



# West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXVII No. 1 583

SAN FRANCISCO, CALIFORNIA

Friday, January 23, 2004

## American cabotage under fire at WTO

A group of major shipping nations spearheaded by Hong Kong, Norway and Japan have questioned the validity of the continued exemption of the Jones Act (Merchant Marine Act of 1920) from global trade rules.

Hong Kong representatives told a session of the World Trade Organization's (WTO) ruling General Council in December that the exemption was a major breach of global trade principles. Hong Kong said it was puzzled by the demand of the United States to continue with outdated legislation, and noted the stance of Washington was not consistent with its commitments to trade liberalization.

The Jones Act, which affects both shipbuilding and maritime services, stipulates that the transport of cargo between U.S. ports must be carried by ships that are U.S.-built, registered, owned and crewed by U.S. citizens.

Norwegian representatives said there was a need to discuss the issue if the exemption condition still prevailed, while the Philippines said it remained "unconvinced" the circumstances were still valid for the cabotage exemption, trade officials said.

Shotaro Oshima, Japan's WTO ambassador, in a paper

circulated to members, said Tokyo wanted concrete answers related to the Jones Act and noted that to date the United States has only provided partial or insufficient answers. Japan argued that the annual report submitted by the United States in January "failed to isolate the relevant vessels covered by the exemption," it has never received.

Japan wants data on the number of shipbuilders in the United States that are owned or controlled by foreign capital, and the number of shipbuilders in the United States building relevant vessels covered by the exemption and the annual sales of those shipbuilders.

The European Union (EU), in a document circulated to WTO members, said it still could not judge if the American information was satisfactory and asked the United States to provide precise figures on the number and types of vessels/ships produced in the last five years in the framework of the Jones Act. The EU also wants the United States to provide data on the sale price of these vessels/ships; the name of the company (name of the shipowners); and the total amount of the aid awarded in relation to the sale price.

In response to the heavy criticism, Linnet F. Deily, deputy U.S. trade representative, said that the United States "stands ready to participate in a review of the exemption and noted the United States has continued to provide WTO members annual statistical reports." She said the United States had also hosted information consultations to discuss issues and said that "we have done our utmost to respond to questions that have been put to us on a more formal basis."

### INSIDE

ESU News ... Page 6  
SUP Training . Page 8

## U.S. merchant marine again responds as armed forces rotate troops and equipment in Iraq

United States-flag ships crewed by U.S. citizen merchant mariners have embarked on a new round of sailings to support the rotation of U.S. Armed Forces in Iraq and the postwar rebuilding of that nation, according to the U.S. Navy's Military Sealift Command, which is headed by Vice Admiral David L. Brewer III, USN.

The latest phase of U.S.-flag shipping operations is geared toward moving supplies and equipment needed by some 110,000 members of the Armed Forces being moved into theater and 130,000 troops out of Iraq, according to the MSC. The massive 240,000-troop rotation "is believed to require the largest, fastest sealift effort since World War II," according to the MSC.

MSC projects that some 23 million square feet of dry cargo will move during this new phase of Operation Iraqi Freedom from January through June of 2004, including nine million square feet into theater, and some 14 million square feet out of theater, compared to 21 million square feet of cargo that was delivered between January 1, and May 1, of last year.

MSC pointed out major differences between cargo shipped during 2003 and 2004 in and out of Iraq, noting that the lion's share of this year's shipments will consist of equipment needed for the stabilization and postwar

reconstruction in Iraq. Also the emphasis will be on shipping more combat service support equipment, as opposed to armored equipment shipped during 2003, MSC said.

ships chartered from the U.S.-flag commercial shipping industry, and government-owned ships activated by the Navy from reduced operating status, MSC said. And, more than 165 of the



USNS Shughart transits the Suez Canal loaded with supplies for military and reconstruction efforts in Iraq.

As the *West Coast Sailors* went to press, all eleven Large Medium-Speed Roll-On/Roll-Off (LMSR) vessels operated by Patriot Contract Services for the Military Sealift Command and crewed on deck by the SUP, were either enroute to Ash Shuaybah, Kuwait, or Antwerp, Belgium, or loading at East and Gulf Coast ports.

At the peak of Operation Iraqi Freedom sealift operations in mid-March of last year, more than 210 vessels were operated by the MSC, including cargo

210 ships directly supported Operation Iraqi Freedom operations by transporting a heavy volume of equipment for war fighters or for replenishing U.S. Navy ships at sea, according to MSC.

As part of its overall mission, MSC operates more than 120 non-combatant ships daily around the world. All MSC ships are crewed by civilian mariners who are federal service employees or are employed by companies under contract to the Navy.

*This article, in part, is courtesy of AMC's Washington Letter.*

## Democrats want all inbound charge containers inspected

The Democratic Party has responded to President George Bush's state of the union address on January 20, by demanding more focus on homeland security, including the inspection of all incoming cargo containers.

"Democrats have a better way to ensure our homeland security," said Democratic House leader Nancy Pelosi. "One hundred percent of containers coming into our ports or airports must be inspected. Today, only three

percent are inspected." Pelosi's proposal, which would tie up U.S. ports for months, indicate that domestic defense will be a key issue in November's presidential election.

Massachusetts Senator John Kerry, who has emerged as a front runner for the Democratic nomination, echoed Pelosi's remarks in an interview with ABC News, when he declared that "homeland security has not been adequately funded."

Senator Edward Kennedy, a Kerry ally, told CNN that the war in Iraq "has deflected our efforts and energy both in homeland security and also to pursue the problems of the terror and Al Qaeda." But Bush stood firm in his speech, saying that "law enforcement personnel and intelligence officers are tracking terrorist threats" while "the men and women of our new Homeland Security Department are patrolling our coasts and borders."



Second class postage paid at San Francisco, CA (USPS 675-180)

# SUP Honor Roll

Voluntary contributions from the membership to the following funds:

## Organization/ General Fund

\*In lieu of dues increase.

Gordon Abbott .....	50.00
Nicholas Anestis .....	40.00
Linda Cramp .....	20.00
Steven Crute .....	20.00*
Rex Daniels .....	40.00
Tony Fague .....	500.00
Tony Fague .....	20.00*
Raymond Flores .....	50.00
Daniel Foster .....	20.00
John Gouveia .....	50.00
Rex Harper .....	30.00
Jan Johnsson .....	20.00
Norman Kwak .....	50.00
Gunnar Lundeberg .....	50.00
Ian McLeod .....	100.00
Steve Messenger .....	25.00
Joe Moitoso .....	80.00
Thomas Riley .....	20.00*
Arthur Thanash .....	480.00*
Tom Tynan .....	20.00*

## Political Fund

Gordon Abbott .....	50.00
Nicholas Anestis .....	40.00
James Bailey .....	20.00
Martin Birdsell .....	50.00
Brendan Bohannon .....	40.00
Randy Coady .....	100.00
Linda Cramp .....	50.00
Mike Dirksen .....	20.00
Mike ElMobdy, Jr. ....	20.00
Raymond Flores .....	50.00
Steve Foster .....	50.00
Roberto Garcia .....	10.00
John Gouveia .....	50.00
Delmar Harlow .....	100.00
Rex Harper .....	30.00
Mark Hurley .....	80.00
Knud Jensen .....	20.00
Hans Jorgensen .....	30.00
Gunnar Lundeberg .....	50.00
Mike McLavy .....	100.00
John McNeill in memory of J. Juth and D. Hardy .....	20.00
Steve Messenger .....	25.00
David Munroe .....	20.00
Michael Murner .....	10.00
Donald O'Halloran .....	20.00
Vince O'Halloran .....	100.00
John Peterson .....	40.00
Erik Pettersson .....	25.00
Michael Pfleegor .....	20.00
Ray Ramirez .....	100.00
Knud Rasmussen .....	20.00
Vincent Reardon .....	20.00
Oliver Ryan .....	40.00
Edward Sabo .....	20.00
Anton Sevaraseyor .....	10.00
David Shands .....	20.00
William Sullivan .....	30.00
Louis Urbano .....	20.00
Grant Wegger .....	80.00
Steve Zachman .....	20.00
Joe Zyga .....	500.00

## West Coast Sailors

Gordon Abbott .....	50.00
Nicholas Anestis .....	40.00
Pio Aujero .....	40.00
Robert Bacon .....	30.00
Clyde Bell .....	20.00
Martin Birdsell .....	50.00
Chris Bujnowski .....	10.00
Edward Ching .....	50.00
Linda Cramp .....	10.00
Romaine Dudley .....	20.00
Robert Edelhauser .....	10.00
Thor Erikson .....	10.00
Louis Evans .....	25.00
Raymond Flores .....	30.00
John Folcarelli .....	20.00
Daniel Foster .....	20.00
John Gouveia .....	50.00
Rex Harper .....	30.00
William Holladay .....	25.00
Philip Howell .....	25.00
Sedek Idris .....	10.00
Romero Jalomo .....	10.00
James Kawasaki .....	20.00
Stanley Lane .....	20.00
Lincoln Lee .....	50.00
Tommy Mariner .....	100.00
John Masterson .....	25.00
Steve Messenger .....	25.00
Jack Milano .....	25.00
Joe Moitoso .....	20.00
Erik Pettersson .....	25.00
Michael Pfleegor .....	20.00
Knud Rasmussen .....	20.00
Edward Sabo .....	20.00
James Saiki .....	25.00
Ralph Senter .....	20.00
Francis Smith .....	25.00
Lynn Smith in memory of Eugene Wasch .....	40.00
Dennis Tinsley .....	20.00
Carl Walters .....	25.00
Michael Webb .....	25.00
Charles Williams .....	25.00
Richard Ziemba .....	10.00



## Dues-Paying Pensioners

Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Gunnar Larsen	Book #3516
Orson Larsen	Book #4095
John McKeon	Book #6456
Leonard Millsap	Book #6140
Joseph Napier	Book #2299
John Perez	Book #3810
Ralph Senter	Book #7323

# District Court rules that anthrax immunizations can begin again

A federal judge ruled January 7, that the Defense Department could again legally administer anthrax immunizations to troops. That same day, DOD personnel chief Dr. David S.C. Chu noted in a department-wide memorandum that military commanders "should immediately resume the anthrax vaccination program."

The department's Anthrax Vaccine Immunization Program (AVIP) had been in hiatus since December 23, after an injunction granted by the U.S. District Court for the District of Columbia caused DOD to suspend the program.

The department, Chu wrote in the memo, "remains convinced that the AVIP complies with all legal requirements, and there is now no judicial restraint" on administration of the vaccine.

Senior DOD leaders, including Defense Secretary Donald Rumsfeld and Joint Chiefs of Staff Chairman Air Force General Richard Myers, maintain that the anthrax vaccine is a safe and necessary prophylactic for U.S. troops deployed in the war against terrorism where enemies may employ biological, chemical or nuclear weapons of mass destruction. Both Rumsfeld and Myers have received anthrax shots.

On December 30, the Food and Drug Administration announced that the anthrax vaccine does protect against the inhaled form of the bacteria. In a statement, the drug agency described its conclusion that "the licensed anthrax vaccine, Anthrax Vaccine Absorbed, is safe and effective for the prevention of anthrax disease regardless of the route of exposure."

Its language was clearly directed at Judge Emmet Sullivan of the U.S. District Court for Washington, D.C., who issued the injunction to halt the Pentagon's use of what he described as "an investigational drug." The judge wrote that the vaccine had been approved by the drug agency to protect against skin exposure to anthrax but not against airborne anthrax, the most likely route through which bacteria would be used to threaten American forces on the battlefield.

In its statement, the FDA said the new "final rule and order" made clear that it "does not regard the approved anthrax vaccine as investigational for protection against inhalation anthrax." The new determination, the statement said, was "relevant and should be considered in any further litigation in this matter."

Critics challenging the Pentagon's mandatory anthrax vaccine program say the timing of the FDA's announcement was driven by politics to overrule the court's findings.

The FDA countered by saying that numerous public studies undertaken by government laboratories and independent researchers confirm the safety and effectiveness of the vaccine against inhaled anthrax.

## U.S. indicts engineers for Norway waste 'cover up'

A U.S. federal grand jury has indicted three engineers in December, from Norwegian Cruise Line for concealing the dumping of oil-contaminated waste from the historic *Norway* steamship in 2000. The crimes have already cost the Star Cruises subsidiary \$1.5 million in fines and environmental contributions, in an August 2002 plea bargain which caused the U.S. Department of Justice to describe it as the "model suspect". The *Norway* itself is out of commission following a fatal quayside explosion in Miami in May.

