved in this rotten process was the retention of the work in Matson vessels now and the future. The alternative was not an option for the membership and their families. By ratifying this agreement, the membership will also have the opportunity to fight another day.

It must be noted that prior to the signing of the Memoranda of Understanding on April 18, Captain Jack Sullivan, Director of Vessel Operations and Labor Relations, was asked by the SUP and MFOW to assure us in writing that it would not happen again. Sullivan could not give that assurance.

Sullivan also stated that if all Unions did not reach agreement or ratify the agreement, the agreement with the SUP and MFOW would be null and void.

Editor's Note: As the West Coast Sailors goes to press, it was learned that the MM&P and MEBA have signed agreements with Matson for the Manukai-class ships. The status of the ARA is not known at this time.

Matson profits increase in first quarter of 2003

According to Allen Doane, president and chief executive officer of Alexander & Baldwin, Matson Navigation Company's, "Improved revenue and operating profit in the first quarter of 2003 compared with the first quarter of 2002 were due mainly to the recovery of cargo volumes as compared with the period that followed the events of 9/11, rate actions taken during 2002 and 2003, and productivity improvements at the Sand Island container terminal. These favorable factors were offset partially by increased vessel operating costs following the re-introduction, in later 2002, of an eighth vessel in the Hawai'i service, and higher pension costs. Continued operation of the additional vessel during the first quarter helped to accommodate additional container and automobile demand."

Total revenue increased by 27 percent and operating profit by five percent. Total carriers increased by nine percent and the number of automobiles carried increased by 53 percent.

Alexander & Baldwin reported that its net income for the first quarter of 2003 was \$17,600,000 or \$0.43 per basic share. Net income in the first quarter of 2002 was \$9,800,000, or \$0.24 per share. Revenue in the first quarter of 2003 was \$273,400,000, compared with \$235,000,000 in 2002.

Matson also announced that it is reducing its fuel surcharge by one point, from 7.5 percent to 6.5 percent, in its Hawai'i and Guam services effective May 4, 2003.

Cruise line buys *United States* and *Independence* for domestic trades

Malaysia-based Star Cruises' Norwegian Cruise Line (NCL) unit says it has purchased the *s/s United States* and intends to convert the vessel to a state-of-the-art, modern cruise ship. It will be added to NCL's planned U.S.-flagged fleet.

NCL says that a relaunched *United States* will add more than 1,000 American maritime jobs and 5,000 shoreside jobs to the 3,000 maritime jobs and 17,000 shoreside jobs that NCL's U.S.-flag initiative with Project America is predicted to generate.

NCL also announced the purchase of another classic, American-built ship, the *s/s Independence*, which until October 2001 was sailing in the Hawai'i trade but which was a victim of its owner's post-September 11 bankruptcy. NCL purchased the vessel at federal auction from the U.S. Maritime Administration saving it from almost certain scrapping. The potential addition of the *Independence* as a fifth vessel in NCL's U.S.-flag operation is being evaluated.

Knowing that the *United States* faced an uncertain future, NCL moved swiftly to purchase the vessel. NCL is now evaluating options for use of the ship under U.S. flag and determining the extent of renovations needed to convert her to a state-of-the-art, modern cruise ship that will appeal to today's vacationer. The ship is expected to offer mainland U.S. itineraries where cruise products are not currently available. The refurbishment of the hull and superstructure will be done at U.S. shipyards with the outfitting completed overseas. NCL is no stranger to such conversions, having converted the

fabled North Atlantic liner the *France* into cruising's first Caribbean megaship, *Norway*.

"When we discovered this American icon was in jeopardy, we saw a unique opportunity and acted immediately. The ship is a classic, she was built in America and is eligible to operate in domestic service under existing law and regulation," said Colin Veitch, NCL's president and CEO. "The *United States* would be a phenomenal addition to our U.S.-flag operation down the road. We remain focused on completing Project America and successfully introducing our innovative U.S.-flag cruise ships in Hawai'i, but we will now organize a project team to work with U.S. yards, naval engineers and architects to develop plans for what should be the fourth vessel in our U.S.-flagged fleet."

The announcement comes on the heels of NCL's recent commitment to begin a U.S. flag operation in Hawai'i. A new federal law will allow NCL to complete the stalled Project America as a U.S. flagged and U.S. manned operation for inter-island Hawai'i cruise service. NCL purchased the partially completed first Project America ship and substantial materials and related components for the second Project America ship from Northrop Grumman Ship Systems (NGSS) in September 2002. The legislative initiative was designed to recover the U.S. investment in Project America, generating hundreds of millions of dollars in economic activity and tax receipts, and creating more than 20,000 U.S. jobs.

Merchant Marine Library Association provides books for mariners sailing during Operation Iraqi Freedom

United Seamen's Service (USS) and its affiliate agency, the American Merchant Marine Library Association (AMMLA) is providing support to American seafarers during the current Persian Gulf war effort by placing seagoing libraries on American flag and allied vessels. Since December 2002, USS/AMMLA has placed over 150 libraries on U.S. Merchant vessels, and additional books and financial support are needed urgently to continue providing library support for the Military Sealift Command Ready Reserve Fleet.

AMMLA has been the "Public Library of the High Seas" since 1921, and in 2001, more than 170,000 books and magazines were provided to over 1,000 U.S. merchant crews. These books helped seafarers to combat the loneliness and drudgery of life at sea; they offered escape from routine, a chance to broaden education, and a pipeline to the events that shape our world. In this era of smaller crews and fewer hours in port, seafarers rely on AMMLA more than ever to meet their recreation, education and self-help needs.

AMMLA fulfills this mission by supplying libraries to American and allied crews through direct mail and port offices across the country, United Seamen's Service, also, offers library services at its ten port centers worldwide.

The cost of collecting reading material, assembling libraries and delivering them to ships is approximately \$75.00 per library, but AMMLA provides this service free of charge. Donations of books and money from the general public, maritime associations, and the seafarers themselves make AMMLA services possible.

By actively providing reading materials (hard cover and paperback books and magazines) and financial support, the donor is recognizing the contribution of the seafarer to the well being of the country and easing the burdens associated with shipboard life. In good reading, these men and women had sorely needed entertainment, and, even more significant, the means to satisfy the desire to learn and to cultivate mind and spirit.

Any assistance to meet this urgent need would be welcomed by USS/AMMLA. Books or donations may be taken or mailed to the USS/AMMLA office, 20 Exchange Place, Suite 2901, New York, NY 10005 or telephone (212) 269-0711 for pick up of large book collections in the New York City area.

For United Seamen's Service/American Merchant Marine Library Association support to American seafarers during Operation Iraqi Freedom, contact: Roger Korner, Executive Director, (212) 269-0711

A sailor at work



Ivar Thorbjornsen prepares mooring lines for docking in Matson's *m/v Mokihana*. Photo by Chris Bujnowski

Flag-of-convenience crew accused of murdering Dominican stowaways

Twenty-three crew members of the Panamanian bulk carrier *Well Pescadores* have been detained at the port of Houston since March 28. The crew, most of whom are Chinese, have been accused of beating and throwing overboard five stowaways from the Dominican Republic. Two stowaways drowned in international waters off the U.S. Gulf coast. A joint-Panamanian and U.S. government investigation continues.

Three surviving stowaways told authorities that the crew assaulted them when they turned themselves in after running out of food and water.

The crew members are not allowed to leave the vessel following the request of the Panamanian government, which exercises jurisdiction because the incident occurred in international waters. The three remaining stowaways have been repatriated to Santo Domingo after being rescued by another cargo ship on March 28, 65 nautical miles south of Galveston, Texas. A spokesman for ship manager Shih Wei Navigation of Taiwan refused to comment on the incident.

SSA gets contract to run Iraqi port

As if to pay back Stevedoring Services of America (SSA) for its role in trying to bust the ILWU in last year's contract struggle, the Bush administration has awarded a \$4.8 million contract to the Seattle-based company to operate the Iraqi port of Umm Qasr.

Before American and British forces have even conquered Iraq, the U.S. has been taking bids and awarding contracts to run and reconstruct the country. Likewise, even before Umm Qasr was secured, the Bush administration gave SSA the contract to run Iraq's most important port, the center for exports of oil and imports of military supplies.

During the ILWU contract negotiations, SSA took the hardest anti-union line of any employer in the Pacific Maritime Association. SSA opposed the contract settlement, but was outvoted within the PMA. Then SSA enlisted the fanatically anti-labor Right to Work Foundation to sue the union and PMA on behalf of a group of rail and yard planners in an attempt to get the contract voided. SSA had outsourced those ILWU jobs and the new longshore agreement got them back. The case is still pending.

SSA has outsourced other ILWU work as well. The company runs several off-dock container storage yards under the guise of separate corporate entities so it can deny the ILWU jurisdiction. And when SSA took over Matson's stevedoring operations at Los Angeles/Long Beach, it closed down the on-dock Container Freight Stuffing Station and moved the work to an off dock, non-union site.

SSA does its political work to keep its business thriving. Earlier this year it set up its own lobbying office in Washington, D.C. As SSA maneuvers

To get the contract to develop the new Houston-Galveston Megaport, it hired a

Texas-based lobbyist, Reginald Bashur, a former aide to then-Texas Governor George W. Bush.

This is not the first time the Bush administration has acted on behalf of SSA. Last year the company proposed building a \$500 million container terminal in Chittagong, Bangladesh. Unionists there staged hunger strikes and work stoppages to oppose the project they feared would lead to job losses and worsened working conditions in the area. U.S. Ambassador Mary Ann Peters threatened Bangladesh that if SSA did not get approval for the terminal, the country might not see any other American investment. The High Court of Bangladesh ruled the project could not go forward because of inadequate feasibility studies, but the case will likely be appealed to the country's supreme court.

