



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, February 19, 2016

Unions prevail over APL in ship crewing dispute

A significant victory over American President Lines was achieved by the SUP, MFOW, MEBA and MM&P on February 9, when Arbitrator Margaret Brogan ruled that APL had “violated the Unions’ collective bargaining agreements when it refused to crew the *APL Guam* with employees represented by the Unions.

“The contract language, past practice and particular circumstances of this Company decision support the Unions’ position that this is bargaining unit work. In line with that finding, I conclude that the *APL Guam* is a replacement vessel for the *APL Cyprine* within the meaning of the contract language.”

The dispute began in November of last year when APL notified the Unions that the Maritime Security Program (MSP) enrolled vessel *APL Cyprine* would be reflagged foreign in December. This notification followed in the wake of

the company’s announcement in October, that would begin a U.S.-flag service from Yokohama to Saipan and Guam with a 1,100 TEU geared vessel to be named *APL Guam*.

The SUP, MFOW, MEBA and MM&P then contacted the company and asked if the Maritime Security Program Operating Agreement for the *Cyprine* was going to be transferred to the *Guam*. APL responded in the affirmative, stating that the *Guam* would be operated by APL Maritime Ltd. instead of APL Marine Services which has agreements with the SUP and the other affected Unions.

It must be noted, as Arbitrator Brogan did, that the SUP, MFOW, MEBA and MM&P have been on APL vessels enrolled in the Maritime Security Program since its inception in 1996.

In response, the Unions filed a grievance with the company, asserting that it was violating the Union’s collective bargaining agreements which ultimately led to expedited arbitration (see the December 2015 *West Coast Sailors*) and Arbitrator Brogan’s decision.

As the *West Coast Sailors* went to press, the Unions and the company have agreed that the SUP, MFOW, MEBA and MM&P shall crew the *APL Guam* along with the SIU-Marine Cooks. Other remedies including contributions to the various Union benefit plans during the time the vessel operated without the affected Unions onboard still need to be discussed.

If the Unions and APL cannot arrive at appropriate remedies, Arbitrator Brogan will make the determination.

SUP-contracted Matson and Patriot awarded 10 Ready Reserve Force Ships

The Sailors’ Union gained new work last month when Matson Navigation Company and Patriot Contract Services were awarded contracts to operate and maintain 10 vessels in the Ready Reserve Force. Seven of the ships are new for the SUP.

The awards were announced on January 22, by Secretary of Transportation Anthony Foxx. Matson was awarded three vessels with a contract totaling \$174 million and Patriot seven vessels for \$227 million.

The contract awards are four years, including two, two-year options. The Maritime Administration (MarAd) contracts are funded by the Department of Defense Sealift Fund to support the nation’s strategic sealift mission.

The vessels awarded to Matson are the *Cape Henry*, *Cape Horn* and *Cape Hudson*. The *Henry* is homeported in Alameda and the *Cape Horn* and *Hudson* are in San Francisco. The Patriot vessels are the *Admiral William Callaghan* and *Cape Orlando* both berthed in Alameda, plus the *Cape Taylor*, *Cape Texas*, *Cape Trinity*, *Cape Victory* and *Cape Vincent* –all homeported in Beaumont, Texas. All the vessels are Roll-On/Roll-Off. More information is in President Lundeberg’s report on page 10.

Five other companies were also awarded contracts: Crowley Technical Management, Keystone Shipping Services, Ocean Duchess Inc., Pacific-Gulf Marine Corporation and TOTE Services, Inc.

All companies are responsible for maintaining the ships in good working order and ensuring that crews are available to sail them when needed. Forty-six of the vessels are part of the Ready Reserve Force – including those awarded to Matson and Patriot. This fleet is managed by MarAd to provide rapid mass movement of defense equipment and



Pictured above is the *MV Cape Horn*. She and her sister ships *Cape Henry* and *Cape Hudson* carry up to 6,766 TEU’s with a 39-ton crane to unload the containers. The *Horn* has a fixed 63.9-ton capacity vehicle ramp on the starboard/stern quarter which allows Ro/Ro operations to the starboard side or aft only. The vessel has an overall capability of carrying 180,000 square feet of cargo. The ship was built for Norway’s Barber Steamship Company in 1979 and named *Barber Tonsberg*. She was purchased by the Maritime Administration in 1986, and renamed *Cape Horn* (T-AKR 5068). The *Horn*, *Henry* and *Hudson* are managed by Matson Navigation Company.

supplies to support U.S. forces and to respond to national and humanitarian emergencies. Two other vessels are used to support Missile Defense Agency operations.