The latest indictment has been described by assistant attorney general Thomas Sansonetti as "necessary to show

companies and individuals operating and managing ships that they may not pollute our oceans and lie to our government".

The allegedly accused chief engineers Knot Sorboe and Peter Solemdal, and senior first engineer Aage Lokkebraten, face up to five years in prison and \$25,000 in fines. Sorboe and Solemdal no longer work for NCL.

The whistle-blower who videotaped their actions and supplied the tape to federal prosecutors, second engineer Finn Bergendahl, has pocketed a \$250,000 reward paid out of the \$1.5 million fine.

## Final Departures

**James Ne**, Book No. 2292. Born in Hawai'i in 1917. Joined SUP in 1946. Died in Wilmington, California, December 17, 2003. (Pensioner)

**Richard Vos**, Book No. 706. Born in Minnesota in 1916. Joined SUP in 1944. Died in Healdsburg, California, November 22, 2003. (Pensioner)

## SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2004:

	Hdq.	Branch
February	19	17*
March	8	15
April	12	19
May	10	17
June	14	21
July	12	19
August	9	16
September	13	20
October	12*	18
November	8	15
December	13	20

\*Tuesday

## West Coast Sailors

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  
FAX: (310) 835-9367  
**Honolulu, HI 96813**  
707 Alakea St. (808) 533-2777  
FAX: (808) 531-3058  
**Norfolk, VA 23508**  
1058 West 39th Street (757) 489-3865  
FAX: (757) 489-3785

### WELFARE OFFICE

(415) 778-5490

### PENSION PLAN OFFICE

(415) 437-6889

Support the SUP Political Fund

## Federal judge delays Bush anti-Union reporting rule

On New Year's Eve, just hours before an onerous new rule by President Bush would have begun to hamstring Unions, a federal judge issued a one-year injunction on the Department of Labor's attempt to force burdensome new financial reporting rules on Unions.

With the rules set to go into effect January 1, 2004, the AFL-CIO filed suit to block the rules.

U.S. District Court Judge Gladys Kessler wrote in her injunctive decision that Secretary of Labor Elaine Chao "has simply failed to offer any reasonable justification for requiring such far-reaching changes to take place in seven weeks."

In October, the Bush administration announced the new rules less than 24 hours after the U.S. House of Representatives, spurred by Union-member lobbying, voted to block the Bush administration's attack on overtime pay by supporting an amendment to an appropriations bill to stop the White House from weakening overtime pay protections. Then after the new rule was approved by the White House Office of Management and Budget on November 10, the Bush administration announced it would begin enforcing the new rules January 1.

Kessler said such a short period of time for Unions to come into compliance would cause Unions "irreparable harm."

The new reporting rules—which could cost local and national Unions as much as \$1 billion a year—are part of the Labor-Management Reporting and Disclosure Act and involve the LM-2 annual report all Unions file with the Labor Department.

The fast track of the proposed Bush rule would have made it virtually impossible for Unions to comply in time. The computer and software requirements would have been difficult enough, let alone the itemizing of all financial transactions for a year.

The rule would require that Unions would have to separate all expenditures over \$5,000 into categories of politics, gifts and administrative costs. Some Unions stated that the requirements were also an effort to weaken labor's role in politics.

The Labor Department has said that the requirements were an effort to allow individual Union members to see how their dues are used.

Kessler said the delay would not be a big deal because there have been reporting rules in place for over 40 years that would continue.

An AFL-CIO spokesperson said, "...these mind-boggling rules are not only designed to bury locals in a flood of paperwork and will cost millions of dollars to implement, but what's really disturbing is that we were only given a few months to come into compliance with the new law, while on the other hand the Security and Exchange Commission issues new reporting rules for corporations, and delays full implementation for 13 years to ensure the system works. Something is rotten in Denmark." *Source: Labor World*

## Ports, ships, miss terror plan filing deadline

Almost 5,000 ships and about 80 percent of the nation's ports, ferry terminals and fuel-chemical tank farms failed to meet a New Year's Eve deadline for submitting maritime security plans showing how they will deal with terrorism threats.

Security measures to prevent attacks from the sea have fallen far behind efforts to protect airports and airplanes since the September 11 terror strikes.

Congress ordered the maritime shipping industry to tighten security last year amid fears that an attack on a seaport could kill thousands, cause tremendous property damage and cost tens of billions of dollars in lost revenue to the U.S. economy.

Coast Guard officials said the deadline for the plans was met by about 5,200 of 10,000 ships told to submit them and only 1,100 of 5,000 port facilities despite a potential fine of \$25,000.

"We do not have all the plans," Lt. Commander Jeff Carter said. "We recognize that despite our best efforts, there are those who won't comply for a variety of reasons."

December 31, also was the deadline for airports to start screening all airline baggage electronically for explosives. But Deputy Homeland Security Secretary James Loy told Congress two months ago that the deadline would not be met at five airports. "A handful" of airports still don't have the screening equipment installed, said Darrin Kayser, a Transportation Security Administration spokesman.

In the aftermath of the September 11 attacks, Congress required the electronic screeners to be in place a year

ago. But when it became clear it couldn't be met, lawmakers moved the deadline back a year.

One reason ships, ports and other facilities were missing their deadline is they were given too little time, said Maureen Ellis, a spokeswoman for the Association of American Port Authorities. The government didn't finalize what it wanted until October 22, though the ships and ports were told July 1 they had six months to submit the plans.

Ellis also said some ports found the regulations and requirements to be overwhelming. The "plan review approval form" for cruise ship terminals, for example, is 20 pages long.

The new law requires a difficult attitude adjustment, said Thomas Allegretti, president of the American Waterways Association, which represents owners and operators of tugboats and barges. It's hard for tugboat captains, used to worrying about running aground, to suddenly start thinking about a terrorist hijacking an oil tanker and turning it into a floating bomb, he said.

The tugboat and barge industry submitted plans to the Coast Guard that include training crews about potential threats, securing vessels' perimeters and restricting access to vessels, Allegretti said.

Lt. Commander Richard Teubner said the Coast Guard expects to get plans in the mail this month from many ports, stevedoring companies, offshore oil drillers and shipowners.

The plans have to be implemented by July 1, when the Coast Guard can start turning away ships and shutting down ports that don't comply.

## On the island run



Aboard Matson Navigation Company's *R.J. Pfeiffer*, the SUP gang is pictured during a ship's barbecue on the bridge wing on December 16. From left to right: Tommy James, Bosun Ed Drake, Carl Ziegeler, Mitch Roseveare, Delegate Norm Kurtz, and Abe Acosta.

## SUP officials appointed to maritime security committees

The United States Coast Guard has appointed two officers of the Sailors' Union of the Pacific to Area Maritime Security Committees.

Seattle Branch Agent Vince O'Halloran was named to the Puget Sound Area Maritime Security Committee by Captain Danny Ellis, USCG Captain of the Port, Puget Sound. SUP Secretary-Treasurer Gunnar Lundberg was tapped by Captain Gerald Swanson, Captain of the Port, San Francisco, to serve on the Northern California Area Maritime Security Committee. The other labor representatives on the two Committees are from the ILWU.

The mission of the Committees, which are mandated by the Maritime Transportation Act and established at all major U.S. ports, is to:

- 1) Develop an Area Maritime Security Plan aimed at maintaining acceptable risk levels during normal operations and during times of heightened threats. This plan will outline scalable security procedures to be taken by Marine Transportation System (MTS) stakeholders to ensure the continued safety and security of our nation's port and MTS;
- 2) Integrate, and/or amend, existing security assessments of maritime facilities using agreed criteria. Assessments to be used to determine appropriate fa-

cility security measures;

3) Coordinate training and conduct area maritime security exercises;

4) Advocate Maritime Domain Awareness (MDA) infrastructure improvements for the port;

5) Develop and adopt preventative security measures for appropriate maritime security levels to address increased threat conditions. These measures will meet consolidated requirements of all agencies having jurisdiction and will be used to influence interim and future regulations;

6) Develop procedures for information sharing for threat warnings, response, intelligence-gathering and threat assessment among maritime stakeholders;

7) Produce stakeholder recommendations for continuing improvements for port security measures; and

8) To the extent possible, promote effective security measures that maintain or enhance operational efficiencies and minimize impact to trade.

In addition to labor representatives, the Area Maritime Security Committees are comprised of individuals from all aspects of the maritime industry (terminal operators, shipping companies, etc.) and various federal agencies (Bureau of Border Protection and Inspection, Customs, FBI, MarAd, Transportation Security Administration, etc.)

## Mulholland retires from Matson

After more than 38 years of service, C. Bradley Mulholland retired from Matson Navigation Company on January 1.

Mulholland joined Matson in 1965 and served in a variety of increasingly responsible positions throughout the company, ultimately being named president and chief operating officer of Matson in 1990, and then president and chief executive officer in 1992. In 2002, he became vice chairman of Matson and executive vice president of Alexander & Baldwin, Matson's parent company.

Mulholland started as an assistant booking clerk in Southern California and, over the years, held such varied positions as district sales manager, regional sales manager, vice president sales, vice president of Matson Agencies, senior vice president in freight operations and president of Matson Terminals, Inc.

In 1996, Mulholland was honored by the United Seamen's Service with the prestigious Admiral of the Ocean Sea Award (AOTOS). He is a lifetime member of the National Defense Transportation Association and currently serves on the Board of the Standard Steamship Owners' Association and the San Francisco Bay Area Council. Mulholland is also on the Board of Trustees of the National Maritime Museum Association in San Francisco. He also served for ten years on the Mainland Distribution Committee of the A&B Foundation, the company's charitable giving arm.

**John M. Alsup**, Book No. 8855. Born in Missouri in 1929. Joined SUP in 1952. Died in Weaverville, California, January 31, 2003. (Pensioner)

**James Anderson**, Book No. 3390. Born in Washington in 1922. Joined SUP in 1944. Died in Sacramento, California, June 16, 2003. (Pensioner)

**John E. Andersson**, Book No. 5393. Born in Sweden in 1916. Joined SUP in 1947. Died in Lawrence Harbor, New Jersey, January 24, 2003. (Pensioner)

**Jacob Bean**, Book No. 5186. Born in Poland in 1921. Joined SUP in 1946. Died in Florida, August 30, 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)

**Eldon C. Bigelow**, Book No. 5666. Born in Idaho in 1931. Joined SUP in 1955. Died in Blythe, California, September 21, 2003. (Pensioner)

**Frank I. Bobu**, Book No. 5449. Born in California in 1926. Joined SUP in 1948. Died in Palo Alto, California, April 27, 2003. (Pensioner)

**Charles Bolton**, Book No. 4586. Born in Iowa in 1919. Joined SUP in 1944. Died in Grass Valley, California, September 15, 2003. (Pensioner)

**Robert E. Brown**, Book No. 5101. Born in Colorado in 1926. Joined SUP in 1946. Died in Lakeport, California, August 29, 2003. (Pensioner)

**Alfred Calvin Page, Jr.**, Book No. 3684. Born in California in 1925. Joined SUP in 1948. Died in California, May 15, 2003. (Pensioner)

**Florentino R. Canaynay**, Book No. 17414. Born in Philippines in 1929. Joined SUP in 1978. Died in San Francisco, California, April 24, 2003. (Pensioner)

**Miguel Cecilio**, Book No. 4693. Born in Texas in 1929. Joined SUP in 1953. Died in Redwood City, California, November 20, 2003. (Pensioner)

**Ernesto Chang**, Book No. 2775. Born in Hawai'i in 1907. Joined SUP in 1934. Died in Laguna Niguel, California, October 1, 2003. (Pensioner)

**Joseph F. Collins**, Book No. 4655. Born in New Jersey in 1907. Joined SUP in 1954. Died in Long Beach, California, July 24, 2003. (Pensioner)

**Richard E. Conley**, Book No. 4774. Born in California in 1947. Joined SUP in 1965. Died in Fresno, California, July 18, 2003.