The U.S. Agency for International Development awarded the contract to SSA apparently without going through the normal bidding process, claiming it needed to move fast to get the port up and running quickly. But that's not likely to happen. As the *Wall Street Journal* reported April 1, the port still needs to be widened and dredged to handle large cargo ships. On top of that, there is no electricity. The docks are in disrepair after a decade of sanctions and the new damage done by the invasion. To make matters worse the military officers in charge cannot find any Iraqi managers or skilled workers who are not members of Saddam Hussein's Baath Party. Apparently the military's grand planners forgot the need for skilled longshore workers to operate a modern port.

Editor's note: This article is courtesy of Steve Stallone, editor of The Dispatcher, the official newspaper of the ILWU.

Support the SUP Political Fund

Maritime Heritage Award goes to the *sls Jeremiah O'Brien*

The World War II Liberty Ship *Jeremiah O'Brien* will receive the "Maritime Heritage Award" at a ceremony aboard ship while underway on the San Francisco Bay during the annual "Maritime Memorial" cruise, Saturday May 17. The *O'Brien* departs at 9:00 A.M. and returns about 3:30 P.M.; passengers will be served a continental breakfast and barbecue lunch while being entertained by the Unicorns jazz band and commentary by Captain Pat Moloney from the bridge.

These cruises are always exciting but this year on May 17, the all-volunteer crew will be honored by having top executives from industry, labor unions and government. The "Maritime Heritage Award" is given by the World Ship Trust to the most significant preserved ships in the world, and recent awards have been presented by HRH Prince Philip, and Senator Christopher Dodd. HRH Prince Philip has also specifically written in support of the award to the *O'Brien*. Chairman Jacques Chauveau, who will travel from Paris for this event, will represent World Ship Trust, headquartered in London. Jacques was a Free French Marine during the Normandy landings, in which the *Jeremiah O'Brien* participated.

For more information and ticketing for the memorial cruise, please call the ship's office at 415-544-0100, www.sjjeremiahobrien.org; a non-profit historical preservation and education organization.

Tax relief for Operation Iraqi Freedom civilian mariners

Qualified merchant mariners serving on vessels under Department of Defense operational control in direct support of US Armed Forces have been determined by the IRS to be eligible for the benefits of section 7508 of the Internal Revenue Code. 26 U.S.C. §7508.

This includes individuals, (including the spouse of such individuals) serving in the combat zone as part of Operation Iraqi Freedom aboard Maritime Administration and Military Sealift Command owned or controlled vessels.

Mariners are advised to consult their tax professionals with respect to the impact of this relief with respect to their individual situations.

Only mariners serving in the combat zone are covered. At present, the combat zone for Operation Iraqi Freedom is defined as follows: Persian Gulf, Red Sea, Gulf of Aden and Gulf of Oman; that portion of the Arabian Sea that lies north of 10 degrees north latitude and west of 68 degrees east longitude; and the total land area of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates.

Section 7508(a)(1) permits the postponement of certain time-sensitive acts for individuals serving in support of the

Armed Forces in a designated combat zone. Activities specifically mentioned include the filing of tax returns, the payment of income, estate, or gift taxes (except employment and withholding taxes), tax claims filings or bringing suits for credits or refunds, filing any petition with the U.S. Tax Court, making a qualified retirement contribution to an IRA, or performing any other act listed in Revenue Procedure 2002-71.

Detailed information can be obtained by consulting Publication 3 Armed Forces' Tax Guide (2002 Returns). The Guide can be obtained by contacting the IRS or from the IRS website, www.irs.gov.

These benefits are afforded to the spouse of a qualified individual without any requirement that the individual and spouse file a joint return. Taxpayers within the U.S. may seek assistance by calling the IRS toll-free at 1-800-829-1040. Taxpayers outside the US may call the IRS in Philadelphia, PA, at 215-516-2000 or via fax at 215-516-2555 (these are not toll free numbers).

More detailed info can be found on the MarAd website at: marad.dot.gov/Publications/employment/marinertaxes.html.

Source: MM&P Wheelhouse Weekly

California bunker tax threatens jobs

Bunker sales in February plummeted in California following the removal of a state tax exemption. The heavily-indebted California government, presiding over the largest state economy in the United States, withdrew the exemption on January 1, despite industry warnings that it would cost waterfront jobs. Figures just released show that 1.1 million barrels were delivered to ships in Los Angeles and Long Beach in February, more than 40 percent down on February 2002. One bunker agent said the volume plunge supports the industry's concerns that by becoming the only U.S. state to impose sales tax on bunker sales, it would destroy jobs. "We'll all have to cut back somewhere if this continues," he says.

Pacific Merchant Shipping Association Vice President John Berge says volumes may be rebounding a little due to extraordinary factors, but the industry believes the trend will continue downwards. "We are preparing our case to demonstrate that the (8.25 - 8.5 percent) tax is doing economic harm to California," says Berge, to seek emergency state legislation to reimpose the exemption.

The SUP has a collective bargaining agreement with Foss Maritime Company which does bunkering work in the San Francisco Bay Area.

Indian seafarers demand war hazard allowance

Indian seafarers have demanded a war hazard allowance for all crew serving on ships sailing to the Persian Gulf. The Maritime Union of India has written to the Indian National Shipowners' Association expressing its concern, and saying that an agreement with the Union on war allowance is a pre-requisite for sailing to war zones and nearby area.

"We understand that the National Maritime Board has already made contingency arrangements to rescue stranded Indian nationals in the Middle East Gulf...and a number of vessels have been identified for the rescue operations," said a senior Maritime Union official. "Many Indian-flagged tankers are also plying in the Gulf area. The shipping companies should properly reward the risk-taking seamen."

Last voyage of the *President Kennedy*



Eric Hands, Wilmington Branch Agent Mark Hurley and Dave Munroe pictured in San Pedro prior to the foreign-flagging of the *Kennedy*. Built in 1988 the C-10 class vessel was replaced by the C-11 class vessel *APL China*, built in 1997.

Schubert praises thousands of American mariners aiding Operation Iraqi Freedom

Maritime Administrator William G. Schubert late last month praised the dedication and bravery of thousands of U.S.-citizen seafarers who are supporting U.S. military operations in Iraq.

Over 85 percent of the military equipment and supplies required to support the U.S. Armed Forces have already been delivered, Schubert noted. "I am convinced that this cargo would not have arrived without the service of our loyal U.S. merchant and civilian mariners who are bravely serving their country under Operation Iraqi Freedom," Schubert said.

More than 2,800 U.S. Merchant Mariners and 2,430 civil service mariners are playing a key role in the war to disarm and liberate Iraq by crewing 112 ships deployed over the past several months by the U.S. Navy's Military Sealift Command (MSC) and by the U.S. Maritime Administration (MarAd) to support military operations overseas, according to the MSC.

The largest pool of U.S.-citizen seafarers – numbering over 2,300 civil service mariners – are crewing Navy auxiliary vessels activated by MSC under Operation Iraqi Freedom to support U.S. military operations in the Middle East, MSC said.

And 1,167 U.S. merchant mariners are serving on 39 Ready Reserve Force (RRF) ships activated by MarAd in support of Operation Iraqi Freedom, MSC said.

Over 900 U.S. merchant mariners are aiding the liberation of Iraq by serving on MSC's Fast Sealift ships and a new class of MSC vessels, known as large, medium speed, roll-on/roll off (LMSR) vessels. This group of merchant mariners include 344 seafarers serving on eight Fast Sealift ships; 300 merchant mariners serving on 10 LMSRs dedicated to surge sealift; and 240 seafarers serving on eight LMSRs dedicated to pre-positioning, an MSC spokesperson said.

The 950-foot LMSRs are 50 feet longer than three football fields, and are each capable of transporting between 300,00 and 400,000 square feet of military cargo, according to the MSC.

An additional 679 U.S. merchant mariners are serving on MSC and MarAd pre-positioning ships, while 112 U.S. civil service mariners are serving on special mission ships, along with another 61 civil service mariners crewing the U.S. Navy hospital ship USNS Comfort, the Navy command said.

Source: AMC Washington Letter

Feinstein introduces port security legislation

Senator Dianne Feinstein (D-CA) introduced legislation this month to bolster security at U.S. ports and to ensure that U.S. criminal laws are bolstered for those who attack ships and U.S. seaports.

The anti-terrorism and Port Security Act of 2003 (S.746) would make it a crime for terrorists to attack a port or a cruise ship or deploy a weapon of mass destruction at or through a seaport. Make it a crime to put devices in U.S. waters that can destroy a ship or cargo or interfere with safe navigation or maritime commerce. Update our federal criminal piracy and privateering laws and increase penalties. Make it a crime to use a dangerous weapon or explosive to try to kill someone on board a passenger vessel. Make it a crime to fail to heave to (that is, to slow or stop) a vessel at the direction of a coast guard or other authorized federal law enforcement official seeking to board that vessel or to interfere with boarding by such an officer. Make it a crime to destroy an aid to maritime navigation, such as a buoy or shoal/breakwater light, maintained by the Coast Guard if this would endanger the safe navigation of a vessel. Make it a crime for terrorists or criminals to try to attack U.S. citizens or U.S. marine life by putting poisons in the water off shore. Require the Attorney General to issue regulations making it easier to determine the extent of crime and terrorism at seaports and improve communication between different law enforcement agencies involved at ports.

Secondly, the bill would designate the captain-of-the-port as the head of port security, require Customs agents to have personal radiation pagers and require all port employees and vendors to have biometric identification cards. The proposed legislation would also impose steep fines on companies failing to file proper cargo documents.

Cosponsored by Senate Jon Kyl (R-AZ), chair of the Senate Judiciary Committee's Subcommittee on Technology, Terrorism and Government Information, the legislation has been referred to the Senate Commerce, Science and Transportation Committee.