The Ready Reserve Force (RRF) program was initiated in 1976 as a subset of MarAd’s National Defense Reserve Fleet (NDRF) to support the rapid worldwide deployment of U.S. military forces. As a key element of Department of Defense (DOD) strategic sealift, the RRF primarily supports transport of Army and Marine Corps unit equipment, combat support equipment, and initial resupply during the critical surge period before commercial ships can be marshaled. The RRF provides nearly one-half of the government-owned surge sealift capability. Management of the RRF program is defined by a Memorandum of Agreement between DOD and Department of Transportation (DOT).

The program began with six ships in 1977, peaked at 102 in 1994, and now consists of 46 ships including: 35 Roll-On/Roll Off (RO/RO) vessels (which in-

cludes eight Fast Sealift Support vessels (FSS)) two heavy-lift or barge carrying ships, six auxiliary craneships, one tanker, and two aviation repair vessels. Two RRF ships are homeported in the NDRF anchorage in Beaumont, Texas. The balance are berthed at various U.S. ports. Layberth facilities are leased from commercial sources and by negotiating for government owned facilities. These outported locations are coordinated with military planners and chosen to minimize sailing time to strategic load out ports. Outported RRF ships are also used as training platforms for cargo handling by Navy and Army units and for homeland security training by various law enforcement agencies.

RRF ships are expected to be fully operational within their assigned five and 10-day readiness status and sail to designated loading berths. Commercial U.S. ship managers provide systems maintenance, equipment repairs, logistics support, activation, manning, and operations management by contract. Ships in priority readiness have Reduced

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



SUP Quarterly Finance Committee Report

SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED DECEMBER, 2015

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on January 11, 2016, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

| | |
|--|-----------------------|
| General Fund..... | \$1,779,837.18 |
| Political Fund | \$9,854.93 |
| Strike Fund | <u>\$1,293,730.99</u> |
| Total Cash and Investments 4th Qtr. 2015 | <u>\$3,083,423.10</u> |

GENERAL FUND

| | |
|---|---------------------|
| Income: | |
| Dues, Initiation, Assessments | \$134,865.80 |
| Interest | 12,484.05 |
| Donations - <i>West Coast Sailors</i> | 1,025.00 |
| Tanker & Joint Committee, Hiring Hall..... | 148,959.39 |
| Advertising & Promotion | 100.00 |
| Miscellaneous Income, Reimbursements, Fines | 1,100.70 |
| Reimbursed Administrative Expenses..... | 20,343.78 |
| Contributions - General Fund | <u>810.00</u> |
| Total Income: | <u>\$319,688.72</u> |

| | |
|--|------------|
| Expense: | |
| Auto & Travel | \$545.00 |
| Rent..... | 10,045.78 |
| Postage, Printing & Office | 7,170.56 |
| Telephone & Telegraph..... | 4,433.34 |
| <i>West Coast Sailors</i> Publishing Expense | 12,055.00 |
| Contributions | 500.00 |
| Per Capita | 12,055.00 |
| Salaries & Payroll Taxes..... | 180,394.08 |
| Office Workers Pension..... | 8,549.30 |
| Insurance..... | 48,451.94 |
| Field Expense..... | 1,922.45 |
| Meeting/Committee & Neg., Conference & Conv. | 8,823.06 |
| Investment Expense..... | 1,791.91 |
| Officials Pension..... | 1,188.00 |
| Subscriptions..... | 725.71 |
| Legal - Rep..... | 14,908.18 |
| Accounting..... | 4,000.00 |

| | |
|------------------------------|---------------------|
| Advertising & Promotion..... | 1,115.90 |
| Misc..... | <u>728.83</u> |
| Total Expense:..... | <u>\$320,097.21</u> |