**John J. Davisson**, Book No. 2072. Born in California in 1919. Joined SUP in 1942. Died in California, September 2, 2003. (Pensioner)

**Donald B. Dayrel**, Book No. 1764. Born in California in 1913. Joined SUP in 1934. Died in Renton, Washington, August 16, 2003. (Pensioner)

**Froyland Diaz**, Book No. 2720. Born in Hawaii in 1920. Joined SUP in 1967. Died in Louisiana, December 24, 2002. (Pensioner)

**Thomas P. Dolan**, Book No. 2695. Born in Ireland in 1924. Joined SUP in 1951. Died in Ireland, January 3, 2003. (Pensioner)

**James M. Dooley**, Book No. 1993. Born in Washington in 1917. Joined SUP in 1940. Died in Edmunds, Washington, July 20, 2003. (Pensioner)

**Robert F. Eveland**, Book No. 1683. Born in Iowa in 1925. Joined SUP in 1944. Died in Corpus Christi, Texas, July 27, 2003. (Pensioner)

**Homer Fah**, Book No. 2168. Born in China in 1916. Joined SUP in 1950. Died in San Francisco, California, January 25, 2003. (Pensioner)

**James Fernandes**, Book No. 1706. Born in Massachusetts in 1923. Joined SUP in 1942. Died in Harbor City, California, July 9, 2003. (Pensioner)

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

**Vaughn E. Goodman**, Book No. 2992. Born in Missouri in 1927. Joined SUP in 1966. Died in Las Vegas, Nevada, August 8, 2003. (Pensioner)

**Carroll J. Gray**, Book No. 2671. Born in Georgia in 1919. Joined SUP in 1946. Died in Montana, May 2, 2003. (Pensioner)

**Arne Halkier**, Book No. 5580. Born in Denmark in 1918. Joined SUP in 1937. Died in Santa Rosa, California, December 7, 2002. (Pensioner)

**Max Korenblatt**, Book No. 2354. Born in Pennsylvania in 1906. Joined SUP in 1938. Died in San Francisco, California, September 12, 2003. (Pensioner)

**Bernhard V. Kristensen**, Book No. 2449. Born in Denmark in 1916. Joined SUP in 1942. Died in Solvang, California, April 5, 2003. (Pensioner)

**Yutaka Kunimura**, Book No. 2685. Born in Hawai'i in 1921. Joined SUP in 1945. Died in Honolulu, Hawai'i, September 26, 2003. (Pensioner)

**Doyle E. Lacy**, Book No. 3936. Born in Arkansas in 1928. Joined SUP in 1944. Died in Arkansas, January 5, 2003. (Pensioner)

**Peter LaFrance**, Book No. 3987. Born in California in 1929. Joined SUP in 1952. Died in Daly City, California, August 28, 2003. (Pensioner)

## In Memoriam

### Final Departures of SUP members reported in 2003

**Aage Knud Hansen**, Book No. 4596. Born in Denmark in 1921. Joined SUP in 1941. Died in Costa Rica, November 18, 2002. (Pensioner)

**Hardy V. Hansen**, Book No. 5596. Born in Denmark in 1924. Joined SUP in 1948. Died in Port Angeles, Washington, December 10, 2002. (Pensioner)

**William F. Hanshew**, Book No. 4608. Born in Florida in 1924. Joined SUP in 1941. Died in Hemet, California, June 27, 2003. (Pensioner)

**Charles Harry Irvin**, Book No. 339. Born in Oklahoma in 1912. Joined SUP in 1944. Died in San Francisco, California, October 5, 2002. (Pensioner)

**Chester Hazel**, Book No. 5746. Born in Oklahoma in 1930. Joined SUP in 1948. Died in San Francisco, California, April 13, 2003.

**Harold C. Hazen**, Book No. 5863. Born in Wisconsin in 1934. Joined SUP in 1964. Died in California, September 26, 2003. (Pensioner)

**Ralph Healy**, Book No. 5700. Born in California in 1926. Joined SUP in 1947. Died in Ontario, California, December 13, 2002. (Pensioner)

**Jacob G. Hilzendrager**, Book No. 5801. Born in North Dakota in 1937. Joined SUP in 1953. Died in Sonoma County, California, July 14, 2003. (Pensioner)

**Nicholas Kamai**, Book No. 3011. Born in Hawai'i in 1917. Joined SUP in 1948. Died in Hawai'i, September 30, 2003. (Pensioner)

**Soloma Kapahu**, Book No. 3036. Born in Hawai'i in 1919. Joined SUP in 1946. Died in San Francisco, California, May 5, 2003. (Pensioner)

**Joseph Kelso**, Book No. 3142. Born in California in 1934. Joined SUP in 1963. Died in Concord, California, October 9, 2003. (Pensioner)

**David Kenney**, Book No. 2385. Born in California in 1920. Joined SUP in 1941. Died in Alameda, California, March 31, 2003. (Pensioner)

**Soon H. Kong**, Book 0431. Born in Hawai'i in 1928. Joined SUP in 1974. Died in San Francisco, California, April 24, 2003. (Pensioner)

**Alvin Layton**, Book No. 3875. Born in New Jersey in 1927. Joined SUP in 1944. Died in San Francisco, California, October 17, 2003. (Pensioner)

**Alfred Loschi**, Book No. 4063. Born in Michigan in 1920. Joined SUP in 1952. Died in British Columbia, Canada, April 29, 2003. (Pensioner)

**George E. Lua**, Book No. 4078. Born in Hawai'i in 1941. Joined SUP in 1966. Died in Honolulu, Hawai'i, May 14, 2003.

**Leon Lundbord**, D-759. Born in Okinawa in 1974. Joined SUP in 2000. Died in Crete, Suda Bay, September 4, 2003.

**Alvin Madruga**, Book No. 5189. Born in California in 1916. Joined SUP in 1943. Died in Hayward, California, March 3, 2003.

**Glenn W. McCarter**, Book No. 4731. Born in Tennessee in 1912. Joined SUP in 1934. Died in San Diego, California, May 12, 2003. (Pensioner)

**Gilbert H. Mill**, Book No. 6448. Born in Washington in 1936. Joined SUP in 1964. Died in Lynwood, California, November 15, 2003. (Pensioner)

**Alfred Milne**, Book No. 5764. Born in California in 1927. Joined SUP in 1944. Died in Long Beach, California, August 12, 2003. (Pensioner)

**John F. Morrell**, Book No. 6517. Born in Massachusetts in 1957. Joined SUP in 1991. Died in Boston, Massachusetts, May 2, 2003.

**Anthony Morris**, Book No. 4631. Born in Massachusetts in 1912. Joined SUP in 1935. Died in San Francisco, California, November 20, 2003. (Pensioner)

**Alexander Morse**, Book No. 6192. Born in Estonia in 1912. Joined SUP in 1947. Died in Los Angeles, California, April 21, 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)

**Paul Nielsen**, Book No. 2302. Born in Denmark in 1920. Joined SUP in 1946. Died in Sonoma, California, November 28, 2002. (Pensioner)

**Mike Orosz**, Book No. 2165. Born in Pennsylvania in 1918. Joined SUP in 1943. Died in Aberdeen, Washington, May 29, 2003. (Pensioner)

**Joseph R. Page**, Book No. 3586. Born in Oregon in 1925. Joined SUP in 1945. Died in Tukwila, Washington, June 28, 2003. (Pensioner)

**Lorenzo B. Perez**, Book No. 3760. Born in Mexico in 1917. Joined SUP in 1951. Died in Escondido, California, December 27, 2002. (Pensioner)

**Jake Piel**, Book No. 2930. Born in Michigan in 1917. Joined SUP in 1937. Died in Seattle, Washington, August 11, 2003. (Pensioner)

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

**Jake Reed**, Book No. 14211. Born in California in 1924. Joined SUP in 1966. Died in Meridian, Idaho, June 7, 2003. (Pensioner)

**Frank J. Rizzi**, Book No. 2748. Born in California in 1922. Joined SUP in 1945. Died in Astoria, Oregon, October 14, 2003. (Pensioner)

**Leonard Rush**, Book No. 3075. Born in Ohio in 1926. Joined SUP in 1952. Died in San Diego, California, June 24, 2003. (Pensioner)

**Paul Fredrick Salan**, Book No. 7387. Born in Finland in 1916. Joined SUP in 1955. Died in San Francisco, California, December 20, 2002. (Pensioner)

**Demorito B. Sampior**, Book No. 7251. Born in the Philippines in 1914. Joined SUP in 1952. Died in San Francisco, California, October 24, 2003. (Pensioner)

**Vincent Leo Schmitt**, Book No. 7000. Born in California in 1918. Joined SUP in 1947. Died in Las Vegas, Nevada, November 11, 2002. (Pensioner)

**Melvin G. Silva**, Book No. 7437. Born in California in 1928. Joined SUP in 1960. Died in Las Vegas, Nevada, January 21, 2003. (Pensioner)

**Charles J. Smith**, Book No. 7090. Born in New York in 1919. Joined SUP in 1947. Died in San Francisco, California, November 11, 2003. (Pensioner)

**Gerald B. Spaulding**, Book No. 7470. Born in California in 1929. Joined SUP in 1947. Died in Wilmington, California, November 27, 2003. (Pensioner)

**Hugh Steel**, Book No. 6171. Born in England in 1921. Joined SUP in 1943. Died in Everett, Washington, November 17, 2003. (Pensioner)

**William F. Sweigart**, Book No. 7286. Born in Kansas in 1924. Joined SUP in 1953. Died in Australia, November 14, 2002. (Pensioner)

**Warren Sypolt**, Book No. 7022. Born in West Virginia in 1921. Joined SUP in 1947. Died in Arizona, November 9, 2002. (Pensioner)

**Bradford G. Templeman**, Book No. 2045. Born in California in 1912. Joined SUP in 1943. Died in California, August 14, 2003. (Pensioner)

**Kristian Vindum**, Book No. 666. Born in Denmark in 1919. Joined SUP in 1943. Died in El Dorado, California, December 25, 2002. (Pensioner)

**Robert Weaver**, Book No. 2864. Born in Illinois in 1922. Joined SUP in 1943. Died in Long Beach, California, October 25, 2003. (Pensioner)

**Dell Ray Wesson**, Book No. 3584. Born in Oklahoma in 1929. Joined SUP in 1945. Died in San Angelo, Texas, November 6, 2003. (Pensioner)

**Raymond C. White, Jr.**, Book No. 3006. Born in Louisiana in 1920. Joined SUP in 1944. Died in Anaheim, California, June 6, 2003. (Pensioner)

## Union member rights under U.S. labor law

The Labor Management Reporting and Disclosure Act (LMRDA) guarantees certain rights to Union members. Office of Labor Management Standards (OLMS) enforces many LMRDA provisions while other provisions, such as the bill of rights, may only be enforced by union members through private suit in Federal court.

### Subchapter II. [Title I of LMRDA]. Bill of Rights of Members of Labor Organizations

#### Sec. 411. [Sec. 101.] Bill of rights; constitution and bylaws of labor organizations

(a)(1) Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws. (2) Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: Provided, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations. (3) Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on September 14, 1959 shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization of a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: Provided, That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization. (4) No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: Provided, That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof. And provided further, That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition. (5) No member of any labor organization, may be fined, suspended, expelled, or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing. (b) Invalidity of constitution and bylaws Any provision of the

constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect. (P.L. 86-257, title I, Sec. 101, Sept. 14, 1959, 73 Stat. 522.)

#### Sec. 412. [Sec. 102.] Civil action for infringement of rights; jurisdiction

Any person whose rights secured by the provisions of this subchapter have been infringed by any violation of, this subchapter may bring a civil action in a district court of the United States for such relief (including injunctions) as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located. (P.L. 86-257, title I, Sec. 102, Sept. 14, 1959; 73 Stat. 523.)

#### Sec. 413. [Sec. 103.] Retention of existing rights of members

Nothing contained in this subchapter shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization. (P.L. 86-257, title I, Sec. 103, Sept. 14, 1959, 73 Stat. 523.)

#### Sec. 414. [Sec. 104.] Right to copies of collective bargaining agreements

It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal, office of the labor organization of which he is an officer copies of any such agreement made or received by, such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 440 of this title shall be applicable in the enforcement of this section. (P.L. 86-257, title I, Sec. 104, Sept. 14, 1959, 73 Stat. 523.)

#### Sec. 415. [Sec. 105.] Information to members of provisions of chapter

Every labor organization shall inform its members concerning the provision of this chapter. (P.L. 86-257, title I, Sec. 150, Sept. 14, 1959, 73 Stat. 523.)

## Nine face trial over sinking of Greek ferry *Samina*

Nine people will stand trial over the sinking of a Greek ferry in which 80 people were killed in September 2000, a regional court said in December.

The *Express Samina* sank off the Aegean resort island of Pares with 500 people onboard after hitting a well-charted islet. It was one of Greece's worst maritime disasters in decades.