ESU Office Assignments

For the month of May, John Straley will be in the Baytown office and Jerry Patterson will be in the Benicia office.

ESU NEWS

APRIL 2003

Official Publication of the Exxon Seamen's Union

The Exxon Mobil Labor Council meeting

March 10 and 11, 2003

Exxon Seamen's Union (ESU) President Jerry Patterson, represented the Exxon Seamen's Union at the ExxonMobil Labor Council meeting held in Baytown, Texas, March 10, 2003. The Council, of which the ESU is a member, is sponsored by the Paper, Allied-Industrial, and Chemical & Energy Workers (PACE) International Union. There were 37 participants representing Pace International and the various locals and other unions from across the Nation. The primary mission of the Council is to bring together individual locals and independent labor organizations that negotiate with the various ExxonMobil facilities and subsidiaries to discuss and educate one another with regard to labor issues and concerns that all have in common.

The meeting, held at the Pace Local 4-2001 Union Hall in Baytown, opened with a prayer and the pledge of allegiance, followed by individual introductions of each participant. After introductions, each participant made a summary report with regard to their individual Unions on issues of interest to all unions in attendance.

Among issues addressed at this meeting was the SHARP payroll system. This company-wide system was introduced last June with great fanfare. A year later it seems to be lurching from one colossal mistake to another and its problems reach much further than just those experienced by SeaRiver Maritime.

It was also reported that although the savings plan harmonization would benefit some employees, that is not the case where the former Heritage Mobil employees are concerned. The Mobil equity fund was at \$157.00 a share and is now at \$53.00 a share and harmonization may force employees to sell at a lower price.

In discussions at this meeting it was learned that the change in administering the Family and Medical Leave Act is taking place in numerous ExxonMobil facilities. This is an issue that the ESU Executive Board is presently addressing with regard to SeaRiver Maritime.

Additionally, a report was given alleging that ExxonMobil is continuing its unrelenting intimidation and harassment of Union represented employees at the Baton Rouge, Louisiana refinery. Apparently this despicable action is being inflicted on the represented employees as payback for merging with Pace International on December 11, 2002. Some of the tactics being employed by the company is the shut out of the in-plant Union office on March 3, 2003 and ordering full time Union officers back to work. They are reversing practices that have been in place for 63 years. The company informed Union officials that time off on Union business would affect retirement. The mechanical break has been discontinued.

Additionally, it was reported that it

appears that the company is also waging a campaign of character assassination by sending out negative bulletins regarding representative Bear Abbott and other officers. They are also denying releases for Union business and discontinued UB (Union back-bill) practice where union officials were kept whole on payroll and the Union was back-billed. The company is unilaterally changing vacation policies. Gary Beevers, Pace International Representative and Council coordinator was denied access to plant for grievances and meetings. All meetings involving international representatives are now being held offsite.

Due to the continuing negative campaign being waged by the company against that Union, The ExxonMobil Union Council adopted the following resolution:

Resolution of the ExxonMobil Union Council

WHEREAS, an overwhelming majority of Union members at ExxonMobil's refinery and chemical plant in Baton Rouge, Louisiana, voted in a secret ballot election on December 11, 2002 to affiliate with the Paper, Allied-Industrial, Chemical and Energy Workers International Union (PACE) despite vehement opposition by ExxonMobil management;

WHEREAS, the National Labor Relations Board recognized the result of the affiliation vote.

WHEREAS, plant managers at the ExxonMobil facility in Baton Rouge have refused to accept this democratic vote and have purposely increased hostilities between the Company and Union.

WHEREAS, plant managers, since the affiliation vote, have ended a 62 year practice of granting leave for full-time Union officers and of maintaining an in-plant Union office, have severely restricted Union leave in general, and are now penalizing employees' retirement and savings plans for taking Union leave.

WHEREAS, plant managers have denied the PACE international Representative entrance to the Baton Rouge facility to represent Union members, and will only meet with him away from Company property.

WHEREAS, plant managers refuse to schedule the handling of grievances during normal business hours.

WHEREAS, plant managers have published numerous information bulletins attacking Union officers and members.

WHEREAS, plant managers are arbitrarily and unlawfully reducing manning levels to dangerous and unsafe levels without negotiations or consultation with the Union.

WHEREAS, plant managers are engaged in a personal vendetta that will damage the Company's reputation, lower employee morale, and create unnecessary conflict at a time of great peril from external enemies.

THEREFORE BE IT RESOLVED, that the ExxonMobil Union Council, comprising over 5,000 Union members in the U.S. and Canada, condemns the Union-busting actions of ExxonMobil management in Baton Rouge and calls upon the Company officers and board members to stop its plant managers from creating unnecessary divisions, diversions and disruptions that could endanger Company employees and residents of surrounding communities;

BE IT FINALLY RESOLVED, that the ExxonMobil Union Council views these actions as an attack on all Union members employed by ExxonMobil, and

will engage in a concerted public campaign against ExxonMobil, if the Company does not fully investigate these matters and endorse and encourage Baton Rouge management to engage in a labor-management relationship based on mutual respect and cooperation.

The ESU pledges solidarity with our fraternal brothers and sisters at PACE and wish them success in their contract negotiations.

The Exxon Seamen's Union finds its membership with the ExxonMobil Labor Council invaluable in assisting the Executive Board in its ability to represent the membership.

S/R Columbia Bay joins SeaRiver fleet



The S/R Columbia Bay departing the Jurong Shipyard for anchorage at the Singapore Petroleum Anchorage in March of 2003.

After an extensive shipyard period in Singapore for maintenance, repairs and betterments, the newest edition to the SeaRiver fleet, the S/R Columbia Bay completed her first loading of ANS crude under the SeaRiver banner March 17. Formerly operated by Alaska Tanker Company (ATC) as the BT Alaska, the double-bottomed vessel is 188k DWTs, with a 953 feet LOA and beam of 166 feet. And is powered by a twin boiler steam plant that generates 28,000 shaft horsepower.

SeaRiver Maritime bought this vessel from Bankers Trust Company to supplement tonnage requirements for the ANS trade and it is capable, at various drafts of providing service to all west coast ports. The vessel was built by NASSCO in San Diego, California, in 1978 and has OPA '90 life until March 14, 2006. It is believed that modifying load configurations for the ship if tonnage requirements at that time necessitate, could further extend the life of this vessel.

Due to the tremendous amount of work performed during the shipyard period the vessel required an incredible effort to be put forth by the crew to get the vessel "ship-shape". The crew deserves high recognition for the exceptional job they performed in the initial weeks of integrating the S/R Columbia Bay into the fleet.

Incorrect disability payments

SeaRiver has notified the Union that due to a "computer glitch" in the recently implemented SHARP payroll system, an audit of all employees that have drawn short-term disability payments in the last year is underway. These miscalculations have resulted in both overpayments and underpayments of disability benefits.

It is expected that this audit process may still take several more weeks. Exactly how and when SeaRiver will handle any collections or reimbursements to members effected has yet to be determined.

ESU News

RFPEW certification

SeaRiver has gained approval for an onboard certification process that will allow members needing to gain their Rating Forming Part of an Engineering Watch (RFPEW) endorsement on their STCW certificates. This assessment process can be accomplished completely onboard ship and the Union has been assured that assessment manuals have been sent out to the vessels and are available. Members who have acquired their QMED endorsements may request this manual from either the Captain or Chief Engineer. If for any reason manuals are not available aboard your vessel you may request one by calling Sam Turkington in SeaRiver Training at 877-290-1422, ext. 8.

As reported in the November 2002 edition of the *West Coast Sailors/ESU News*, an interim agreement between the Company and this Union was reached that allowed members that were not able to ob-

tain this endorsement to be placed on the QMED promotion list. This agreement was reached in an effort not to unfairly disadvantage members during the establishment of this program and will expire after members presently on the promotion list without their RFPEW have been given a reasonable period of time to complete the assessment and present evidence to Fleet Manning of having the endorsement.

If a member is removed from the promotion list they will not be placed back on the list until evidence of having obtained the endorsement is presented to the company. Then, the individual would be placed at the bottom of the promotion list.

The Union strongly encourages any members that have been waiting for this approval to start and complete this assessment as soon as possible. Individuals cannot sail in a QMED or Pumpman rating until they have obtained this STCW endorsement.

Further erosion of benefits

In what appears to be a continuing campaign to downsize employee benefits, the Exxon Seamen's Union has recently learned that SeaRiver Maritime has modified its administration of the Family and Medical Leave Act (FMLA) of 1993 that may result in an employee being afforded less unpaid leave to care for themselves, as well as their family's needs. This change results in employees, when receiving the benefit of short-term disability now having that period of disability benefits applied against any subsequent time needed for leave under the FMLA in the same benefit period.

Under a new procedure, SeaRiver will now, shortly after an employee commences receipt of disability (sick pay) benefits be notified that these benefits will run concurrent with the provisions of the FMLA benefits. The FMLA act provides for up to twelve (12) weeks of leave in any twelve (12) month period and had in the past been granted by the company separate of other benefit plans.

This new company interpretation of the FLMA can result in an employee, having earlier in a benefit period receiving short-term disability payments not receiving, or receiving less leave under the FMLA for any subsequent family or health concerns during the twelve (12) month qualifying period. As an example:

An employee receiving eight (8) weeks of short-term disability would only be allowed four (4) weeks of leave for family and health issues covered under FMLA.

Congress passed this Act in 1993, and in the law stated; "FMLA is intended to allow employees to balance their work and family life by taking reasonable unpaid leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition. The Act is intended to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in economic security of families, and to national interests in preserving family integrity."

In investigating this issue the Executive Board believes that not only SeaRiver Maritime, but also ExxonMobil has taken the low road in implementing this change in applying this benefit. The Union finds no evidence of this change being necessary, but simply a situation where a legal "loop-hole" was found in the law and being exploited by the company.