BUILDING CORPORATION

| | |
|----------------------------------|---------------------|
| Income: | |
| Rents | \$124,482.79 |
| Bldg. Util. & Service Reim. | <u>0.00</u> |
| Total Income: | <u>\$124,482.79</u> |

| | |
|-------------------------------------|---------------------|
| Expense: | |
| Building Services & Utilities | \$33,239.79 |
| Repairs & Maintenance | 15,635.91 |
| Insurance..... | 6,834.32 |
| General Taxes | 18,418.90 |
| Salaries & Payroll Taxes..... | 22,950.59 |
| Pension | 198.00 |
| Accounting..... | 2,000.00 |
| Office | <u>1,768.25</u> |
| Total Expense: | <u>\$101,298.06</u> |

POLITICAL FUND

| | |
|---------------------|-------------------|
| Income: | |
| Contributions | <u>\$4,145.00</u> |
| Total Income | <u>\$4,145.00</u> |

| | |
|---------------------|---------------|
| Expense: | |
| Office | \$0.00 |
| Contributions | <u>0.00</u> |
| Total Expense:..... | <u>\$0.00</u> |

| | |
|--------------------------|---------------------|
| Net Income 4th Qtr. | <u>\$26,921.24</u> |
| Net Income YTD:..... | <u>\$173,757.58</u> |

/s/ Diane Ferrari

/s/ Mike Worth

/s/ Dave Frizzi

/s/ Antonio Ymas

/s/ Anton Seravaseiyar

ACTION BY THE MEMBERSHIP February 8, 2016. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

Fishing from gangway causes bosun’s death

The Australian Transport Safety Bureau (ATSB) has released its findings into the man overboard fatality from the bulk carrier Singapore-flag *Cape Splendor* in Western Australia on October 6, 2014.

The vessel was anchored at the time of the accident. *Cape Splendor’s* bosun descended to the lower platform of the ship’s accommodation ladder during his lunch break. He intended to fish from this location and asked a sailor to assist. At 1250, the bosun lost his balance and fell into the sea.

The sailor immediately returned to the ship’s deck and threw a life ring toward the bosun, before raising the alarm. The ship’s crew deployed its rescue boat within 10 minutes, and an extensive air and sea search continued for three days. However, the bosun was not found.

The ATSB found that the bosun and the sailor were not wearing any flotation devices or fall-prevention equipment. The bosun had seen fish below the accommodation ladder that was in the shade, and he probably saw it as a good opportunity to fish without considering the risks involved. The lack of a lifejacket, wet clothing, the possible entanglement with fishing gear, sea conditions, and the current would have adversely affected the bosun’s ability to stay afloat and swim.

The ATSB investigation identified that the ship’s safety management system procedures for working over the ship’s side were not effectively implemented. Hence, the ship’s crew routinely did not take all the required safety precautions when working over the side. It was also found that the crew had differing attitudes to taking safety precautions during work and recreation times as the safety culture on board was not well developed.

When ATSB investigators visited the *Cape Splendor* after the accident, they observed the crew rigging the ship’s port side, midships accommodation ladder. They observed an absence of standard working at height precautions, such as fall-prevention equipment, unraised handrails on a ladder section 43 feet above the water with two crew members on it and a crew member standing outside the ship’s handrails with no fall protection or lifejacket.

Cape Splendor’s managers U-Ming Marine conducted a fleet-wide review of procedures and training to ensure ship crews comply with procedures and permits to work. A number of fleet-wide memoranda describing the accident were issued to promulgate lessons learned, encourage compliance with policies and procedures and reiterate the importance of taking safety precautions during both work and during leisure periods. The ship’s managers have prohibited fishing from ships’ accommodation ladders and warning signs have been posted. Man overboard recovery procedures were reviewed and the accident was highlighted in training programs.