The master is charged with multiple manslaughter with possible malice. He has said he was taking a nap at the time of the crash because he was unwell.

His second-in-command, who said bad weather prevented him from steering away from the rocks, will also stand trial along with three other crew members, all accused of dereliction of duty and putting passengers at risk.

Two then-representatives of the vessel's owner, Minoan Flying Dolphins, part-owned by Minoan Lines, face charges of insufficient care regarding the 35-year-old ship's rescue equipment and the crew's training.

Two coastguard inspectors are accused of falsely certificating ship rescue equipment as being in good order. No date has yet been set for the trial.

## Vote in the SUP Election

## SUP well represented in s/s *Lane Victory*



At the November meeting of the Maritime Trades Department's Southern California Port Council aboard the s/s *Lane Victory*, the SUP contingent is pictured. Front row left to right: Mark Littlejohn, Duane Nash, Sven Ostman, Rob Morgan, Mark Hurley. Back row: Tom Larkin, Gunnar Lundeborg, George Jackson, John Folcarelli, Ray Person, and Captain William Carroll.

## Major companies call for safety changes to Philippine fleet

Top Philippine shipping companies have issued an urgent call for a domestic maritime safety framework to put an end to the country's maritime disasters. The Maritime Industry Cluster issued its call following the latest ferry tragedy in the country, the sinking of the 63-ton *Piety* in heavy weather which left 55 dead.

"There is an urgent need to institute an aggressive safety regulatory framework for our domestic fleet," the cluster said in a report entitled, 'Maritime Safety for the Philippine Domestic Fleet'. We must agree how international standards may be applied or adopted to the domestic fleet which, because of the nature of its operations, differ in size, specifications, operations and usage, as well as management sophistication, from that of international shipping."

The Cluster comprises many of the top domestic shipping companies in the Philippines such as Aboitiz Transport System Group, Negros Navigation, Lorenzo Shipping and Sulpicio Lines. It called for higher requirements for crew training for seafarers working on domestic vessels. While the Philippines is the world's largest supplier of seafarers, the standards domestics seafarers have to comply with are lower than those working internationally.

"In order to achieve a zero-accident record in Philippine waters and gain public trust and confidence in the industry, [the] government and the private sector must work together to design a maritime safety framework that will be implemented over the next two to three years," the report said. The report also called for the phasing out of wooden hulled vessels commonly used in domestic transport in the country of over 7,000 islands.

## Irish Register under threat of flag-of-convenience status

The Irish shipping register could become regarded as a flag-of-convenience location according to the Marine spokesman for the Opposition Labor Party.

Parliamentary Deputy, Tommy Broughan, has claimed that of eight ships registered in the past two months, most are over 20 years old and one is over 30 years and that they originate from Italy and have no connection with Ireland. Five are registered in the Port of Cork, but the owners and managers have no connection with the port.

Deputy Broughan said that master mariners and insurers had raised the issue with him and that there was great concern about it. He claimed that there could be as many as 40 other old ships to be registered in Ireland.

The Irish shipping register has averaged a low of 30 ships in recent years, but since the introduction of tonnage tax arrangements, last year there has been apparent interest from abroad in using the Irish Tricolor to sail under.

## ESU Office Assignments

For the month of February, Leo DeCastro will be in the Seabrook office and Tom Thompson will be in the Benicia office.



JANUARY 2004

Official Publication of the Exxon Seamen's Union

## ULP charges filed against SeaRiver

On Friday January 16, 2004, the Exxon Seamen's Union filed two Unfair Labor Practice charges against SeaRiver Maritime Inc. This action was taken after the Union exhausted all efforts over the last couple of months in an attempt to resolve the issue. The company seemed unwilling to do anything other than paying their usual disingenuous lip service and performing a smoke and mirrors game of trickery in an attempt to evade the Union's request for information regarding two grievances.

The ESU perceives an information request regarding a grievance in progress to be legal and routine. The company for some unexplainable reason is suddenly, in the view of the ESU, illegally denying a past practice that goes back years and years. The Union can only conclude that the company has reverted back to their old hardball tactics.

The Union had high hopes that 2004 would be a year where the Union would build and strengthen our working relationship with management and carry that over into 2005 when we start our new contract negotiations. Obviously the company has other ideas, and probably a different agenda altogether.

## SeaRiver meets security plan deadline

### Many others miss cutoff date

An estimated 5,000 ships and about 80 percent of the nation's ports, ferry terminals and fuel and chemical tank farms failed to meet a December 31, 2003 deadline for submitting maritime security plans showing how they will deal with terrorist threats. SeaRiver Maritime presented their plans well before the deadline but the USCG has not yet approved them.

In 2003 Congress ordered the maritime shipping industry to tighten security amid fears that an attack on a seaport could kill thousands, cause tremendous property damage and cost tens of billions of dollars in lost revenue to the U.S. economy.

Coast Guard officials said the deadline for submitting the plans was met by about 5,200 of 10,000 ships that were told to submit them and only 1,100 of 5,000 port facilities, despite the potential of a \$25,000 fine.

We do not have all the plans, a USCG LT. Cmdr. said, "We recognize that despite our best efforts, there are those who simply won't comply for a variety of reasons."

One reason ships, ports and other facilities were missing their deadline is they were given too little time, said Maureen Ellis, a spokeswoman for the Association of American Port Authorities. Ellis also said some ports found the regulations and requirements to be "overwhelming." The "plan review approval form" for cruise ship terminals, for example, is 20 pages long.

The new law requires a difficult attitude adjustment, said Thomas Allegretti, president of the American Waterways Association, which represents owners and operators of tugboats and barges. It's hard for tugboat captains, used to worrying about running aground, to suddenly start thinking about a terrorist hijacking an oil tanker and turning it into a floating bomb, he said. The tugboat and barge industry submitted plans to the Coast Guard that include training crews about potential threats, securing vessels' perimeters and restricting access to vessels, Allegretti said.

USCG Lt. Cmdr. Richard Teubner said the Coast Guard expects to get plans in the mail next week from many ports, stevedoring companies, offshore oil drillers and ship owners. The plans have to be implemented by July 1, when the Coast Guard can start turning away ships and shutting down ports that don't comply.

For some, coming up with the money for fences, guards, lights or closed cir-

cuit TV will be difficult, Ellis said. "It's one thing to come up with a plan to see what you need to do, but it's a whole other issue how it's going to be paid for," she said. The General Accounting Office, Congress's investigative arm, agrees that paying for the security upgrades will be a challenge to some. "Where the money will come from to meet these funding needs is not clear," the congressional auditors said in a Dec. 15 letter to Sen. Ernest Hollings, D-S.C.

As a direct result of these new security requirements, SeaRiver vessels in April of 2003 were required to heighten on-board security watches during a Tier Orange alert as designated by the Department of Homeland Security. As reported at the time, the ESU and SeaRiver entered into an interim agreement that allowed Fleet Manning personnel to contact members ashore on paid leave to request of them assistance in providing extra security while vessels were in port. Also included in the interim agreement were provisions for requesting, on a strictly voluntary basis that members being relieved to paid leave delay their departure from the vessel to provide extra security as needed.

It has been the position of the ESU Executive Board that these security tasks are best performed by ESU members. However, due to this lag in the approval process by the Federal Government it has not been possible for the Union and SeaRiver Management to enter into any meaningful dialogue, as the security requirements have not been finalized.

Now, with the submitting of these plans by SeaRiver, and the anticipated approval of the plans, the Union will be able to better assess the impact that these new measures will have on the membership in regard to shipboard security duties. The Executive Board will begin preliminary discussions with SeaRiver management the end of January to gather more information in an effort to formulate with SeaRiver fair and just compensation and work rules to meet these new demands.

During the intervening months since the implementation of the interim agreement, the Union has noted many pitfalls in the present procedures in providing added security. The Union will draw on the many comments that have been offered by members to date, and will solicit additional comment by members as this process moves forward.

## Valdez Tanker Terminal shut down due to security concerns

The U.S. Coast Guard abruptly ordered the shut down of all loading operations at the Alyeska Marine Terminal on Tuesday, December 30, 2003, and the shut down remained in effect until after New Years, reopening on January 2, 2004. At the time of the order the *Marine Columbia*, operated by the Alaska Tanker Co. (ATC) which operates tankers for BP was preparing to start loading operations at the port. Two other tankers waiting for a berth at anchor off of Knowles Head, in Prince William Sound, also were ordered to leave the area and head out to sea. Those affected vessel were the *Kenai*, also operated by ATC and the *Polar Alaska*, operated by Polar Marine for Conoco Phillips. Further delays due to the back up of vessels were felt to some degree by all shippers that visit the port including vessels operated by SeaRiver Maritime, Inc.

Air Force fighter jets had been flying patrols around Valdez in the days prior to the shut down order and the federal authorities placed restrictions on private planes in a 25-mile radius around the town. A contingency of law enforcement personnel from various agencies including dozens of police officers from Anchorage and other South-central communities as well as a deployment that included people from the FBI, other federal agencies, Alaska State Troopers, Alaska National Guard and the volunteer state militia. Additionally, Valdez city police were put on 12-hour shifts.

The Director of the state Division of Homeland Security, Tom Burgess was

quoted as saying: "In classified discussions last week, Governor Frank Murkowski learned of a general alert that Al Qaeda might be planning a holiday attack on a well-attended event or a chemical or energy facility."

Mr. Burgess continued, "We have no large gatherings planned in the future, but we have the largest oil fields in the nation."

In perhaps the most visible show of security was the presence of National Guard and Alaska State Defense Force patrols that were checking every vehicle on Dayville Road, the main access to the terminal from Richardson Highway. The armed guards were turning away anyone who did not have business along the road at Alyeska, a refinery company or Solomon Gulch Hatchery.

John Devens, a former Valdez mayor and executive director of the Prince William Sound Regional Citizens Advisory Council, said that he received a 15-minute briefing from Coast Guard Cmdr. Mark Swanson, Captain of the Port for Prince William Sound. Cmdr. Swanson said that he was not at liberty to divulge the source, but there was concern that a tanker could be the target.

The last time that the terminal was shut down to tanker loading was in the aftermath of the September 11, 2001 terror attacks. The shut down of the loading terminal did not interrupt the approximately 1 million barrel a day North Slope oil production. Reportedly, no other U.S. terminals were shut down during the now cancelled orange alert status.

## BCBS requires waiver for assistance from ESU regarding claims

A recent attempt to assist an ESU member with a BCBS claim failed because of the new federal privacy laws. Blue Cross Blue Shield informed the ESU that members requiring assistance from the Union would need to fill out an "Authorization to Disclose Protected Health Information (PHI). This added layer of bureaucracy is due to the new federal privacy act regarding health information (HIPPA). Although Blue Cross Blue Shield was not required to comply with the law until April 2004, they have chosen to implement it early.

The ESU has obtained the authorization forms and instructions from BCBS and will make them available to the membership and retirees who request them. If you have any questions regarding

## Overtime payments corrected

In response to an ESU Executive Board communication with the SeaRiver Human Resources Department on November 30 concerning an incorrect payment being applied to QMED's, the company has corrected and reimbursed affected members. The Union noted in the written communication that the Supper Relief code #204 was paying a rate of \$19.40 per hour instead of the correct rate of \$19.98 per hour.

The company replied in a January 8, 2003 letter to the Executive Board that it concurred with the Union's position that the incorrect rate of overtime payment had been applied. In addition, the company response stated that a review of employees earning overtime on the #204 code had been conducted. And as a result of this audit four (4) employees assigned as QMED's were underpaid overtime in the amount of \$0.58 per hour.

The four (4) members involved in this underpayment were to receive reimbursement for the underpayment and were to be included on the January 31 pay voucher.

Members are reminded that the ESU does not directly negotiate individual and specific overtime codes. The ESU views SeaRiver's code system as an internal auditing tool, only. Overtime, as well as all other negotiated pay is paid as specified in the Collective Bargaining Agreement and not by these codes.

In the event that members discover that a suitable code is not available at the correct rate of pay as described by the agreement, it is important for members to bring such discrepancies to both the Union and shipboard managers attention. Absence of a suitable code does not exclude payment of a contractually agreed upon payment.

## ESU News

## Alcohol consumption and regulatory interpretations

The merchant seaman has become acutely aware of the consequences associated with the consumption of alcohol in the workplace. In recent years the Federal Government through enforcement by the United States Coast Guard has more narrowly defined what is and is not acceptable levels of alcohol consumption.