In the final analysis this "procedural change" will have only one result, it will harm some employees and their families.

Ship reports

S/R American Progress

Ship was visited in Beaumont, Texas on April 20. Crew doing a great job on short turnarounds. More questions raised about the security watches and how they're being applied elsewhere in the fleet. Concerns were raised about the future of the *American Progress* and the SeaRiver fleet in general. It is the consensus of many that this ship could use another pumpman. John Munich as always, is doing a great job as temporary Ship Representative.

S/R Baytown

Executive Board officer visited vessel March 29 at the Amoroco Dock in Martinez, CA. The ship continues to trade between Valdez and Puget Sound ports with the occasional visit to the S.F. Bay Area. Ship Representative Mark Myser on board and as always, checking in regularly with the Union.

S/R Bristol Bay

Vessel re-crewed in Portland the first week of April after short period of lay-up. Vessel loaded in Los Angeles on the March 11 for cargo delivery at Rasa Terminal in El Salvador. Ship will be transiting the Panama Canal for service in the Gulf of Mexico. Newly elected Ship Representative Timothy Williams is scheduled to assume duties in early May.

S/R Charleston

SeaRiver Charleston was visited in Baytown after arriving from the West Coast via the Panama Canal. The crew was happy that they were able to go ashore on the Pacific side of the canal on the return voyage. A grievance has been filed for denial of launch service on the first leg of the voyage. The major gripe is again, the "security watches". The pumpmen were told they had to do the security watches. Another crewmember mentioned an error in his time aboard as reported on the "Team work sheet". The Board member will investigate. The crew commended Ship Representative Bob Knight for doing a very good job on this tour.

S/R Columbia Bay

Board visits conducted at Richmond Long Wharf on March 24 and April 10. Additionally, ship visited at Valero Docks in Benicia, CA, on March 25 and April 11. Thor Floreen handling

Temporary Ship Representative duties. Ship Representative nomination period for this vessel ends April 30.

S/R Galena Bay

Ship continues on ANS trade between Valdez and Anacortes. Union has been communicating regularly with vessel with no major beefs reported. Ship Representative Levy Ponce on board.

S/R Hinchinbrook

Vessel made another Barbers PT, Hawaii delivery first week of April and is scheduled for a Valdez to Anacortes transit. Steve Wilson is filling in for Ship Representative Danny Jones and is reporting no major beefs.

S/R Long Beach

Ship visited by Executive Board Officer on April 3, at the Valero Dock, Benicia, CA. Soon to retire Able Seamen Dennis Simoneau handling the Temporary Ship Representative responsibilities while Representative Joe Graca is on paid leave. Vessel continues to split ANS loads between southern California and the S.F. Bay Area.

S/R Mediterranean

Ship Representative Frank O'Malia reports everything going well after a hard break-out from lay-up. The crew of the *S/R Mediterranean* deserves accolades for a job well done.

S/R Puget Sound

Vessel scheduled for approximately 20-day shipyard period at Cascade, Portland, OR. Vessel has been on ANS trade Valdez to Anacortes. Union thanks David Franklin for assuming Temporary Ship Representative position and keeping in excellent communications with the ESU office. ESU Ship Representative Michael Harrison has now returned to the vessel after a lengthy absence.

S/R Wilmington

The *S/R Wilmington* was visited at the ExxonMobil dock in Baytown, Texas on April 7. A QMED/Oiler was discharged to paid leave and told that his relief would be on the afternoon flight, when in fact, no relief had even been scheduled by fleet manning causing the ship to sail short. There were no other outstanding issues. Odley Banks continues to do a good job as Temporary Ship Representative.

Security code Tier Orange/security watches

The Union recently received a request from SeaRiver management for assistance in facilitating "security watches" prompted by the Department of Homeland Security's designation of a security code Tier Orange and ExxonMobil's directive to heighten security at their facilities and aboard their vessel's, immediately.

This request required instantaneous discussion between the four principle Executive Board Officer's as to how to best respond to this request in protecting both the rights of our members and maintain the integrity of our Collective Bargaining Agreement. The Board Officer's agreed, in general that these security watches should be maintained, if possible by crewmembers, as subcontractors could not possibly be expected to perform this duty to the same high standards as ESU members. Additionally, the Exxon Seamen's Union historically has opposed any attempt by the company to use contractors to perform work aboard our vessels that can be performed by members!

Due to the time constraint in negotiating with the company as to how to best proceed on this issue. The Union cooperated with the company in developing an interim process for establishing security watches to address the immediate concerns. The Union insisted that in managing these watches that no members would be required to holdover when their relief had arrived or be called from home on a mandatory basis. Though, a member may be asked to serve in this duty, participation is completely voluntary.

It is important for members to understand that the ESU has entered in to no formal agreement on this issue and the Executive Board is evaluating this present arrangement and has already identified a number of concerns with the present procedures. Among some of the concerns identified by the ESU is the use of crewman for this duty in a manner that does not allow them ample time to perform their necessary duties, failure of the company to be able to provide shore side personnel when the duty could not be managed shipboard and sufficient compensation to members ashore that might be interested in performing security watches while vessels are in port.

On April 11, 2003, the Department of Homeland Security downgraded the security level to Tier Yellow (elevated). If and when these security measures will be invoked again is not known, but the Union will pursue with SeaRiver management a more equitable and efficient process for accomplishing these watch requirements, if needed, in the future.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

701 W. Sterling Ave.
Baytown, TX 77520
Tel (281) 420-9276
Fax (281) 422-0710
E-Mail: esubay@msn.com

P.O. Box 792
Benicia, CA 94510
Tel (707) 746-5713
Fax (707) 746-7859
E-Mail: esuben@msn.com

President Jerry Patterson

Vice President John Straley
Secretary/Treasurer Leo DeCastro
Recording Secretary Thomas Thompson III

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

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

Schedule of Course Offerings for 2003

STCW 95 Basic Safety Training

• Basic Fire Fighting	• Basic First Aid		
• Personal Survival	• Personal Safety and Social Responsibility		
May 5-9	Jul 14-18	Sep 8-12	Nov 3-7
May 19-23	Jul 28-Aug 1	Sep 22-26	Nov 17-21
Jun 9-13	Aug 11-15	Oct 6-10	
Jun 23-27	Aug 25-29	Oct 20-24	

Small Arms Training (MSC approved)

May 26-28	Aug 25-27	Nov 3-5	Dec 15-17
Jun 30-Jul 2	Sep 29-Oct 1	Nov 17-19	

LMSR Vessel Training (MSC approved)

May 13-23	July 22-Aug 1	Sep 16-26
June 17-27	Aug 12-22	Oct 21-31

Survival Craft (Lifeboatman)

Jun 3-6	Aug 19-22	Oct 28-31	Dec 16-19
Jul 29-Aug 1	Sep 30-Oct 3	Nov 18-21	

Training Information and Enrollment

Contacts

Rich Reed, SUP Welfare Plan Rep
SUP Welfare Plan
450 Harrison St., San Francisco, CA 94105
Tel: (415) 778-5490
Fax: (415) 778-5494
E-mail: supwelfarerep@hotmail.com

Dave Connolly, SUP Vice President
c/o Andrew Furuseth School of Seamanship
450 Harrison St., San Francisco, CA 94105
Tel: (415) 777-3400
Fax: (415) 777-5088
E-mail: daveconnolly@msn.com



From left: Don Pleto, Dave (MFOV), Mark Wenger, Michael Gannon, John Day, Paul McClellan, Leon Lundborg, Kevin Sheen, Jason Magi, Forest McMullen, Tail Nguyen and Dan Moran. Not pictured Eric Hands.

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

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Welfare Notes

April 2003 Pensioners

On March 21, 2003, the Board of Trustees of the SUP Welfare Plan voted to increase the annual allowance for the Pensioners Medical and Hospital Benefit. The Trustees voted to increase the benefit by \$1500, which now reflects a maximum allowance of \$5000 per fiscal year. The benefit increase is effective immediately and can be applied for all claims and expenses incurred in the current fiscal year of August 1, 2002 to July 31, 2003.

Expenses eligible for reimbursement include hospital, medical, surgical dental and prescription drug and vision services as well as medical insurance premiums for both the retired member and spouse. In addition, the annual allowance may be used for reimbursement of Medicare part B premiums for both the member and spouse. The reimbursement procedure will continue to work the same way as before. Once again we encourage pensioners to submit receipts for reimbursements on a monthly basis. For those pensioners receiving less than a full pension benefit, the amount you are eligible to receive will be prorated based upon your pension service credits.

A letter has been sent to all participating retired members explaining the new allowance increase. In addition, a letter will be sent explaining in detail each retiree's individual annual allowance and the dollar amount remaining in your 2002/2003 fiscal year allowance. This letter will be mailed from the Welfare Plan Office by May 15. If you have any questions on this new allowance and do not receive your letter in May, please contact the Plan Office.

Active members

New members who reach 120 days in covered employment are eligible for medical and dental coverage through the SUP Welfare Plan. Members who reach the qualifying time must call the Welfare Plan Office and request enrollment forms for the medical and dental providers in your area. When you submit your application, the Welfare Plan requests that you to include the following items:

A copy of your marriage certificate if you are enrolling your spouse; if you are going to enroll dependent children, we ask that you include a copy of their birth certificates; and in certain cases we may ask you to include your discharges for proof of sea service.

SUP Welfare Plan

450 Harrison Street, San Francisco CA 94105

Telephone Numbers:

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

MSC activates ship status hotline

Military Sealift Command is now providing a toll free number that will provide information regarding MSC and government owned or chartered ship. Concerned family members of mariners can now check on a ship's status and general location. Family members of mariners who dial (888) SEA-LIFT (732-5438) and press 2 will be put in contact with a MSC employee who can tell them in general terms where the ship is operating and its general status.