Final Departures

Robert Brien, Book No. 5349. Born in California in 1927. Joined SUP in 1947. Died in Nevada, January 7, 2016. (Pensioner)

Rolf Danielsson, Book No. 2269. Born in Sweden in 1923. Joined SUP in 1944. Died in Alamo, California, January 15, 2016. (Pensioner)

John Rescino, Book No. 3145. Born in California in 1939. Joined SUP in 1958. Died in Reno, Nevada, January 19, 2016. (Pensioner)

Takeshi Masukawa, Book No. 6470. Born in California in 1941. Joined in 1968. Died in Los Angeles, California, January 28, 2016. (Pensioner)

John Skinner, Book No. 7381. Born in New York in 1929. Joined SUP in 1954. Died January 20, 2016. (Pensioner)

Support the SUP Political Fund

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2016:

| | <i>Hdq.</i> | <i>Branch</i> |
|-----------|-------------|---------------|
| March | 14 | 21 |
| April | 11 | 18 |
| May | 9 | 16 |
| June | Tues. 14 | 20 |
| July | 11 | 18 |
| August | 8 | 15 |
| September | 12 | 19 |
| October | Tues. 11 | 17 |
| November | 14 | 21 |
| December | 12 | 19 |

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Gunnar Lundeberg,
President/Secretary-Treasurer
Teresa Anibale, Editor
BRANCH OFFICES
Seattle, WA 98106
4269 22nd Ave. W. (206) 467-7944
FAX: (206) 467-8119
Wilmington, CA 90744
533 N. Marine Ave. (310) 835-6617
FAX: (310) 835-9367
Honolulu, HI 96813
707 Alakea St., Rm. 101 (808) 533-2777
FAX: (808) 533-2778
WELFARE OFFICE
(415) 778-5490
PENSION PLAN OFFICE
(415) 764-4987

Fake TWIC cards prompt port security concerns

Potential security threats at America’s ports have been highlighted following the arrest of two men for allegedly making counterfeit ID cards used to access terminals at the Port of Los Angeles.

Brian Allen Dunmore was arrested on February 3, by agents with the U.S. Coast Guard Investigative Services (CGIS) unit. Dunmore, is accused of operating a Los Angeles “document mill” that produces several types of fake IDs, including the federal Transportation Worker Identification Credential (TWIC), which allows employees to move unescorted within secure areas at U.S. maritime facilities.

Dunmore was ordered to be held without bond in part, according to federal authorities, because he’s a convicted felon with a “small arsenal of weapons” discovered at his house, including two AR-15 rifles, an AK-47, and more than 2,000 rounds of ammunition.

“Our national security depends in part on our ability to restrict access to sensitive areas, including significant transportation hubs such as the Port of Los Angeles,” said U.S. Attorney Eileen Decker in a February 5, statement. “Here, false identification documents were given to unauthorized individuals by a person who also illegally possessed an arsenal of high-powered weapons, making this crime extremely serious.”

The CGIS arrested a second man, Ricardo Rios-Gama, on February 4, on suspicion of trafficking counterfeit documents. A criminal complaint alleges that Rios-Gama sold undercover agents counterfeit identification information, including bogus TWICs.

Port workers including merchant mariners who are issued TWIC cards undergo a security background check by the Transportation Security Administration. But a black market for these documents has developed because some people are ineligible to get a TWIC due to their immigration status or other reasons, according to an ongoing CGIS investigation.

The Department of Homeland Security’s (DHSs) TWIC card program, initiated in 2001 in the wake of the September 11 attacks, was meant to reduce the risk of terrorist attacks at terminals such as those at the Port of Los Angeles, which is considered vulnerable due to its size, proximity to a metropolitan area, and links to global supply chains.

But full rollout of the program, estimated to cost up to \$3.2 billion, has been delayed for various reasons, including its vulnerability to fake IDs. According to a report issued in May 2013 by the Government Accountability Office (GAO), a federal watchdog agency, investigators were able to covertly access several selected ports using both counterfeit TWICs and authentic TWICs purchased illegally. “The investigators’ possession of TWIC cards provided them with the appearance of legitimacy and facilitated their unescorted entry into secure areas of regulated facilities and ports at multiple locations across the country,” the report noted.

The GAO was also critical of a \$23 million pilot program designed to test biometric TWIC card readers that could potentially add another level of security to manual checks. The agency concluded, however, that the pilot test did not produce reliable data and recommended that the DHS delay a final regulation on the reader program until it can better assess its effectiveness.