In addition, many ports and terminals have for various reasons implemented their own rules and regulations for entry into their facilities that in some cases are even more stringent than those mandated by the Federal Government. An example of this can be found at the Valdez, Alaska, Marine Terminal visited regularly by ESU members.

Alyeska guidelines for entry into that facility allow for security officers to administer a Blood Alcohol Concentration (BAC) test when reasonable cause exists to suspect that an individual seeking access to the terminal is under the influence of alcohol. Furthermore, these specific port regulations call for individuals that refuse this test not only to be denied entry into the facility at that particular time, but are also refused entry period. This, in effect, disallows a member the option, if the member is unsure of their BAC level the ability to enter the terminal after a longer period of abstinence from any alcoholic beverages.

More importantly is the fact that Alyeska regulations call for denial of access to the facility if an individual's BAC is found to be higher than .02. This level is exactly half the BAC level deemed as unacceptable by the U.S. Coast Guard. This level, in general terms would in most cases result in an average size man having drunk 2 to 3 beers in a 2 to 3 hour period as being over the terminal's acceptable threshold and as a result not gaining entry to the facility and being unable to

rejoin the individual's vessel. Resulting, inevitably in disciplinary action.

The following excerpt is taken from the Code of Federal Regulations Title 46 Chapter 33 Section 95.020 and describes the acceptable BAC levels for the operation of both recreational and all other vessels.

**PART 95—Operating a vessel while under the influence of alcohol or a dangerous drug**

**Sec.95.020** Standard for under the influence of alcohol or a dangerous drug.

An individual is under the influence of alcohol or a dangerous drug when:

(a) The individual is operating a recreational vessel and has a Blood Alcohol Concentration (BAC) level of .08 percent or more, by weight, in their blood;

(b) The individual is operating a vessel other than a recreational vessel and has an alcohol concentration of .04 percent by weight or more in their blood; or,

(c) The individual is operating any vessel and the effect of the intoxicant(s) consumed by the individual on the person's manner, disposition, speech, muscular movement, general appearance or behavior is apparent by observation.

Additional BAC regulations while on board a vessel can be found and is quoted below, in Code of Federal Regulations Title 46 Chapter 33 Section 95.045

**Sec. 95.045** General operating rules for vessels inspected, or subject to inspection, under Chapter 33 of Title 46 United States Code.

While on board a vessel inspected, or subject to inspection, under Chapter 33 of Title 46 United States Code, a crewmember (including a licensed individual), pilot, or watch stander not a regular member of the crew:

(a) Shall not perform or attempt to per-



### Step-Up Opportunity

*Step-up Fleet Chef Timothy Gallegos and cook Leslie Perkins take a rare moment off from their respective duties for a photo-opt aboard the SeaRiver Puget Sound. Tim joined the vessel on December 9, 2003, and worked through the holidays doing a great job in preparing the holiday meals. He received high accolades from the officers and crew for a job well done.*

form any scheduled duties within four hours of consuming any alcohol;

(b) Shall not be intoxicated at any time;

(c) Shall not consume any intoxicant while on watch or duty; and

(d) May consume a legal non-prescription or prescription drug provided the drug does not cause the individual to be intoxicated.

It is necessary to note that these regulations not only specify specific BAC levels, but as noted in Chapter 33 Section 95.045(a), "a crewmember... Shall not perform or attempt to perform any duties within four hours of consuming any alcohol." This language in the regulation lends itself to the interpretation that an individual, regardless of their BAC level can be found in violation of the law if they have been found to consume any alcohol within a four-hour period prior to reporting for duty.

SeaRiver's Drug and Alcohol policies, as it relates to BAC levels, can be found in the side letters of the Collective Bargaining Agreement under the title of Memorandum of Understanding (MOU), Drug and Alcohol Program. Alyeska Marine Terminal regulations are posted on the vessels also.

The company policies for BAC levels are found to be consistent with those mandated by the Federal Government.

### Communication and JUMTC meeting scheduled

A communications meeting followed by a Joint Union Management Training Committee meeting will convene in Houston, Texas at the Doubletree Hotel on January 28, 2004. It is anticipated that the new SeaRiver President will be introduced to the Union at that time.

## Ship reports

### S/R American Progress

Vessel visited on December 30 in Beaumont, Texas, at the ExxonMobil Dock just before it left for the West Coast. Temporary Ship Representative, Kevin Conroy reports everything is going well with no major beefs. There is some concern however, about how security arrangements will be handled in the future.

### S/R Baytown

Vessel visited by Board member on December 19 at Port Angeles, Washington. Regular Ship Representative Mark Myser has went to paid leave and Rick Bauer is filling in during Marks absence. Vessel continues on Valdez Puget Sound trade and is reporting no beefs.

### S/R Charleston

Executive Board visit conducted January 5 at Berth #209 in Long Beach, California. Vessel returned "stateside" from Singapore after loading cargo in the Red Sea. The "Charley" arrived on the West coast January 5. Jimmy Byrd replaced Marvin Marcum as Temporary Ship Representative and reports all is well. Vessel upon departure from Long Beach, continued her more than three-month odyssey with a Panama Canal transit, headed to the Gulf Coast.

### S/R Columbia Bay

Executive Board Officer visited vessel on January 9 at the Richmond Long Wharf in Richmond, California. Lonnie Bloomquist has assumed the Temporary Ship Representative responsibility in the absence of Ship Representative Thor Floreen. Issues involving an emergency relief for a member was ultimately resolved, as well as a "light duty" concern.

### S/R Galena Bay

Upon completion of discharge in San Francisco Bay Area in early December the vessel was cleaned and gas freed for a temporary lay-up period at Cascade Shipyard. The Union has received no definitive word as to when the ship will be reactivated.

### S/R Hinchinbrook

Executive Board visits were conducted on December 20 at Anacortes, Washington, and January 6 at Berth #87, Long Beach, California. John Munich serving as Temporary Ship Representative as Ship Representative Danny Jones continues to mend. A number of concerns and clarifications have arisen concerning work rules and manning concerns in facilitating added security requirements during recent Tier Orange alert status. Union continues to work these issues shore side, and will continue to commu-

nicate with crew as new information is gathered.

### S/R Long Beach

Ship visited by Executive Board Officer on December 30 and January 17 at the Valero Dock, Benicia, CA. Massive crew change conducted on January 16, including entire deck crew. Ship Representative Joe Graca has rejoined the vessel and no beefs reported. Vessel has made split loads in the SF Bay Area recently.

### S/R Mediterranean

The ship is still trading in the Far East and everything reportedly is running smooth. Regular Ship Representative Frank O'Mailia on board but will soon be going on P/L. No final word as of yet

about disposition of vessel or any date.

### S/R Puget Sound

Vessel was boarded on January 10 in Beaumont Texas at the ExxonMobil Dock. Ship Representative Michael Harrison is back on board and reports everything running smooth. Vessel continues in the Gulf/Florida gasoline trade as of now.

### S/R Wilmington

Vessel was visited at the ExxonMobil Dock, Baytown, Texas on January 18 and 19, 2004. Michael Gore is filling in as Temporary Ship Representative and reports everything going well. Board officer addressed MMD renewal questions, promotions and Ship Representative position with members on board.

## EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

1320 5th Street, Suite A  
Seabrook, TX 77586  
Tel (281) 474-2430  
Fax (281) 474-2463  
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

The ESU News is written and edited by the Exxon Seamen's Union.

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

## Schedule of Course Offerings for 2003/04

### STCW 95 Basic Safety Training

• Basic Fire Fighting	• Basic First Aid		
• Personal Survival	• Personal Safety and Social Responsibility		
Jan 26-30	Apr 5-9	Jul 12-16	Oct 18-22
Feb 2-6	Apr 19-23	Jul 26-30	Nov 1-5
Feb 23-27	May 3-7	Aug 2-6	Nov 15-19
Mar 1-5	May 26-30	Aug 23-27	Dec 6-10
Mar 22-26	Jun 7-11	Sep 6-10	Dec 13-17
	Jun 23-27	Sep 27-Oct 1	

### LMSR Vessel Training (MSC approved)

Feb 17-27	May 11-21	Aug 10-20	Nov 2-12
Mar 9-19	Jun 15-25	Sep 14-24	Nov 30-Dec 10
Apr 6-16	Jul 20-30	Oct 12-22	

### Small Arms Training (MSC approved)

Mar 1-3	May 24-26	Sep 27-29	Dec 13-15
Mar 22-24	Jun 28-30	Oct 25-27	
Apr 19-21	Aug 23-25	Nov 15-17	

### Able Seaman (AB)

Feb 9-21	May 17-29	Sep 13-25	Nov 1-13
Mar 15-27	Jun 7-19	Oct 11-23	Nov 29-Dec 11
Apr 5-17	Aug 9-21		

### Survival Craft (Lifeboatman)

Feb 23-26	May 31-Jun 3	Sep 27-30	Nov 15-18
Mar 29-Apr 1	Aug 23-26	Oct 25-28	Dec 13-16
Apr 19-22			

### 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

### Letter of Appreciation

SUP Welfare Plan:

Your Union was very good to my husband, Jimmy Williams, and very generous to me when he passed away. This new benefit will be a great help and I thank you from the bottom of my heart.

Sincerely, Lillian E. Williams

**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.

### Subscribe to the **West Coast Sailors** via First Class Mail

Name (print) \_\_\_\_\_ Book No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_ Country \_\_\_\_\_

Subscriptions are \$25.00 per year.  
Send check or money order to:  
**West Coast Sailors**  
450 Harrison Street  
San Francisco CA 94105



# Welfare Notes

January 2004

### Social Security changes for 2004

The start of 2004 brought about changes in the Social Security system that affects both retired members and active working members. Some of the major changes are listed below. For more detailed information you may reach Social Security at 1-800-772-1213. Questions on Medicare benefits can be answered at 1-800-MEDICARE.

- The annual cost of living increase in benefits payable in January 2004 is 2.1%.
- The full retirement age is 65 years and 4 months for persons reaching the age 65 in 2004. The full retirement age for persons reaching age 62 in 2004 is 65 years and 10 months. Reduced benefits are still payable at age 62.
- The earnings limit for beneficiaries under the full retirement age increases from \$11,520 to \$11,640.
- If you attain full retirement age in 2004 the earnings limit is \$31,080 for the period before the month you reach full retirement age. There is no limit at full retirement age or later.
- The new maximum monthly benefit for retirees at full retirement age is \$1,825.
- The Medicare Part A deductible rises from \$840 to \$876. After 60 days in a hospital, you pay \$219 per day for 30 days, then \$438 per day for up to 60 days.
- The Medicare Part B monthly premium increases from \$58.70 to \$66.60. This premium is reimbursable by the SUP Welfare Plan from Retirees Annual Medical Allowance.

### SUP Money Purchase Pension Plan

All participants in the MPP were notified by mail of changes in the Plan. Columbia Funds Senior Account Manager Ms. Joan Steel will be at the following monthly membership meetings along with SUP Welfare Plan Representative Rich Reed to answer any questions on the conversion to Columbia.

- Headquarters February 9, 2004 in the library
- Honolulu February 17, 2004
- Headquarters March 8, 2004 in the library
- Seattle March 15, 2004

### 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

### USCG issues interim rule on MMD renewals

The U.S. Coast Guard, on January 6, issued an interim rule changing the application procedures for the Merchant Mariner Licensing and Documentation program. The major change is that mariners seeking to renew current documents must appear in person at a Regional Examination Center (REC) for fingerprinting during the renewal process. All applicants will undergo criminal and security checks. New tamper-resistant documents will be issued. The rule comes into effect immediately.

### Norway shuns seafarers' wage forum

Norwegian shipowners have shunned multi-lateral negotiations on seafarers' wage rates after refusing to participate in the recently set up International Bargaining Forum. Members of the Norwegian Shipowners' Association (NSA) rejected an invitation from the International Transport Workers' Federation (ITF) to join the Forum after concluding that "a more direct link with the unions was preferable". According to NSA spokesman Jergen Vatne, members could see there was little incentive to join the forum and voted to continue with their current system of establishing model agreements on an individual basis. "It was difficult for many members to see what the real purpose of this forum is." Described by the ITF as "an historic development in global industrial relations", the IBF was created by a joint negotiating group comprising maritime employers from Europe and Asia, and the ITF in May this year. Stephen Cotton, Secretary of the ITF Special Seafarers' Department, voiced his disappointment at the NSA's decision but insisted that the IBF strategy would prove to be successful without them.