"Our mariners' families are part of the MSC family too," said Vice Admiral David L. Brewer III, commander of MSC. "We are proud to offer this information during these uncertain times." This hotline was available during the first Persian Gulf War. Vice Admiral Brewer said he hopes that it can be used along with other forms of communication to keep family members informed.

Military Sealift Command, the ocean transportation provider for the Department of Defense, operates about 120 civilian-crewed, noncombatant active ships around the world. MSC ship missions vary from the transport and afloat prepositioning of defense cargo to underway replenishment and other direct support to Navy ships at sea and at-sea data collection for the U.S. military and other U.S. government agencies.

Record of SUP Shipping March 2003

	Hdqg.....	Seattle	Wilm	Hono	Total
Bosun	3	2	4	0	9
Maint. Man	4	0	0	0	4
A.B. Dayworker	0	0	3	0	3
A.B.	27	20	17	7	71
O.S.	2	1	2	3	8
Standby	16	17	64	34	131
TOTALS	52	40	90	44	226

Foreign-flag vessels shamelessly continue to pollute U.S. waters

What do mega cruise ship operator Carnival Cruise Lines and Taiwanese container giant Evergreen Lines have in common? They are among an ever-expanding list of large foreign-flag ship conglomerates that have been successfully prosecuted for the shameless pollution the US waters.

Earlier this month, a California judge ordered Miami-based cruise giant Carnival Corporation to stop illegally dumping ballast water in the state's waters. According to the West-Coast-based Environmental Law Foundation, the judge signed an order on April 7 in which Carnival settled an April 2002 lawsuit filed by the foundation, which is now calling for a \$250,000 fine.

Carnival is one of four foreign-flagged cruise lines the foundation says are now prohibited from discharging untreated ballast water in Californian waters in line

with three-year-old state-mandated ballasting laws. Ships coming from within a 200-mile coastal zone must hold or treat ballast water.

Foreign-flag operators Holland America Line, Royal Caribbean and Princess Cruises admitted no wrongdoing in their earlier settlements, the foundation said. The lawsuit claimed numerous violations of state ballast laws.

"The cruise industry has been running dirty and cheap for years while fighting the public for their right to continue to pollute," said a foundation representative.

Just last year Carnival Corp. was fined \$18 million and pleaded guilty to pollution offenses committed by subsidiary companies, as their vessels dumped thousands of gallons of oily waste in Caribbean and U.S. waters.

Source: MM&P Wheelhouse Weekly

House resolution urges U.S.-flag carriage of food aid and humanitarian cargo to Iraq

Representative Bob Filner (D-CA), on March 27, introduced House Resolution 127 declaring that humanitarian and reconstruction assistance shipped to Iraq under Operation Iraqi Freedom should be transported on U.S.-flag vessels as required by the Nation's cargo preference laws.

The resolution, which has been referred to the House Committee on International Relations and to the House Armed Services Committee, said providing humanitarian aid, including agricultural products, to Iraq fosters U.S. national security interests during a time when up to 10 million people, or approximately 40 percent of Iraq's population, are facing the need for food.

The resolution noted that food security will play an important role during post-war reconstruction, and would also help strengthen the U.S. economy.

Representative Filner serves on the House Transportation and Infrastructure Committee, and is the ranking Democrat on its Coast Guard and Maritime Transportation Subcommittee.

Norway wants Canada to dump cabotage laws

Care Bryn, Norway's World Trade Organization ambassador, last month told a session of the 145-member global oversight body examining Canada's trade regime that it would be "in Canada's interest to allow foreign-flagged ships access to coastal trade in the future".

A report by the WTO secretariat notes that under Canada's Coasting Trade Act, cabotage is reserved for Canadian-flagged ships.

The law requires the carriage of "goods and passengers, as well as any other marine activities of a commercial nature in Canadian waters, on Canadian registered, duty-paid vessels," notes the WTO report.

Moreover, it is also required that a Canadian-registered ship must be operated by Canadian officers and a Canadian crew, hold Canadian certificates, and comply with Canadian safety norms.

Oakland dockers injured in war protest

At least seven dockworkers were injured in Oakland, California, April 8, when police shot rubber bullets at anti-war protestors trying to shut down shipping terminals owned by APL and Stevedoring Services of America. Many observers said the police were over-zealous. An official with the ILWU said member going to work "were hit in the chest with rubber bullets, and seven of our guys went to the hospital."

APL has 11 U.S.-flag vessels enrolled in the Maritime Security Program which provides subsidies to companies agreeing to turn their vessels over to the military in times of war. However, none of the 47 ships in the MSP have been taken out of rotation to go to the Middle East.

Ship master gives first hand account of Iraq attacks in Kuwait

The Master of one of the 19 Large, Medium Speed, Roll-on/Roll-off ships (LMSRs) deployed by the Navy's Military Sealift Command to support U.S. military operations in Iraq, has given a sobering account of what occurred the first day of Iraq attacks as the ship was in port Kuwait.

"It was tense," the skipper said in his communiqué. "On four separate occasions, the air sirens went off and I received reports of incoming Scud Missiles. I understand a total of eight were fired our way, but three were poorly aimed and landed in the desert or the ocean."

"The crew donned gas masks and reported to deep shelter as directed," the ship's Master said. "All ventilation was secured and the crew kept busy with

preparations for the worst. They were all true professionals. I am a lucky man to have such a fine crew."

He described how U.S. Patriot Missiles kept the ship and the crew safe, and the atmosphere free from contamination.

"The wait and not knowing if we were to see our loved ones ever again was the worst part of it," he said. "Everyone has a few more gray hairs, but all are absolutely giddy to be safe and heading home."

"Say an extra prayer for those brave troops still in harm's way," the ship's Master asked in his communiqué.

The vessel is one of ten LMSRs crewed on deck by the SUP and operated by Patriot Contract Services, LLC for the Military Sealift Command.

Matsonia gang



The laid back deck gang in the *Matsonia*. Back row: Bob Vandermeer, Jim Meader, George Simpier, "Sonny" Cooper. Front Row: Karoly Kovacs, Mike Soper, John Resino. Photo by Nathalie.

North Korean crew busted after heroin swoop in Australia

A Sydney court on April 21 refused bail to the crew of a North Korean ship charged with bringing over \$48 million worth of heroin into Australia. The 30-strong crew of the 6,249 dwt *Pong Su* were arrested after a four-day chase round the east coast of Australia.

North South Wales police intercepted the general cargo vessel on April 20 near Newcastle, after it is said to have unloaded the drugs.

"Each of the crew members has been charged in a Sydney court with aiding and abetting the importation of a prohibited substance," Stephen Simpson, spokesman for the Australian Federal Police, told Reuters after the judgment.

He said the men are due to appear in Sydney's Central court as federal police begin formal extradition proceedings to move them to the state of Victoria, where the high-grade heroin was seized on April 17.

In the wake of the arrest of the *Pong Su*, the Maritime Union of Australia (MUA) has renewed its support of the development of an integrated coast guard to protect Australia. This would help secure the coast against people smuggling, terrorism, gun running and drug importation.

"Reports say the *Pong Su* was at anchor for some days off Lorne on the south coast waiting to offload its deadly cargo of 50 kg of heroin," said MUA National Shipping Campaign Co-coordinator Sean Chaffer. "With an effective coast guard in place this simply could not happen. The ship apparently entered Australian waters with no intention of port visits and with empty holds. There were no checks or balances. This underlines the vulnerability of our coastline."

Chaffer said the Howard Government's campaign to run down the Australian-flagged coastal fleet in favor of the cheap flag-of-convenience shipping, meant we cannot be sure that the importation of drugs on foreign ships doesn't happen under our noses on ships trading in our ports every week. FOC shipping is infamous as a cover for criminals trading drugs and weapons.

Senate Rejects Maritime and Port Security Funds

During deliberations on April 2 of S. 762, the Fiscal Year 2003 Supplemental Appropriations Act, the Senate defeated an amendment by Senator Fritz Hollings (D-S.C.) to include \$1 billion specifically to improve security at U.S. ports. The vote was in direct contradiction to the Senate's agreement last month to provide funding for port security as part of the FY 2004 budget resolution.

The Hollings Amendment, tabled 52-47, would have provided funding to help federal agencies, local law enforcement and port operators meet the new security mandates in the Maritime Transportation Security Act. In its supplemental funding request to the Congress, the Administration set aside \$4.2 billion for homeland security needs, with only part of that designated for domestic port security.

USCG accuses man of selling phony visas to foreign mariners-terrorist link

U.S. Coast Guard investigators on April 3 arrested a man being investigated in selling fake visa documents, including three bearing the names of leaders of a Philippine terrorist group with ties to al-Qaeda.

Francisco Nazario was formally charged with a federal firearms violation, but an arrest warrant and its supporting documents spell out a more dramatic case.

In an affidavit filed with federal court, a Coast Guard investigator said Nazario sold a government informant two phony crewmember employment letters in the names of Jainal Antoz Sali Jr. and Aldam Filao, both known terrorists with Abu Sayyaf.

Crewmember letters normally are taken by foreign nationals to U.S. embassies abroad to obtain seaman's visas to work on ships making stops at U.S. ports.

A third phony letter was sold to an undercover Florida Department of Law Enforcement agent in the name of Isnilon Totonia Hapilon, second-in-command of Abu Sayyaf. It wasn't known whether Nazario knew the identities of the people named on the documents. Federal officials say Abu Sayyaf has ties with al-Qaeda.



SUP President's Report

April 14, 2003

MATSON NAVIGATION COMPANY

The war between the SUP, MFOW and Matson continues unabated.