Prestige captain convicted of maritime recklessness

Spain’s Supreme Court sentenced the captain of the tanker *Prestige*, which sank off Spain’s northwestern coast in 2002, to two years in prison on January 26. The captain, Apostolos Mangouras, was convicted of recklessness resulting in catastrophic environmental damage, according to a statement by the court, overturning a previous sentence which cleared him of criminal responsibility.

In the court’s ruling, Mangouras was accused of guiding the tanker in treacherous conditions with full knowledge of its weakened structure while the ship was overloaded by at least 2,000 tons of fuel oil. The court also found the London P&I Club and shipowner Mare Shipping liable for the disaster.

Spain’s State Prosecutor Luis Navajas, who asked the Supreme Court to overturn the earlier acquittal, said evidence had been overlooked including notes from the *Prestige’s* former captain, Stratos Kostazos, who had complained about the tanker’s condition and had refused to sail on it. The Supreme Court noted that two major energy companies, Repsol and BP, had advised against using the tanker.

The Galician regional court had previously concluded it was impossible to establish criminal responsibility and that the disaster was partly due to the 26-year-old tanker’s poor state of repair.

The sinking of the Greek tanker, which was sailing to Gibraltar, released an estimated 63,000 tons of fuel along thousands of miles of Galicia coastline and forced the closure of the country’s richest fishing grounds.

After a storm damaged one of its fuel tanks, the ship had spent days drifting at sea having been refused permission to dock by Spanish, Portuguese and French authorities. It eventually split into two and sank about 250 miles off the coast, spurting oil into the water from the sea bed.

The new ruling opens the door to damage claims against the captain and the insurer, with one prosecutor calling for more than \$4.3 billion.

Greenpeace has stated that Mangouras is being made a scapegoat while other key players in the disaster are not facing trial including current incumbent Prime Minister Mariano Rajoy, who was deputy prime minister at the time. According to reports, the government had ordered the *Prestige* out to sea away from the Spanish coast instead of following an emergency plan that called for it to be brought to port where the leaking oil could be confined. The environmental organization also points out that BP has paid over \$20 billion to settle damages claims as a result of the 2010 *Deepwater Horizon* spill, so the much lower figure anticipated in this case is “ridiculous.”



Bosun Cosme Bigno, and AB Andrey Didkovsky slushing the topping lifts on the crane on the USNS Watkins. The Watkins is operated by SUP-contracted Patriot Contract Services for the Military Sealift Command.

RRF Awards continued from page 1

Operating Status (ROS) maintenance crews of about 10 commercial merchant mariners that are supplemented by additional mariners during activations. Readiness of the RRF is periodically tested by DOD directed activations of ships for military cargo operations and exercises.

The program has experienced a total of 603 vessel activations, with an average of about 27 activations per year since 1990. The RRF made a major contribution to the success of *Desert Shield/Storm* Operations from 1990 through 1992, when 79 vessels were activated to meet military sealift requirements by carrying 25% of the unit equipment and 45% of the ammunition needed. Two RRF tankers, two RO/RO ships and a troop transport ship were needed in Somalia for *Operation Restore Hope* in 1993 and 1994. During the Haitian crisis in 1994, 15 ships were activated for *Uphold Democracy* operations. In 1995 and 1996, four RO/RO ships were used to deliver military cargo as part of U.S. and UK support to NATO peace-keeping missions. Four ships were activated to provide humanitarian assistance for Central America following Hurricane Mitch in 1998. During the 1990s, RRF ships supported the Afloat Prepositioning Force (APF) with specialized tankers. One dry cargo vessel remains in use and is capable of underway replenishment for the Navy’s Combat Logistics Force.

The RRF was called upon to provide humanitarian assistance to the U.S. Gulf Coast following Hurricanes Katrina and Rita landfalls in 2005 with 866 ship-days of support. The Federal Emergency Management Agency (FEMA) used nine of MarAd’s vessels to support relief efforts; five were in the RRF. Messing and berthing was provided for refinery workers, emergency response teams, and longshoremen, providing about 83,000 berths and 270,000 meals.