### Crew home after being abandoned

With assistance from the ITF, the National Union of Seafarers of India (NUSI) has helped to repatriate 20 Indian seafarers from the Indian-flagged *Radiant Star*, which has been stranded at Apapa anchorage in Lagos, Nigeria since January 2003. The ship was abandoned by its bankrupt Mumbai-based owner. However, NUSI managed to disburse a total of \$225,000 among the crew, who were finally flown to Mumbai in early January. "Despite our repeated pleas, neither the owners nor the government made any efforts to rescue the seamen from the hostile conditions in Nigeria. After a year on board the stranded ship, the crew were ready to forgo their wage claim and wanted just to be repatriated back to India. There were cases of total frustration, and the crew were facing nervous breakdowns. There were frequent fights on board and some of the crew were becoming suicidal," a senior NUSI Official said. He said NUSI deputed its vice president to Lagos to arrest the vessel and put claim for settlement of crew wages.



## Advice for employers on avoiding overtime

Labor Department helps to skirt new rules

The Labor Department is giving employers tips on how to avoid paying overtime to some of the 1.3 million low-paid workers who would become eligible under new rules expected to be finalized early this year.

The department's advice comes even as it touts the \$895 million in increased wages that it says those workers would be guaranteed from the reforms, which Labor Secretary Elaine Chao called long overdue.

Among the options for employers: cut workers' hourly wages and add the overtime to equal the original salary, or raise salaries to the new \$22,100 annual threshold, making them ineligible.

The department says it is merely listing well-known choices available to employers, even under current law. "We're not saying anybody should do any of this," said Labor Department spokesman Ed Frank.

New overtime regulations were proposed last year after employers complained they were being saddled with costly lawsuits filed by workers who claimed they were unfairly being denied overtime. But the regulations themselves have stirred controversy over how many workers would be stripped of their right to overtime pay.

A final rule, revising the 1938 Fair Labor Standards Act, is expected to be issued in March. The act defines the types of jobs that qualify workers for time-and-a-half if they work more than 40 hours a week.

Overtime pay for the 1.3 million low-paid workers has been a selling tool for the Bush administration in trying to ease concerns in Congress about millions of higher-paid workers becoming ineligible.

But the Labor Department, in a summary of its plan published in March, suggests how employers can avoid paying

overtime to those newly eligible workers.

"Most employers affected by the proposed rule would be expected to choose the most cost-effective compensation adjustment method," the department said. For some companies, the financial impact could be near zero, it said.

Employers' options include:

- Adhering to a 40-hour workweek.
- Raising workers' salaries to a new \$22,100 annual threshold, making them ineligible for overtime pay. The current threshold is \$8,060 per year.
- Making a payroll adjustment that results "in virtually no, or only a minimal, increase in labor costs," the department said. Workers' annual pay would be converted to an hourly rate and cut, with overtime added in to equal the former salary.

Essentially, employees would be working more hours for the same pay.

The department does not view the payroll adjustment option as a pay cut. Rather, it allows the employer to maintain the pay at the current level with the new overtime requirements, said the Labor Department's Wage and Hour Division administrator, Tammy McCutchen, an architect of the plan.

Labor unions criticized the employer options. Mark Wilson, a lawyer for the Communications Workers of America who specializes in overtime issues, said the Bush administration is protecting the interests of employers at the expense of workers.

"This plan speaks volumes about the real motives of this so-called family-friendly administration," Wilson said.

The final plan does not require approval from Congress. That hasn't stopped Democrats and some Republicans from trying to block the rule, thus far unsuccessfully, out of fear that millions of workers would become ineligible for overtime.

## British court rules company lacks proper permit to scrap U.S. "ghost fleet" ships

In the continuing saga of the British company that brought four rusting U.S. ships to northeast England to be scrapped, a court in the U.K. has ruled that the company does not have the proper permit for the job.

High Court Judge Sir Jeremy Sullivan backed a legal challenge by three local residents, dealing another blow to Able U.K. Ltd.'s plan to scrap the ships at its yard near Hartlepool, at the mouth of the River Tees. The ships are part of a fleet of 13 obsolete U.S. reserve "ghost fleet" vessels to be scrapped in Britain. A U.S. court order has prevented the remaining nine from being transported from Virginia to Britain.

The three residents said dismantling the vessels could expose residents and sensitive wildlife sites to pollution. The environmental group Friends of the Earth says the ships contain hundreds of tons of toxins, including PCBs (polychlorinated biphenyls which are suspected of causing cancer) and asbestos.

The residents' lawyer argued that the company's permit to dismantle "marine structures" does not allow it to scrap the ships. Lawyers for the company argued that the license's reference to "marine structures" should include all manmade objects made for use at sea, including ships.

After a daylong hearing, Judge Sullivan sided with the residents. "In ordinary language, a ship is no more a marine structure than a car is a highway structure, a narrow boat is a canal structure or a steam locomotive is a railway structure," the judge said.

### Record of SUP Shipping December 2003

	Hdqg .....	Seattle .....	Wilm .....	Hono .....	Total
Bosun .....	6 .....	1 .....	7 .....	2 .....	16
Maint. Man .....	11 .....	0 .....	0 .....	0 .....	11
A.B. Dayworker .....	0 .....	0 .....	10 .....	2 .....	12
A.B. .....	19 .....	14 .....	11 .....	7 .....	51
O.S. .....	0 .....	3 .....	2 .....	1 .....	6
Standby .....	19 .....	10 .....	49 .....	22 .....	100
<b>TOTALS .....</b>	<b>55 .....</b>	<b>28 .....</b>	<b>79 .....</b>	<b>34 .....</b>	<b>196</b>

## Homeland Security Department says alarming gaps found in U.S. cargo inspection procedures

Port inspectors, in December, check a container after a scan shows something suspicious.

For all the advances it has made in beefing up container security in the past two years there are still alarming gaps in the system operated by the U.S. Bureau of Customs and Border Protection to target and inspect maritime cargo.

Testifying before the House of Representatives' Committee on Energy and Commerce Richard Berman, of the Department of Homeland Security's Office of the Inspector General, highlighted a range of failings in the existing system, based on his office's review of Customs' performance at various ports around the United States.

Inaccurate manifest data was used to target high risk boxes, for instance. Inspectors also lacked formal training and were often pulled away for other duties, while limited access to intelligence information reduced their effectiveness.

Customs' rigor in inspecting targeted high risk shipments was also impaired by a number of factors including lack of personnel, errors in conducting and reporting inspections, and under-utilization of non-intrusive inspection equipment. Recent analysis of the port of Houston, as well as several other ports around the country, underlined the need for improvement by Customs.

Mr. Berman said: "Generally, we found that overall guidelines on what constituted an examination and what procedures and steps should be taken in different types of examination were unclear and subject to different interpretation. Procedures associated with each type of inspection were not applied consistently, examination results were not always recorded properly and the reporting system did not accurately reflect the examinations performed."

Richard Start, of the General Accounting Office, also detected weaknesses in Customs' effort so far, noting that it had no national system for reporting and analyzing inspection statistics, while data from ports "were generally not readily available by risk level, were not uniformly reported, were difficult to interpret and were incomplete". In addition, Customs' inspectors had been trained but not tested or certified, while "space limitations and safety concerns about inspection commitment constrain the ports in their utilization of screening equipment." Mr. Stana added. "While Customs has taken steps to address terrorism risks posed by ocean-going cargo containers its targeting strategy neither incorporates all key elements of a risk management framework nor is consistent with recognized practices associated with modelling".

## Study finds e-seals can be effective for container security

Electronic seal technology is maturing and may be applied to container security, according to a study released this month by the Cargo Handling Cooperative Program (CHCP).

Electronic seals, or e-seals, have been proposed as a way to improve security and track cargo movements worldwide. However, e-seals would likely have to be standardized in order to be widely used, and the study did not find any one type suitable for use as a standard.

The CHCP, a partnership between the Maritime Administration and private industry, compared five electronic security seals proposed for use on intermodal freight containers. The study found that the technology will continue to improve, and that it is critical to allow for growth in performance in application to the industry.

"There's an urgent need for effective technology in this area," said U.S. Secretary of Transportation Norman Mineta. "By testing e-seals in the laboratory, at terminal gates, on the road, and in a simulated rail environment, we are making significant steps toward ensuring the safety of cargo containers throughout the nation."

The e-seals have container information and can show if the seal has been subjected to tampering. The tested seals can be "read" by direct contact or on a specific radio frequency, which varies with the type of seal. For a system using e-seals to be efficient, seals would likely have to be "read" by one kind of reader, using one standard radio frequency.

"For e-seals to be useful, there will have to be an accepted international stan-

dard," said Maritime Administrator Captain William Schubert. "Any real-life solution must also provide real improvements in security and efficiency without unduly burdening operators. These results show that the intermodal freight community needs to take into consideration design and operations issues before any single e-seal solution can be standardized."

The work of the cooperative was supported by the Space and Naval Warfare Systems Center of San Diego, California, and the Center for Commercial Deployment of Transportation Technologies (CCDoTT) at the California State University, Long Beach.

### DO NOT SHOP SAFEWAY

Over 70,000 grocery store employees have been on strike against Safeway, Ralphs, and Albertsons in Southern California since October 11, 2003 in an effort to save their healthcare.

These outfits are demanding massive new co-pays for the health plan and a funding scheme that will put the plan in serious jeopardy of collapse. Additionally, the employers want to put new hires in an inferior plan for both healthcare and pension.

If these companies get away with this in the grocery industry, it will be open season on everyone's benefits. Help yourself and the strikers. Don't shop Safeway until this dispute is over.



# SUP President's Report

January 12, 2004

## SUP ELECTION

The secret mail balloting for the 2004-2006 election of Sailors' Union officers and the referenda on proposed Constitutional Amendments and Shipping Rule changes concludes on January 31.

On Monday, February 2, the Balloting Committee elected at the September 2003 Headquarters' meeting will turn-to at 8:00 A.M., accompany representatives of the Impartial Balloting Agent, Pacific Election Services, Inc., to get the ballots from a San Francisco post office box and then verify the standing and eligibility of those members voting, in accordance with Article XII, Section 10 of the SUP Constitution. If there are vacancies on the Committee, they will be shipped off the hiring hall deck as per past practice.

After Union standing and eligibility are determined, Pacific Election Services, Inc. employees will count the ballots in the presence of the Committee and those members interested in observing the process in the Headquarters library. Once the tally is completed, the election results will be posted in all SUP halls.

Members elected will assume office on March 1. If the proposed Constitutional Amendments receive the required two-thirds vote and the Shipping Rule changes pass by majority vote, they will become effective on February 2.

If eligible members have not received a ballot, write to Robbin A. Johnson, Manager, Pacific Election Services, Inc., 1650 Stanmore Drive, Pleasant Hill, CA 95423 (Fax: 925-685-4937).

For the election to be a true reflection of the membership, all eligible member should vote.

## MILITARY SEALIFT COMMAND: LMSR BIDS

In December, 2003, the Military Sealift Command issued a request for proposals (RFP) for the operation of the eleven Large Medium-Speed, Roll-On/Roll-Off (LMSR) vessels currently managed by SUP-contracted Patriot Contract Services.

Patriot was the successful bidder for the LMSR contract in July of 1999 and during the intervening four plus years has achieved "exceptional" performance ratings from the MSC due, in no small measure, to the exceptional performance of the sailors in these ships.

The Patriot contract for the LMSRs expires on July 23 and bids for the continued operation of the vessels are due to be submitted to MSC by the close of business on February 10, 2004.

The MSC will then award the contract to the bidder that meets the government agency's criteria, including costs. It is expected that several companies will submit bids as was the case in 1999. The Union was notified earlier this month that Matson Navigation Company will also submit a bid.

In order to remove labor costs from the bidding process, the SUP and the MFOW will seek to work with the SIU-Atlantic, Gulf, Lakes and Inland Waters District/National Maritime Union to formulate Total Labor Costs for each unlicensed rating. It is anticipated that the licensed Unions -AMO, MM&P and MEBA-will do the same. This process is necessary to neutralize competition between the Unions for the work and to place the burden of submitting competitive bids on the companies themselves.

The SUP, MFOW and SIU-A&G received a draft Memorandum of Agreement from Patriot on January 6 and the Unions are in the process of formulating a response.

Given the short time frame to arrive at a tripartite agreement regarding Total Labor Costs amongst the SUP, MFOW and SIU and to finalize contract language with Patriot and Matson, request membership authority to negotiate collective bargaining agreements for the LMSRs as per past practice for government ships.