The Unions met with the company on March 24 and 27, essentially restating our positions, as reported last month. Matson reiterated its threat to have another company buy the two *Manukai*-class ships under construction at Kvaerner Philadelphia Shipyard and then time-charter them back for use in the Hawai'i trade unless the Unions made concessions equal to the costs of the SIU-AGLIWD/NMU standard freightship agreement. The Unions responded that the SUP and MFOW had a valid contract bargained in good faith last year that covered the *Manukai*-class ships and that Matson was attempting to breach that agreement, specifically Section 3 of the General Rules. The company again disputed this claim stating that since Matson did not own the ships they were not covered by the collective bargaining agreement despite the fact the ships were discussed during negotiations and are incorporated into Appendix "A" of the contract. Since the parties were at an impasse on this issue, the Unions demanded, and the company agreed, to an expedited arbitration. The arbitration was scheduled for April 8.

The Unions and Matson met again on March 30. Captain Jack Sullivan, Director of Vessel Operations and Offshore Labor Relations, stated unequivocally that concessions would have to be made by all Unions, including the SUP and MFOW, in order for the Board of Directors of Matson and Alexander & Baldwin to purchase the Kvaerner ships. Sullivan revealed that the MM&P, MEBA and ARA had agreed to cost reductions ranging from 32% to 36% but that Matson had not offered memoranda of agreement to those Unions because it had not reached agreement with the SUP and MFOW.

During this time period, it was learned from credible maritime sources that two companies are in fact interested in buying the Kvaerner ships and time-chartering them back to Matson: Interocean Uglund Management Corp. (IUM), a subsidiary of Seattle-based SaltChuk Resources, and Marine Transport Lines (MTL), a subsidiary of Oakland-based Crowley Maritime. The unlicensed crews for both of these outfits are represented by the SIU-A&G. The licensed personnel at IUM belong to the AMO while at MTL the mates are non-union and the engineers are represented by MEBA.

Given the preceding information, the Unions determined that Matson's threat could become a reality and therefore decided it would be in our best interest to offer some limited "assistance" in order to gain the work in the Kvaerner ships and other new tonnage the company might buy.

On March 31, the company proposed a ten-year agreement for the Kvaerner ships, which apparently has been agreed to by the licensed Unions, plus a "wish list" of changes to the Work Rules. For the SUP, those changes included the elimination of the three o'clock knock-off, the elimination of the minimums for hauling ship, the elimination of time-back, and the implementation of the one-man watch system. These proposals were not limited to the Kvaerner ships but included the entire Matson fleet. Similar Work Rule changes were proposed to the MFOW.

The Unions counter-proposed a five-year agreement for the new ships that would expire on June 30, 2008, a wage freeze on the new ships in 2002 and 2003, and a 3% wage increase in the third, fourth and fifth years of the agreement. We also proposed reducing the scheduled wage increase for the rest of the Matson fleet—except the ITB *Moku Pahu*—from 3.25% to 3% effective July 1, 2003, and July 1, 2004. In addition, after caucusing, the SUP and MFOW agreed to offer one Work Rule change apiece. The SUP proposed implementing the one-man watch system on the Kvaerner ships under the terms offered by the company in bargaining last year, while the MFOW offered to reduce the number of men required when loading or discharging reefer vans from two to one.

Sullivan's only comment, before walking out of the meeting, was that: what was proposed by the Unions "doesn't solve our problem."

On April 8, the SUP, MFOW and Matson met at Matson headquarters to arbitrate the following issue: "Does Matson violate its collective bargaining agreement with the SUP and MFOW by time-chartering two vessels currently being constructed at the Kvaerner Shipyard, or are those ships covered by the collective bargaining agreements among the parties. If so, what shall the remedy be?"

Presiding at the hearing was arbitrator Frank Silver. Representing the SUP and MFOW was Peter Saltzman, of the law firm of Leonard Carder LLP. Matson was represented by Martin Oppenheimer, from the Proskauer Rose law firm. In attendance for the Unions were MFOW President Whitey Disley, MFOW Vice President Bobby Iwata, SUP Vice President Dave Connolly and your secretary. For the company Sullivan, Kevin O'Rourke, Senior Vice President and General Counsel, Ron Forest, Vice President of Operations and Tom Percival, Labor Relations and Vessel Operations Manager were present.

At the outset of the hearing, Mr. Saltzman stated that the reason for the arbitration involved Matson's repudiation and anticipatory breach of the collective bargaining agreement between the SUP, MFOW and Matson. "By its own admission, Matson threatens this unprecedented and unlawful action not because it can't afford to operate the two vessels, but because the Board of Directors of Alexander & Baldwin has allegedly discovered that it can increase its profits by circumventing the collective bargaining agreements and entering into an arrangement with an entity that employs mariners with lower pay and lower benefits," Saltzman asserted.

Both Disley and your secretary testified about the bargaining history with Matson in 2002 and the fact that the Kvaerner ships were discussed and incorporated into the agreement.

Matson attempted to discredit our position, contending, once again, that since the company did not yet own the ships, it wasn't bound by the provisions of the agreement. However, during testimony by Sullivan and O'Rourke, it became clear that Matson is orchestrating and manipulating the process of who would eventually own and operate or time-charter the Kvaerner ships.

Mr. Saltzman summarized the Union's position by stating:

"As has been argued, the Kvaerner vessels are covered by the Agreements and are therefore subject to the provision of section 3(d) or, as the case may be, sections 33 or 34 of the General Rules. These provisions do not prevent Matson from assigning, transferring or selling the Kvaerner vessels, but they do put certain constraints on the exercise of that right. Given Matson's position that the Agreement does not cover the Kvaerner vessels in the first instance, the parties have not yet discussed which of these provisions may be applicable or how they may be applied under the present circumstances.

Thus, the Unions suggest that the most appropriate remedy at this time would be an order (1) holding that the Kvaerner vessels are covered by the Agreements, (2) requiring the parties to immediately meet in a further effort to resolve this dispute, (3) enjoining the Company from assigning or terminating its contracts with Kvaerner until the parties have had a sufficient opportunity to meet, and (4) retaining jurisdiction to resolve any further disagreement or deadlock among the parties related to this matter."

The arbitrator will render his decision today, April 14, which will be published in the *West Coast Sailors*.

In addition to the arbitration, unfair labor practice charges were filed with the National Labor Relations Board on March 12 (see the March *West Coast Sailors*). Further legal action is also being contemplated.

While the SUP and MFOW are pursuing all legal remedies to thwart Matson's Union-busting scheme, the fact remains that the prospect of the company running a double-breasted operation in the Hawai'i trade is not in the long-term interests of the membership. Whether Matson's strategy is a bluff is not known.

Apparently the licensed Unions don't think so as they've fallen all over themselves to make concessions.

It would be easy to tell this renegade outfit to stick it where the sun doesn't shine for what this company is engaged in, is out-and-out extortion. However, that stance could cost us not only the Kvaerner ships but also the remainder of the Matson fleet in the future.

Anticipate further meetings with Matson and will keep the membership fully informed.

Matson prevails in arbitration

After the conclusion of the Headquarters meeting, the Union received the decision of arbitrator Frank Silver. The SUP/MFOW grievance was denied. Silver stated: "The two vessels being constructed at the Kvaerner Shipyard are not currently covered by the Collective Bargaining Agreement with the SUP and the MFOW; rather, such coverage is conditional upon Matson owning and/or operating those vessels."

SEVERE ACUTE RESPIRATORY SYNDROME

As hands are aware, a potentially deadly contagious virus that originated in mainland China has spread over East and Southeast Asia, with a few cases being reported in the United States and Canada.

The symptoms of Severe Acute Respiratory Syndrome (SARS) are that of atypical pneumonia except that individuals that are exposed to it become extremely ill with most requiring hospitalization with three to four percent, according to the World Health Organization, dying.

As of today's meeting, no vaccine has been concocted to combat this pandemic virus.

Given that the crews in vessels operated by American Ship Management for APL are at risk of being exposed to SARS, ASM was instructed by Neptune Orient Line/APL to restrict all shipboard personnel aboard vessels calling at Singapore, Hong Kong and all ports on the Chinese mainland. The SUP as well as the other seagoing Unions, agreed that this was an emergency situation and the restriction was an appropriate health and safety measure for crew members and their families. Hopefully, this is a temporary measure, but in the meantime it was agreed that restriction to ship claims would not be paid.

We will continue to monitor the SARS situation and will demand that ASM permit shore leave if competent medical authorities so advise that the danger of infection has passed or if a vaccine has been developed.

PENSIONER MEDICAL BENEFIT INCREASED

Based on action taken by Dave Connolly and your secretary, the Trustees of the SUP Welfare Plan agreed on March 21 to increase the annual medical benefit for SUP pensioners from \$3,500 to \$5,000—retroactive to August 1, 2002.

Expenses eligible for reimbursement include hospital, medical, surgical, dental, prescription drugs and vision services as well as medical premiums for a pensioner and his spouse. In addition the annual allowance is used for reimbursement of Medicare Part B premiums for a pensioner and his spouse.

The monies to fund this improved benefit are derived from the sale of the parking lot adjacent to Headquarters in 1999. Prior to the sale the maximum pensioner medical benefit was \$2,000; in November 2001, it was increased to \$3,500; and now to \$5,000.

Recipients of the improved benefit include the following:

- All retired SUP members who are receiving a regular or disability pension;
- All retired SUP members who are receiving a mandatory deferred vested pension;
- Pensioners receiving less than a full pension benefit shall receive a prorated amount of the total annual

President's Report continued

pensioner allowance;

- All retired SUP members who are receiving a Chevron pension and were dues-paying members while so employed and had some covered employment from participating employers in the SUP Welfare Plan. Their benefit will now increase from \$1,500 to \$3,000 per year.