From 2002 to June of 2008, 118 ship activations were called for in support of Operations *Enduring Freedom* and *Iraqi Freedom*. In that period, there were 13,575 ship operating days with a reliability rate of 99%. Almost 25% of the initial equipment needed to support the U.S. Armed Forces operations in Iraq was moved by the RRF. MarAd activated seven vessels in response to the devastating earthquake that struck Haiti on January 12, 2010. Three of the seven vessels took part in the relief efforts. The first vessel carried supplies and equipment for the U.S. Navy’s Seabees (Construction Battalions). The second vessel provided logistical support for the relief efforts from Port au Prince’s harbor, while the third vessel operated as a high speed freight and passenger shuttle between the continental U.S. and Port au Prince.

The agency also activated one RRF vessel, and two NDRF training vessels, in response to Hurricane Sandy in late 2012. The vessels provided berthing and meal service to Department of Homeland Security relief workers in New York City.

Oakland port terminal files for bankruptcy

The Port of Oakland’s Outer Harbor Terminal filed for Chapter 11 protection on February 1, two weeks after one of its biggest tenants said it was terminating a 50-year lease with the Northern California port.

Ports America, one of the largest marine cargo operators in the United States, said it was shifting its business from the Oakland to other cities along the West Coast, including Los Angeles and Long Beach as of March 31. Ports America operates one of five marine terminals at the port, and the Port of Oakland has expressed disappointment at the decision by Ports America Outer Harbor to file for bankruptcy.

“We’re deeply disappointed in the action today by Ports America,” said Port of Oakland Executive Director Chris Lytle. “They made a decision to close their business in Oakland. Since then, we’ve been negotiating with them in good faith for a smooth, orderly transition that protects the interests of shipping lines, cargo owners and others who depend on the terminal. It’s a shame they’ve taken this step.” The port said it is finalizing plans to redirect ships and cargo to other Oakland marine terminals when Port America Outer Harbor closes. “We’ll find a home for all of the cargo that was going to Ports America Outer Harbor,” said Lytle. “We’ll implement measures to improve cargo-handling processes and make this transition successful.”

In a Chapter 11 petition filed in U.S. Bankruptcy Court in Delaware, Outer Harbor Terminal, which operates part of the Oakland port, listed both assets and liabilities of between \$100 million and \$500 million.

SUP Honor Roll

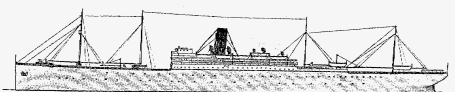
Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Ben Braceros 50.00
Joseph Castege in memory of
George Castege and
Francis Castege 1000.00
Kelly Eggers..... 100.00
Jack Forde10.00
Nicholas Mariovich..... 50.00
Mark Pfaff..... 50.00

West Coast Sailors

Thor Erikson..... 20.00
James Heaton 25.00
Charles Maringer 25.00
Joseph Meehan 25.00
Jack Post 25.00
Manuel Rodriguez 25.00
Richard Walsh..... 20.00
William Wood.....10.00



Dues-Paying Pensioners

| | | | |
|--------------------|------------|-----------------------|------------|
| Gordon Abbott | Book #3785 | Duane Nash | Book #2437 |
| Robert Copeland | Book #4763 | John Perez | Book #3810 |
| Donald Cushing | Book #4777 | Alex Romo | Book #3193 |
| Romaine Dudley | Book #2593 | Francisco Salvatierra | Book #7498 |
| Diane Ferrari | Book #2251 | James Savage | Book #7488 |
| Gerald Ingemansson | Book #0379 | Ralph Senter | Book #7323 |
| Kaj E. Kristensen | Book #3120 | David Shands | Book #7483 |
| Hannu Kurppa | Book #3162 | Arthur Thanash | Book #3249 |
| Dave Larsen | Book 19078 | | |

Political Fund

Ben Braceros 50.00
Milton Caballero..... 20.00
Philip Coulten 50.00
David Fadoul 100.00
Diane Ferrari..... 100.00
Teodoro Gadais..... 50.00
David Garcia 20.00
Art Garrett 100.00
Gary Gelfgren in memory of
Red Bell..... 50.00
Juan Gonzalez..... 20.00
Mark Hargus..... 100.00
Mike Henderson 100.00
Forrest Jackson..... 50.00
Tony Jones in memory of
Bob Bacon and
Liberty Ships 100.00
Robert Lee Jones..... 50.00
David Larsen..... 100.00
Gunnar Lundeborg..... 50.00
Raul Macalinao.....10.00
Adrian Minty..... 50.00
Scott Oliphant..... 20.00
John Perez 150.00
Ray Joe Ramirez..... 30.00
Eric Weintraub 50.00
Peter Winter 100.00