Urge all hands who have sailed in the LMSR fleet to submit proposals to Headquarters.

## ANTHRAX VACCINATIONS

On December 22, 2003, the United States District Court for the District of Columbia issued a preliminary injunction against the Department of Defense's Anthrax Vaccine Immunization Program which had the effect of suspending the requirement for mariners in the LMSR and Ready Reserve Fleet to be vaccinated as a condition of employment.

However, on January 9, the Court reversed course and lifted the injunction based on information provided by the Food and Drug Administration which enabled the Defense Department to resume requiring anthrax shots as well as smallpox vaccinations. Further legal action is pending regarding the necessity of anthrax immunization.

## CHEVRONTEXACO SHIPPING COMPANY

Due to the work necessary to respond to the LMSR bids by Patriot and Matson and to give full attention to bargaining with ChevronTexaco for members employed in the company's U.S.-flag fleet, requested that the company extend the current collective bargaining agreement, which is due to expire on January 31, to February 20, 2004.

On January 9, signed Memorandum of Agreement with ChevronTexaco extending the contract, subject to membership approval, to February 20. The company also agreed that negotiated wage, overtime, etc., increases shall be retroactive to February 1, 2004.

Bargaining with Chevron is now scheduled to begin on February 5.

## FOSS MARITIME COMPANY

On December 16, at the request of the company, Vice President Dave Connolly and your secretary met at Headquarters with Foss Maritime Company President Steve Scalzo, Vice President for Industrial Relations Warren Nelson, and San Francisco Bay Regional Director Scott Merritt, to discuss the company's concerns about new competition to Foss' bunkering operation on San Francisco Bay. Specifically, the company stated that the commencement of operations by Starlight Marine Services, a division of Harley Marine, had the potential to reduce Foss' market share in both the SUP bunker operation and the ship assist and tug escort business under the jurisdiction of the Inlandboatmen's Union of the Pacific (IBU). In addition to the increased competition, the Foss representatives stated that the cost of Starlight agreement with the SIU-A&G was at least 20% less than that between the SUP and Foss.

The company strongly suggested that one way to reduce or eliminate "competitive inefficiency" is for the SUP, IBU and Foss to resolve jurisdictional issues regarding the use of the company's tugs on the Bay. While the SUP agreement stipulates that SUP-crewed tugboats shall be used to move bunker barges, Foss has on occasion used IBU-crewed tugs for this work which has resulted in the SUP claiming and collecting for mis-assignment of our work.

As a follow-up to the meeting, Merritt sent a letter to the Union dated December 22, proposing that the SUP agree to extending the current collective bargaining agreement (which expires on February 29) to April 30, 2004, in order to address changes in the petroleum market and the resolve jurisdictional issues regarding Foss tugs. The IBU agreement with Foss also expires on April 30.

On December 29 and 30, Connolly and your secretary caucused with the sailors employed by Foss to discuss the company proposal. Those in attendance were delegates Tom Tynan, and Mike Worth, Ed Chilbert, Steve Cushman, Glen Dedini, Chris Fuller, Mike Higa, Mel Jackson, Cezar Mendoza, Rick Nickerson, Eric Partika, Walter Price, Carl Turner and Paul Wuestewald. After extensive discussion, it was agreed

that the Union would consider extending the agreement if four conditions were met:

- 1) Retroactive pay: All wages, overtime rates, standby-time rates, pension contribution rates, and welfare rates, etc., negotiated, shall be retroactive to March 1, 2004. As a sign of good faith, retroactivity shall not be a topic of discussion during bargaining but agreed to, without conditions, prior to the commencement of negotiations, and no action during negotiations shall be given authority to waive or nullify retroactivity;
- 2) SUP Welfare Plan: That Foss agrees to increase its per manday contributions retroactive to January 1, 2004, to meet current costs;
- 3) Coastwise Barges: That Foss agrees to negotiate an agreement for coastwise barges that load or discharge petroleum products on San Francisco Bay; and
- 4) Tug Jurisdiction: That Foss agrees to submit a proposal on the issue to the Union.

A letter covering these issues was sent to the company after the conclusion of the December 30 caucus.

On January 7, the company responded by agreeing with all SUP conditions to extend the agreement.

Therefore recommend that the Union extend the agreement with Foss until April 30, 2004.

Despite the extension, based on previous bargaining experiences with Foss, it is anticipated that negotiations will be protracted. Therefore, in accordance with Article XVII, Section 5 of the SUP Constitution, a Negotiating Committee shall be elected at today's meeting. In the event a full committee cannot be fielded today, recommend that openings be filled with SUP members employed by Foss.

Urge all members working for Foss to submit bargaining proposals to Headquarters for review by the Negotiating Committee.

## SUP MONEY PURCHASE PENSION PLAN

Effective December 31, 2003, after months of research and deliberation, the Trustees of the SUP Money Purchase Pension Plan transferred the assets of the Plan from the San Francisco-based investment firm of Dodge & Cox to the Portland, Oregon-based Columbia Management Group in the best interests of the participants. All hands affected were notified via mail of the change earlier this month.

Unlike the Dodge & Cox arrangement where all participants accounts were pooled, Columbia will establish dedicated sub-accounts for each participant. Accounts will be valued daily and a participant can at any time during the year, determine the amount in his or her account by accessing Columbia by a toll-free telephone number or online on Columbia's website. Daily valuation will provide more accurate and equitable allocation of expenses. In addition, daily valuation under Columbia means that when a participant retires and takes a distribution, that distribution will be based on the most recent account information in the past. Some of that information, specifically accrued interest, was sometimes as much as a year old.

Columbia will now issue quarterly statements, instead of annual statements, to participants reflecting all account activity during the quarter including employment history and contributions. The first statements are expected to be issued around April 15.

If a member is also a participant in the SUP 401(k) Plan, the quarterly statement will reflect the assets for both Plans and graphically depict the asset allocation—the amount of stocks, bonds and money market instruments comprising the account—in the form of a pie chart.

The assets of the SUP Money Purchase Pension Plan transferred to Columbia were initially invested in Columbia's Stable Value Fund, which has the same conservative characteristics as the fixed income portfolio that the Dodge & Cox had managed since the Plan's inception in April, 1991.

In the event the Trustees determine that a self-directed option should be offered to SUP Money Purchase Pension Plan participants, the daily valuation under Co-

## President's Report continued

lumbia will enable a smooth transition.

The improvements to the Plan were essentially cost-neutral. Participants are not expected to bear any increases in expenses.

Columbia manages assets in excess of \$160 billion and holds the portfolios of 82 Unions nationwide.

In order to inform the membership on the advantages of Columbia, SUP Welfare Representative Rich Reed and Columbia executive Joan Steel will be available for questions before the Wilmington Branch meeting on January 19; the Headquarters' meeting on February 9; the Honolulu Branch meeting on February 17; the Headquarters' meeting on March 8; and the Seattle Branch meeting on March 15.

### SUP 401(k) PLAN

Participants in the SUP 401(k) Plan should be aware that under the Economic Growth Tax Relief and Reconciliation Act of 2001, the amount a participant can contribute to the 401(k) Plan rises to \$13,000 in 2004. In 2005 it will increase to \$14,000 and in 2006 to \$15,000.

Under this statute, older plan participants will be permitted to make "catch-up" contributions. For 2004, participants age 50 and over may make additional contributions of up to \$3,000 over the \$13,000 limit. The "catch-up" contribution will increase by \$1,000 a year, reaching \$5,000 in 2006.

The voluntary SUP 401(k) Plan which was established in 1998, currently has over \$1.5 million in assets.

### SAN FRANCISCO BAR PILOTS

In accordance with the collective bargaining agreement negotiated last year with the San Francisco Bar Pilots, wages and overtime rates for all marine personnel (boat operators, dock bosun, steward/cooks and licensed AB/deckhands) and dispatchers were increased by 5% effective January 1. Unlicensed AB/deckhands received a 3% increase.

### 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

fourth quarter of 2003, and report back to the membership at the February coast-wise meetings. In the event the Committee cannot be filled today, or is short-handed when it convenes, recommend that necessary committee members be shipped off the hiring hall deck as per past practice.

The Quarterly Finance Committee will meet at Headquarters at 9:00 A.M. on February 6.

### HOLIDAYS

Next month all SUP halls will be closed on Thursday, February 12, for Lincoln's Birthday, which is a holiday under the collective bargaining agreements with American Ship Management (Offshore and Shoreside), Chevron-Texaco Shipping Company, Matson Navigation Company (Offshore and Shoreside) and the San Francisco Bar Pilots.

On Monday, February 16, all SUP halls will be closed for Washington's birthday (Presidents' Day) which is a holiday under the collective bargaining agreements with American Ship Management (Offshore and Shoreside), Matson Navigation Company (Offshore and Shoreside), Foss Maritime Company, Patriot Contract Services (LMSRs and Ready Reserve Fleet).

Under the San Francisco Bar Pilots agreement, Washington's Birthday is observed on February 22. Since the holiday falls on a Sunday, it will be observed on Monday, February 23, under the ChevronTexaco agreement.

Due to the holiday, the Branch meetings will be on Tuesday, February 17.

### ACTION TAKEN

Military Sealift Command/LMSR Bids: M/S to approve President's request to negotiate collective bargaining agreements for the LMSRs. Carried unanimously.

ChevronTexaco Agreement: M/S to extend ChevronTexaco Agreement. Carried unanimously.

Foss Agreement: M/S to extend Foss Agreement. Carried unanimously.

Foss Negotiating Committee: Tom Tynan, Steve Cushman, Mel Jackson, Ken Turner, Mike Walsh, Rick Nickerson (alternate), Paul Wuestewald (alternate). M/S to accept nominees as elected. Carried unanimously.

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

*Gunnar Lundeberg*

## Chinese crew remain under SARS scrutiny

Philippine port and health officials are continuing to watch Chinese ships closely as part of precautionary measures against the Severe Acute Respiratory Syndrome virus.

A quarantine official told *Fairplay* on January 16, that even without the recent suspected re-appearance of the virus in China, vessels from the mainland are being boarded and checked before docking. Although the current re-appearance of SARS is said to be milder than last year's outbreak, "we are not giving up on our tight policy," he insisted. He said boarding inspections together with a checklist for signs of the virus are now a standard operating procedure for suspected possible carriers.

The Bureau of Quarantine has issued a set of guidelines on the precautionary measures against the killer virus in coordination with the coastguard and port authority. On January 8, Bacolod health officials prevented 19 Chinese crew on the Chinese owned *Seiyo 9* from disembarking. Although a quarantine officer said the crew did not appear to be affected by SARS, the ship had only left China five days earlier and the incubation period for SARS is seven days.

The quarantine bureau says that current policy is based on advice from the World Health Organization.

## Vice President's Report

December 2003

### Ships checked

**APL Thailand:** Delegate Lee Dancer. Clarification on early and retained call-out minimums, (1 for the early or retained work, and 2 with the gang), on watchstander's OT for tying up and let go, (watch gets 1 hour only unless work extends off watch and then the 2 hour minimum is in addition). Improvements in topside relations noted.

**President Grant:** Delegate Art Pond. Lodging claim had all the essential ingredients except timely reporting. Not payable on a technicality. Recommend aggressive and immediate notification of all good claims.

**Lurline:** Delegate Jim Clay. Cleaning passageways on sailors' accommodation deck is sailors' work. Captain agreed that the vent system will be cleaned again after China yard period.

**USNS Benavidez:** Delegate Rocky Schindler. Discharging Kuwait on maiden voyage. Clarifications on watchstanding.

**USNS Shughart:** Delegate Dave Johnson. Loading in Corpus Christi, Texas. Part of the second wave of Operation Iraqi Freedom 2.

**Arizona Voyager:** Spoke with bosun Bill Fisher via telephone who reported most things in order. Questions on impending negotiations February 5.

**Washington Voyager:** Spoke with bo-

sun Thor Erikson via telephone on a variety of issues, mainly negotiation topics.

**USNS Yano:** Delegate Ramon Morales. Crewing up in Baltimore for a load port. Questions on ballot procedures.

**USNS Brittin:** Delegate Kevin Sheen. Loading in Antwerp for theater of operations. Clarifications on watchstanding. At sea, until changed by action of the membership, everyone is a watchstander all the time.