- All future retirees in any of the four preceding categories who are now active SUP members, and who qualify under the five-year vesting rule as of the end of the fiscal year 1999 (July 31, 2000).

The Plan office notified SUP pensioners of the increased benefit last week and by the first week of May will mail a statement to each pensioner notifying them of the funds available for the fiscal year August 1, 2002 through July 31, 2003.

LMSR WAR BONUS PETITION

After United States and coalition forces commenced hostilities against Iraq on March 20, the SUP, MFOW and SIU-A&G Cooks which comprise of the SIUNA Pacific District, petitioned Patriot Contract Services on March 26 under Section 22 of the Large Medium-Speed Roll-On/Roll-Off (LMSR) agreement to open negotiations for added remuneration and/or bonuses due to war.

On April 2, the company responded by stating that it was pursuing our claim with the Military Sealift Command and the Maritime Administration. According to the company, both agencies acknowledged the contractual responsibility to pay a bonus of 100% of base wages to all mariners in the LMSRs for the days they are in a war zone.

Currently an imminent danger zone has been declared for the following bodies of water: The Arabian Sea north of 10 degrees North Latitude and west of 68 degrees East Longitude, the Red Sea (including the Suez Canal), the Gulf of Aden, the Gulf of Oman and the Persian Gulf. Mariners in government vessels transiting those areas are being paid \$150 a month in "imminent danger pay."

Patriot states that it is "proactively preparing to pay the war zone bonuses retroactively as the Executive Order is issued." The company has "instructed the vessels to have ready their daily position reports" and has provided MSC and MarAd with the estimated daily cost per vessel.

Whether the government ultimately pays a bonus for this war is problematic. In January 1991 at the beginning of Persian Gulf War I, the first President Bush issued an Executive Order shortly after the war began delineating a war zone. In April 1991, after hostilities had ceased, the MSC shrunk the war zone's geographic area declared by the President, effectively eliminating for bonus purposes most of the ports of call for American President Lines vessels in the region during Operation Desert Storm. The SUP, MFOW and SIU-A&G Cooks took APL to arbitration over the issue, but were blind-sided when MarAd stated that it would only pay bonuses for MSC's reduced war zone. The result was that the arbitrator ruled in April 1992 that only certain ships were eligible for the bonus. The Unions appealed was denied.

450 HARRISON STREET

As reported last month, the SUP Building Corporation recommended that the Headquarters building in San Francisco be sold to Crescent Heights Acquisitions Inc. for \$13.2 million. The membership at the coastwise meetings in March concurred with the Building Corporation's recommendation. (A full report on this issue is in the March *West Coast Sailors*.)

On March 27, on the advice of Union attorney Jeffrey Walsh, Building Corporation Trustee Dave Connolly and your secretary met with real estate attorneys Tom Larsen and Ellen Fleishacker of the San Francisco law firm of Howard, Rice, Nemerovski, Canady, Falk & Rabkin, to discuss the details of the proposed transaction and the potential risks associated with it. Those risks include, but are not limited to the ability of Crescent Heights to pay the full purchase price and the termination notice of the Union's tenancy at 450 Harrison Street. It is the obligation and intent of the Building Corporation Trustees to minimize risk and

maximize protection for the membership as a whole, as well as the Building Corporation.

On the advice of Mr. Larsen and Ms. Fleishacker it was agreed that a counter-offer would be submitted to Crescent Heights that was more favorable to the Building Corporation regarding risk and protection. As of today's meeting, real estate consultant Tony Crossley is in discussions with Crescent Heights over the details of the transaction. When the issues are definitively resolved, the membership will be fully informed.

It should be noted that no agreement has been signed regarding the sale of the building.

=====

During the past month, have received a couple of communications regarding the procedure used for gaining membership approval for selling the building. The Building Corporation has been consistent in following the provisions of Article XIV, Section 6 of the SUP Constitution. In February 1994, the Building Corporation recommended and the membership concurred at the coastwise meetings held that month, that the Union halls at 2505 First Avenue in Seattle and 505 Marine Avenue in Wilmington be sold. Eventually both of these structure were sold and the Seattle and Wilmington Branches moved to new quarters. As far as the Headquarters building itself is concerned, a special referendum ballot was held in October and November of 1988 on the proposition of "Shall the Headquarters building at 450 Harrison Street, San Francisco, California be sold? Yes or No." When the ballots were tabulated the vote was 1,315 in favor and 685 opposed.

QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2, of the SUP Constitution, a Quarterly Finance Committee shall be elected at today's Headquarters' meeting to review the finances of the Union for the first quarter of 2003, and report back to the membership at the May coastwise meetings.

In the event the Committee cannot be filled today, recommend that when the quarterly audit is completed, which will be in about three weeks, necessary Committee members be shipped off the hiring hall deck as per past practice. The Quarterly Finance Committee will turn-to on Friday, May 9, at 9:00 A.M.

SUP ELECTION INFORMATION

The biennial election of SUP officers and referenda on proposed amendments to the SUP Constitution and Shipping Rules will commence on December 1, 2003, and will conclude on January 31, 2004.

Although nominations for elective office will not occur until September, the membership is reminded that in accordance with Article XXVII of the SUP Constitution, proposed Constitution and Shipping Rule changes must be submitted, in writing, to any Headquarters or Branch meeting by June.

Resolutions submitted will be referred to a Committee on Constitution elected at the June coastwise meetings. The Committee, as per the Constitution, will consist of three members from Headquarters and one member elected at the Seattle, Wilmington and Honolulu Branch meetings.

CHESTER HAZEL

It is with regret to report the death on April 13, of Chester Hazel, Administrator of the SIU Pacific District Pension Plan and Supplemental Benefits Plan.

Brother Hazel was born in Oklahoma on August 4, 1930 was raised in San Francisco and joined the SUP in 1948. He sailed for many years and worked in the APL and Pacific Far East Lines standby gangs. His seagoing career was briefly interrupted when he was drafted into the Army during the Korean War. He went to work for the Union in 1965 and served in various capacities before being selected to run the Pension Plan and SUP Welfare Plan.

Chester was a rough and tumble guy and could always be counted on when the SUP was in a beef.

Brother Hazel is survived by his wife Flory, two daughters and several grandchildren. No services are planned.

ACTION TAKEN

Quarterly Finance Committee: Joe Lopez, Sonny Cooper, Paul Fuentes, Bob Copeland and Gene Van Klinken.

M/S to suspend ASM restriction to ship claims due to SARS. Carried.

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

Gunnar Lundeberg

Vice President's Report

April 2003

Matson negotiations

Throughout the course of our mid-term negotiations with Matson over the Kvaerner ships, the SUP and the MFOW privately contemplated the central question: could and would Matson really sell the ships to another operator and time-charter them back in the Hawaii trade? We doubted the ability of the Company to follow through on the threat, and nothing the Company produced in response to our informational demands indicated otherwise. Day after day, we hammered away at the specifics of these plans. The Company claimed it was going down two tracks: the first being negotiations with existing unions; the second being identification of potential buyers who would enter into a long-term time-charter arrangement with Matson. With nothing but empty claims and vague references, it appeared to us that there was no second track, that the threat of time-charter was a ruse to force concessions. Still, we talked to them because we could not be sure it was a ruse, and because we needed time to know with certainty that they would buy the ships with us onboard, regardless of unlicensed crew costs.

Ultimately, through a cross-checked variety of reliable methods and trustworthy sources, we reached the definitive conclusion that to the opposite of our instincts the Company was prepared to sell the ships to one of three buyers. All of these SIU-A&G companies had prepared bids, and were eager to enter into a long-term time-charter carrying Matson cargo to the Islands. Between the bad and worse, facing concessions or the eradication of Matson as an SUP-contracted employer, we began to bargain. We started by rejecting the Company's attempt to eliminate the three o'clock knock off, washdown rules, time back, and minimums for shoregangs and shifting ship, among other things. In the final analysis, the items of assistance that we provided cost us far less than an East Coast contract.

Describing the shipping business in *The Merchant of Venice*, Shakespeare wrote, "Ships are but boards, sailors but men: there be land-rats and water-rats, water-thieves and land-thieves." This industry is an ever-changing battlefield, loaded with treachery, and populated by dozens of armies who are always changing sides, saying one thing but meaning another. It is an inhospitable, unpredictable place, where survival goes to the strong, and strength is sometimes measured by the ability to adapt. In the recently concluded Matson negotiations, the choice for us in the end was to adapt or die. In exchange, we get the Matson fleet intact, (provided of course Matson does not continue its deceitful ways and sell the ships anyway,) and we live to fight another day. It is a complicated victory, an ambivalent and conflicted victory, but it is still a victory.

President Adams—Don Kruse, bosun; Charley Supple, delegate. Met with the bosun at Headquarters on numerous issues. Email exchanges with the delegate on SARS-related issues.

Chevron Colorado—Scott Oliphant, bosun; Ron Gill, delegate. Minor clarifications. In good shape.

Ready Reserve Force, Alameda—delegate Vern Haik. Lay-up status still uncertain.

Cape Gibson—Danny Foster, bosun; John Crockett, delegate. Spent the war running ammo in the Persian Gulf, always underway. Many payroll problems taken up individually with the Company.

USNS Fisher—Dale Gibson, bosun. Persian Gulf questions on Imminent Danger Pay and potential war zone bonus.

USNS Seay—Dean Gross, bosun; Kenyon Taylor, delegate. Bosun and delegate doing a bang up job.

Continued on page 12

SUP Branch Reports

Seattle

March 17, 2003

During the period, shipped 3 bosuns, filled by 2 A members returned from a trip off and 1 B to USNS ship; 21 AB jobs filled by 3 A cards shipped to regular jobs and 1 A card to a relief, 7 B's, 5 C's and 5 D's filled the rest of the slots with seven of the jobs going to USNS ships; 1 OS to a USNS berth filled by a C member. Also shipped 12 standby jobs filled by 2 A, 6 B, 3 D and 1 MFOW member.