In Bayonne, New Jersey SUP gang in the USNS Red Cloud breaking for a photo while clearing the decks of snow last month. From the left: OS Blake Dunn, AB Sebastian Navarro-Delaney, OS Pedro Fuentez, Delegate Joe Zeason, and Bosun Nestor Pascual.

State court dismisses Costa Concordia cases

A Florida state appellate court has ruled that lawsuits filed by a group of predominantly foreign passengers on board the *Costa Concordia* when it sank can't try their case in Miami-Dade, or anywhere in the United States. The ruling, made last month by Judge Barbara Lagoa in the Third District Court of Appeal, means that the 57 plaintiffs, five of whom are American, will have to take their injury compensation cases to Italy.

The suits were filed against Carnival Corporation, Costa Crociere and Miami architect Joseph Farcus.

"Litigating in Florida would result in material and manifest injustice to Carnival because the vast majority of evidence is located in Italy, as are virtually all of the witnesses," Lagoa wrote.

This is the end of it in the United States, said attorney Thad Dameris, who represented the parent company along with another lawyer from Arnold & Porter and a lawyer from the New York firm of Blank Rome.

On January 13, 2012, the *Costa Concordia* sank off the Tuscan island of Giglio. Thirty-two people died in the incident. In a maneuver described in court as a "salute to a retired cruise line commodore," Captain Francesco Schettino brought the *Concordia* close in to the island where she hit a rock, tearing a long hole in her side. Flooding disabled the main engines and she drifted in to shore, eventually coming to rest on the rocks. The shipwreck set off a chaotic evacuation of more than 4,000 passengers and crew.

In 2015, Schettino was convicted of multiple counts of manslaughter and sentenced to 16 years. Investigators severely criticized his handling of the disaster, accusing him of delaying evacuation and abandoning ship before all the 4,229 passengers and crew had been rescued.

Islamic State wants its own navy

A senior NATO naval officer has warned that extremist group ISIL wants its own navy. The navy would present a risk to commercial shipping and cruise ships in the Mediterranean, according to the British Royal Navy's Vice-Admiral Clive Johnstone, who spoke of the threat on board a Spanish NATO ship last month.

The rise of the Islamic State of Iraq and the Levant (ISIL) along the Libyan coast has cast an "uncomfortable shadow" across shipping. This coupled with the spread of arms in the region means a "horrible opportunity" exists, he said. "We know they have had ambitions to go off shore, we know they would like to have a maritime arm, just as al Qaeda had a maritime arm."

The Islamic State of Iraq and the Levant (ISIL) is also known as ISIS or Daesh, and the group refers to itself as the Islamic State.

Johnstone said: "I think it won't be a planned, horrible mischievous act, I think it will be an act which is almost a mistake, or it will be an act of random terrorism that will suddenly have extraordinary implications for the Western world." NATO mustn't think the Mediterranean is just about immigration, he said. "It is the spread along the North African seaboard; it is the Daesh entry into Libya; it is the Daesh control of Sirte and other places, which has an uncomfortable shadow over maritime trade and maritime access."

Admiral Johnstone was appointed Commander Allied Maritime Command in October 2015.

"Let's be guided by the sincere desire to place the Union's welfare above any personal consideration or any personal differences."

Walter Reuther (1907-1970)
Former President of the United Auto Workers (UAW)

Seattle billionaire's foreign-flag yacht accused of reef damage

The 3,000 gross ton megayacht *Tatoosh* and her crew stand accused of damaging 14,000 square feet of protected coral reefs in the Cayman Islands due to a dragged anchor, local authorities told media last month. Divers surveyed the reef to determine the extent of the damage, and they reportedly found that 80% of the coral in the affected area had been destroyed.