**USNS Fisher:** Delegate Dave Pangan. FOS in New Orleans, sailing for Beaumont to load.

**USNS Gilliland:** Delegate Kevin Gee getting off. In at Jacksonville. Clean pay-off.

**USNS Pilaau:** Delegate Kenyon Taylor. Enroute Hawaii. Will conduct reliefs there in early February.

In addition to the routine duties of the front office, and in conjunction with Gunnar Lundeberg, I prepared for upcoming negotiations with both ChevronTexaco Shipping Company and Foss Maritime Company. Also participated in rallies and pickets in support of the United Food and Commercial Workers strike against Von's and Ralph's in Southern California. We expect further action in the future; any members who can help with picket duty please contact SUP Headquarters or the Branch Agents.

*Dave Connolly*

## Minimum random drug testing for 2004

The Coast Guard has set the calendar year 2004 minimum random chemical drug-testing rate at 50 percent of covered crewmembers. An evaluation of the 2002 Management Information System (MIS) data collection forms submitted by marine employers showed that random drug testing on covered crewmembers for the calendar year 2002 resulted in positive test results 1.63 percent of the time. Therefore, we will maintain the minimum random drug-testing rate at 50 percent of covered crewmembers for the calendar year 2004.

The minimum random drug-testing rate is effective January 1, 2004 through December 31, 2004. You must submit your 2003 MIS reports by March 15, 2004.

The annual MIS report may be submitted in writing to Commandant (G-MOA), U.S. Coast Guard Headquarters, 2100 Second Street SW., Room 2404, Washington, DC 20593-0001 or by electronic submission to the following Internet address! <http://www.uscg.mil/hq/g-m/moa/dapip.htm>.

## Forbes magazine highlights need to strengthen U.S. Merchant Marine

"If a nation's preeminence is measured by the size of its maritime shipping industry, then the United States is in decline."

So begins an article published in the December 17, 2003, edition of *Forbes* magazine which, through an interview with Horizon Lines President and CEO Chuck Raymond and statistics provided by the American Maritime Congress (AMC), highlights the need, especially from a national defense perspective, to increase the number of U.S.-flag ships and U.S.-citizen seafarers in the U.S. Merchant Marine.

Entitled "Turning Around The Merchant Marine," the article features Raymond, who cites the need for the government to focus on ways to strengthen the U.S. merchant fleet, through the establishment of "a high-level, blue ribbon committee." Such a committee, Raymond said, would look into "what can be done and the key drivers to make it happen in a socially and fiscally responsible way."

AMC statistics showing the number of vessels in the U.S.-flag fleet dropping from 536 in 1991 to less than 260 today, along with the notation that 95 percent of all military cargo must travel by sea during wartime, were used as a backdrop to Raymond's pointing out the critical need for more U.S.-flag ships and U.S. citizen merchant mariners during wars or other national emergencies.

Noting how crucial it is to have U.S.-flag ships and U.S.-citizen merchant mariners as a national defense component, Raymond recalled in the early 1990s when he had to rush to retrofit two vessels to transport ammunition during the first Persian Gulf War because foreign mariners suddenly refused to carry America's military supplies into the war zone.

One way to prop up the U.S.-flag fleet and increase the number of American seafarers is through the development of a Short Sea Shipping fleet of vessels which would give shippers an alternative to surface transportation, Raymond said. He also cited the cost-advantages of building a domestic shipping fleet, as opposed to the construction of more highways. "You have cargo on those highways that could move by water, and there's not a huge investment required," Raymond said.

*Source: AMC Washington Letter*

# SUP Branch Reports

## Seattle

December 15, 2003

Shipped during the period: 19 able seamen; the jobs went to 7 A-cards, 7 B-cards, 5 C-cards and 2 D registrants; 3 ordinary seaman filled by 1 B and 2 D cards; and 9 standby's filled by 8 A-cards and 1 D registrant; 30 jobs total.

Registered during the period: 11 A cards for a total of 26; 7 B cards for a total of 36; 7 C cards for a total of 37.

### Ships checked

President Jackson, President Adams and the President Polk all back from the Far East with little or no trouble. *Cape Gibson* in at Indian Island, no beefs on this one, happy ship with Dan Foster as Serang. *Maui* and *Kauai* in twice and running smoothly.

I attended the Puget Sound Harbor Safety meeting, the Area Maritime Security Committee meeting, the King County Labor Council meeting.

The Sailors' Union made a strong showing at the AFL-CIO Right to Organize rally held at the Seattle Federal Building on December 10. Lyn McClellan from MarAd attended the Puget Sound Maritime Trades meeting where she spoke on "Short Sea Shipping", which is the movement of small loads of cargo up and down the U.S. West Coast including Canada and Mexico. After questioning by ILWU local 19 President Larry Hansen, Ms. McClellan stated that MarAd was firmly committed to the use of U.S. Bottoms sailing in this trade. We pointed out to Ms. McClellan that West Coast maritime unions, in particular, the Sailors' Union of the Pacific, have been working in this trade for years, most recently in Matson's West Coast Shuttle.

As we begin the new year, I urge all members to contribute to the SUP Political Fund. If each one of us contributed \$100 this year, it would help to insure that the SUP is an active player in the legislative issues that affect our livelihoods. Please make a contribution!

Vince O'Halloran  
Branch Agent

## In Memoriam



**Harry Lundeborg**

March 25, 1901-  
January 28, 1957

## Wilmington

December 15, 2003

Shipped during the period: Bosun: 3; AB: 9; AB Maint.: 9; Standby: 37; for a total of 59 jobs shipped.

Registration stands at: A: 60; B: 32; C: 14; D: 3.

### Ships checked

Ewa-John Rose, delegate, *Matsonia*-Rob Morgan, delegate, *APL Philippines*, *Mahimahi*, *Manukai*-Nick Hoogendam, delegate, *President Jackson*, *R.J. Pfeiffer*-Norm Kurtz, delegate, *President Wilson*, *Ewa*, *Matsonia*, *APL Thailand* (Worst morale in ASM fleet), *President Grant*, *Manukai*, *R.J. Pfeiffer*, *APL Singapore*, *Ewa*.

On November 17, Bud Yost and I attended the LA Federation of Labor monthly meeting where there was an outpouring of support for the UFCW strike.

On November 21, Gunnar Lundeborg came down to be the featured speaker at the first Maritime Trades Department (MTD) lunch/meeting aboard the *Lane Victory*. There were well over 70 union people attending. Gunnar spoke on current maritime issues and answered many questions. Captain William Carroll also talked and responded to questions about the *Lane Victory*. Many ideas and concerns came up at the informal meeting chaired by MTD VP Larry Barrigan. The *Lane Victory* is a great venue for many things and perfect for MTD meetings.

On December 4, we had "top secret" agents' lunch at Traini's in San Pedro. More on this in the future.

On December 13, we had our annual Christmas Party. There was plenty of good food and drinks as usual. It is always good to see us get together and enjoy ourselves. We don't do it often enough. There are always a lot of people who put this together, who set it up and take it down. This year our main man to thank is John Makaiwi, who not only did a lot of running around and organizing but also barbecued all the delicious fish and meat. Sven Ostman, always a big help, cooked and cut (and almost lost his knives). Mario Barahona did a great job as dj as well as bought and handed out toys to the kids. O.B. and I would also like to thank Harland Wofford, Al Brown, Tom Riley, Ernie Jalomo, Barry Fisher, Jose Rovelo, Hans Baemayer, Ray Person, Mark Littlejohn, Gabriel MacDonald, John Pitts, Keith Miller, John Allen, and Margaret Hurley. (I got a lot to thank her for.) If I left any one out, thanks and remember these Christmas parties were going on before any of us were born. So, let's all step up to help when needed and that goes for everything. The SUP is you.

Continue to support the UFCW —walk the picket line with them, talk it up. It's very important they win this strike.

Thanks to Duane Nash for relieving me from December 21 to December 27.

Mark Hurley  
Branch Agent

**Attend your Union meetings**

## Honolulu

December 15, 2004

During the month of November, dispatched the following: 1 bosun relief, 2 AB mains., 2 ABs, 1 AB relief, 1 ABD, 1 ABD return, 1 ABW return, 1 OS, and 1 OS return. These jobs were filled by: 1 A member, 7 B members, 1 C member and 2 D registrants. Also shipped 28 standby jobs filled by 2 A members, 9 B members and 17 C members, for a total of 39 jobs shipped.

During the month of November, registered the following: 5 A members, 2 B members, 2 C members and 1 D registrant. To date, registered are: 10 A members, 6 B members, 6 C members and 2 D registrants, for a total of 24 registered.

### Ships checked

*Maui*, *Lurline*, *Chief Gadao*, *Matsonia*, *Kauai*, *Ewa*, *R.J. Pfeiffer*, *Lihue* and *Manukai* with few or no problems. *USNS Piliilau* in at Ford Island for load out to Iraq, watch clarification. Paint and rigging with minor equipment operating problem. Keith Kamama, bosun.

On December 14, we had our annual SUP-MFOW Christmas party at the hall. It was a well attended event and a good time was had by all. President Gunnar Lundeborg was present and was able to socialize with the members and retirees, which was much appreciated by all.

On December 15, along with Gunnar, made the paint and rigging gang, the *Kauai* and the *Manukai*. The President answered questions and explained policies to the members. He went through

the same drill later at the Branch meeting. The Honolulu members are grateful for these annual visits.

I took off the rest of the month for a vacation on the mainland. Wish to thank Bonny Coloma for covering the waterfront while I was gone. I'd also like to thank Monty Kalama for holding down the Union office. They both did a superb job and I wish all the members a prosperous new year.

Mike Duvall  
Branch Agent

## Norfolk Office

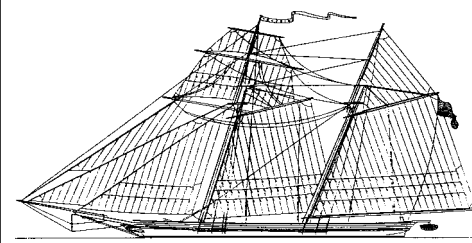
December 2003

During December shipped 2 ABs and 2 OS's, taken by 3 Class B members and one Class C member.

Made the *USNS Shughart* in Beaumont, Texas, *USNS Gilliland* in Jacksonville, Florida; *USNS Fisher* in New Orleans and the *Arizona Voyager* in Pascagoula, Mississippi. All are hard working ships with few or minor beefs.

The Norfolk SUP/MFOW holiday party went off without a hitch.

Jack Stasko  
SUP Representative



## San Francisco Business Agent

January 12, 2004

Visited and paid off the following ships:

**Chief Gadao**— Pasquale Minici, delegate: Pay off at Oakland. No disputes. Going to lay in Richmond temporarily.

**Kauai**— George Simpier, delegate: Island run. No disputes. Storage problems: shortage of regular milk, lots of spoiled fish and fruit, and rotten leftover meats. The sailors will clean iceboxes.

**Lihue**— Allen Gonzalez, delegate: Clarification on coffee time. Going to make three trips for horizon line.

**Lurline**— Jim Clay, delegate: In from the shipyard after 88 days in the Orient. Disputed time for sailors doing carpenter work; questionable, will discuss with labor relations.

**Manoa**— Robert Green, delegate: Voyage pay. Tom Larkin new bosun; no disputes.

**Maui**— Chuck Maringer, delegate: Northwest run, no disputes.

**R.J. Pfeiffer**—Norman Kurtz, delegate: Good shape, no disputes; Island run.

**President Wilson**— David Kaupiko, delegate: Voyage pay off; no disputes; good deck gang.

**APL Singapore**— Amando Martinez, delegate: Voyage pay off; no disputes; good gang.

**APL Thailand**— John Kerlin, delegate: voyage pay off. Disputed time squared at Port of Wilmington.

**Cape Gibson**— Joe Mantanona, delegate: Going to lay up in Alameda. Out for a year in the Middle East. No disputed time.

**ASM Shore Gang**— All going well.

Attended the California Labor Federation's Pre-Primary COPE Convention at the Hyatt Hotel in Burlingame. One of our delegates made a jackass out of himself.

Also worked in the front office during the month.

William Berger

## Dispatcher's Report

Headquarters—Dec. 2003

<b>Deck</b>	
Bosun .....	6
Carpenter .....	0
MM .....	11
AB .....	19
OS .....	0
Standby .....	19
Total Deck Jobs Shipped .....	55
Total Deck B, C, D Shipped .....	14
<b>Engine/Steward</b>	
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. ...	55
Total B, C, D Shipped-All Depts. .	14
Total Registered "A" .....	71
Total Registered "B" .....	67
Total Registered "C" .....	13
Total Registered "D" .....	14