Registered during the period: 16 A cards for a total of 25; 9 B cards for a total of 20; 1 C cards for a total of 19.

Ships checked

APL Thailand, APL Singapore and APL Korea all back from the Far East and running smooth. Maui and Kauai routine clarifications.

Attended the King County Labor Council meeting, the Ballard Maritime Academy and YMTA meetings. Also the Puget Sound Harbor Safety Committee meeting, the Maritime Trades Department meeting and the Puget Sound Port Security meeting. I represented the Sailors' Union at the Washington State Labor Council's legislative conference in Olympia. We are entering the fourth month of the military sealift to Iraq and the SUP sailors shipping in the war effort deserve strong praise. The crews in these ships have been working around the clock while in port loading and discharging cargo and their efforts have not gone unnoticed. Our hats are off to all of you and we hope for a swift end to the hostilities.

Vince O'Halloran
Branch Agent

New pensioner

One SUP member has joined the rank of pensioner bringing the total number of SUP members now receiving a pension to 933:

Thomas C. Odell, 63, Book No. 2456, joined SUP in 1968, 25 years of seetime.

Vice President's Report

continued from page 11

USNS Gordon—Sam Scott, bosun; Anthony Brantley, delegate. Several questions on payroll and watchstanding arrangements. There are three possibilities in Full Operating Status: sea watches, cargo watches, or daywork. Three man watches with one bosun and the OS's as watchstanders at sea.

USNS Pililaau—Mike McGrahan, bosun. Scud missile attack offloading Kuwait. CBR/D training tested in live fire. (See story on page 9.)

USNS Brittin—Chris Rogers, bosun. Squared away ship enroute to U.S. from Persian Gulf.

USNS Yano—L.J. Benson, bosun. Numerous clarifications on watches, some disputed time taken up with the company.

USNS Mendonca—Doug Olney, bosun. Marcus Damien, delegate. Heading for Rotterdam.

USNS Shughart—Charlie Bulmer, bosun; Kirby Siville, delegate.

Dave Connolly

Wilmington

March 17, 2003

Shipped the following during the period: bosun: 5, AB: 16, AB maint.: 4 OS: 1, standby: 51 for a total of 77 jobs shipped.

Registrations: A:42 B:26 C:12 D:4

Ships checked

President Kennedy, Mokihana, Chief Gadao-Bert Genita, delegate, President Adams, Ewa-Joe McDonald, delegate, Mahimahi, APL Thailand-David Eriksen, delegate, Lihue-Philip Howell, delegate, President Polk, Lurline-Carl Ziegeler, delegate, APL Singapore-Ted Ochoa, delegate, Chief Gadao-Dean Smith, delegate, Ewa-Paul Barbour, delegate, President Grant, President Truman, Lihue-Charlie Duke, delegate, President Jackson, Marion.

Gunnar Lundeberg attended our March meeting to discuss two important issues: Matson's attempts to time charter their two new ships and the possible sale of the Headquarters' hall. The Wilmington membership appreciated Gunnar's answers to the rank and file's questions.

Meetings attended: February 20-Maritime Trades Department. Janice Hahn was the featured speaker and addressed port security.

February 24-Two meetings: Union Square Project Meeting to support the McCormick LaLanne Partners and LA County Federation of Labor.

February 25-Port Security Meeting with representatives of the Maritime Unions.

March 12-Marlinespike Class, Chris Bright was the only one of 7 sign-ups to show up. Don't sign up if you are not going to show. Sven makes extra food based on the sign up sheet. Thanks again to Mr. George Jackson for instructing and for keeping this program going for over a year now.

March 13-Pacific Corridor Community Advisory Committee Meeting to express my displeasure that McCormick LaLanne Partners was not chosen.

Please check your STCW certificates.

MFOW's Steve Callahan is a natural born agent who has been a pleasure to work with. He returned to the shore gang on April 1. Congratulations to Bill

O'Brien, his successor, and welcome to the Wilmington Hall.

On May 22, Maritime Day, we will dedicate the new Merchant Marine Wall of Honor at the end of 6th Street in San Pedro. Gunnar Lundeberg and Whitey Disley will speak at the luncheon. The Wilmington Hall will close after only one call at 9:00 A.M. Happy Maritime Day.

Mark Hurley
Branch Agent

Honolulu

March 17, 2003

During the month of February 2003, dispatched the following: 4 ABs, 3 AB reliefs. These jobs were filled by: 3 A members, 3 B members, and 1 D registrant. Also shipped 40 standby jobs filled by 1 A member, 8 B members, 18, C members, 10 D registrants, and 3 MFOW members. Total jobs shipped: 47.

During the month of February registered the following: 8 A members, 4 B members, 2 C members, and 1 D registrant. To date registered are: 10 A members, 8 B members, 6 C members, 3 D registrants, for a total of 27.

Ships checked

Maui, Lurline, Chief Gadao, Matsonia, Kauai, Ewa, R.J. Pfeiffer and Lihue. All with few or no problems. Paints and rigging gang running smoothly with George Lua as bosun.

On March 4, attended the funeral services for friend and retired MFOW member Melecio Jacobo. Smooth sailing, Mel!

On March 19, attended the Pacific Coast Labor Management Consortium Maritime training meeting; this discussion having to do about the feasibility of developing a local maritime recruitment and training program here in Hawai'i. On March 26, attended Hawai'i Ports Maritime Council meeting, interesting point brought up by ILWU representative Guy Fujimura on employment opportunities for his tourism division members with reflagged NCL cruise vessel.

Matters are a little tense at the terminal here in Honolulu concerning Matson's time charter scheme, all the major players are on our side. Remember historically "West Coast ships for West Coast sailors."

Mike Duvall, Branch Agent

San Francisco Business Agent

April 14, 2003

Visited and paid off the following ships:
Kauai—In and out. One man got off, forgot to renew seamen's papers.

Mahimahi—John Gabrouel, delegate: Voyage pay. No disputes.

Manoa—Bosun Don Bohle relieved by Robert Burns. Running smoothly.

Matsonia—Charlie Brown, delegate: Relief bosun Sonny Cooper, no disputes.

Maui—Chuck Maringer, delegate: Running smoothly, no disputes.

Mokihana—"The Polish Prince" Bujnowski, delegate, bosun Rolando Gerbacio: Back from shipyard in China.

Moku Pahu—Rolando Mendoza, delegate: At Crockett with a load of sugar, will go to lay up for a few weeks.

R.J. Pfeiffer—In from the Island; no disputes.

President Adams—Charlie Supple,

delegate: Last trip in Oakland, will then run out of Seattle to Los Angeles.

President Grant—Audra Tasa, delegate: Voyage pay off. Going to yard in China.

President Jackson—Rick Williams, delegate: Voyage pay off running smoothly.

President Kennedy—Dave Monroe, delegate: Voyage pay off. Will be reflagged with a foreign crew aboard.

President Polk—Jim Luke, delegate: Last trip to Oakland, will go on Seattle-L.A. run; no problems.

ASM Shoregang—Routine visit at Middle Harbor Road.

Colorado Voyager—Ronald Gill, delegate: On the milk run at Richmond Long Wharf.

Also worked in the front office during the month.

William Berger

Norfolk Office

March 2003

In the month of March, I shipped 4 AB jobs taken by 2 B cards and 2 C cards. The rest were shipped from Headquarters.

I continue to fly to Jacksonville Corpus Christi, Florida and Beaumont, Texas to pay off LMSR ships. Minor problems were settled to the gangs satisfaction. It seems on most ships all could be prevented as some captains, chief mates and chief engineers are from some gazzony outfits that had scab work force and will not recognize SUP/MFOW work rules, contact items, and proper protocol, which results in turnovers. Let's get topside straightened out before they point the finger. Also Patriot's consultant, who is as anti-union as they come.

In closing my report, I have sad news of one of our ex-SUP brothers and retired MM&P member. Brother Bill McManus passed away. The roots of the family go deep in the SUP. Victor (Silver) McManus, Sr. was chief mate in the Harry Lundeberg for 20 years. Bill and Victor, Jr. got their licenses when Local 90 MM&P sponsored SUP green tickets to go to Baltimore and young brother Jack continued to sail in the SUP. Jack was killed in San Francisco in a freak accident on his way home after working standby. Victor, Jr. and wife are retired in Las Vegas. My deepest condolences go out to the family. God Bless you Brother Bill, smooth sailing Brother Jack.

Jack Stasko, SUP Representative

U.S.-Flag Shipping Policy Reaffirmed

In adopting H.R. 1559, the Fiscal Year 2003 Emergency Wartime Supplemental Appropriations Act, the Congress reaffirmed that U.S. cargo preference policies are to be enforced with regard to cargoes purchased for the Iraqi relief and reconstruction programs. Senator Mary Landrieu (D-LA) initially authored language reaffirming U.S. maritime policy during initial Senate consideration of the funding measure. The provision was strongly endorsed vessel operating interests and maritime labor.

Dispatcher's Report

Headquarters
March 2003

Deck	
Bosun	3
Carpenter	0
MM	4
AB	27
OS	2
Standby	16
Total Deck Jobs Shipped	52
Total Deck B, C, D Shipped	16
Engine/Steward	
QMED	0
Pumpman	0
Oiler	0
Wiper	0
Steward	0
Cook	0
Messman	0
Total E&S Jobs Shipped	0
Total E&S B, C, D Shipped	0
Total Jobs Shipped - All Depts. ...	52
Total B, C, D Shipped-All Depts. .	16
Total Registered "A"	74
Total Registered "B"	71
Total Registered "C"	11
Total Registered "D"	12