A Department of the Environment spokesman told local media that "in addition to assessing the damage and determining the cause of this incident, we are also paying close attention to lessons learned so that we can more effectively prevent these accidents while still hosting visiting yachts."

Tatoosh is home-ported in the Cayman Islands, and as of January 27, her AIS history shows her under way on a circular track, a short distance from the alleged incident site off Seven Mile Beach, Grand Cayman.

The 300-foot yacht—larger than some government-owned oceanographic research vessels—belongs to multibillionaire Microsoft co-founder Paul Allen. Allen also owns the *Octopus*, a 400-foot, 10,000 gross ton vessel with two helicopters, an ROV, a submarine and a crew of 60. Allen also owns the Seattle Seahawks football team.

Tim Austin, deputy director of research for the Department of the Environment, told media that under national conservation law, damaging coral could be prosecuted as a criminal offense. Allen and his crew could be fined up to \$600,000 and jailed for up to four years if found liable under the statute, and any assets involved—in this case, the \$135 million *Tatoosh*—could also be confiscated. However, local news outlets said that other recent reef damage incidents in the Cayman Islands have not resulted in prosecution.

DEFEND THE JONES ACT
SUPPORT THE SUP POLITICAL FUND

SUP ELECTION RESULTS

CERTIFICATE OF ELECTION

Election held December 2015-January 2016. Tabulated February 1, 2016, by Pacific Election Services, Inc., Impartial Balloting Agent. This is to certify that the following are the true and correct results of the election:

PRESIDENT/SECRETARY-TREASURER

Gunnar Lundeberg 405 ELECTED

VICE PRESIDENT/ASSISTANT SECRETARY-TREASURER

David J. Connolly 346 ELECTED
Daniel L. McDonald 80

SAN FRANCISCO BUSINESS AGENT

Roy L. Tufono 412 ELECTED

SEATTLE BRANCH AGENT

Vince A. O'Halloran 347 ELECTED
Albert B. Rossi 43
Jesper Pfeil 26

WILMINGTON BRANCH AGENT

Robert J. Burns 358 ELECTED

HONOLULU BRANCH AGENT

Michael L. Dirksen 307 ELECTED
Patrick M. Weisbarth 101

SUP BUILDING CORPORATION TRUSTEES

Gunnar Lundeberg 326 ELECTED
David J. Connolly 288 ELECTED
Roy L. Tufono 279 ELECTED
Norman Christianson 217 ELECTED
Michael Dirksen 166
Robert J. Burns 132
Paul Fuentes 123 ELECTED
Michael Worth 117
Daniel L. McDonald 105
Jesper Pfeil 61
Brian Burns 60
Leo Moore 60

SIUNA CONVENTION DELEGATE

Gunnar Lundeberg 326 ELECTED
David J. Connolly 280 ELECTED
Vincent A. O'Halloran 237 ELECTED
Robert J. Burns 99
Daniel L. McDonald 74
Patrick M. Weisbarth 73
Michael E. Worth 69

BALLOTING COMMITTEE'S REPORT

SAILORS' UNION OF THE PACIFIC

February 1, 2016

We, the duly elected Balloting Committee, herewith submit our report on the Sailors' Union of the Pacific election of officers for the 2016-2019 term.

The Balloting Committee turned to at 0800 Monday, February 1, 2016, at SUP Headquarters, to check and to verify the standing of those eligible to vote in this election. We then met with the Impartial Balloting Agent from Pacific Election Services, Inc., picked up the mailed ballots from the U.S. Post Office in San Francisco and transported them to the SUP Headquarters library where the vote took place.

Your elected committee, acting as observers, was present throughout the entire process of opening the ballots and preparing them to be inserted into the equipment where the votes were counted and the results printed out on the tally sheet. During the entire procedure, we were joined by SUP members who wished to witness the count.

The election count took place only after all the ballots were cross-checked with the master mailing list for verification and eligibility. After all of this was completed the official vote was run and tallied at 11:30 A.M.

After completion of the ballot count, all balloting material was boxed, sealed, and signed in the presence of the Committee and Mr. Robbin Johnson of Pacific Election Services, Inc. The sealed boxes were then placed in a safe, and will be kept for one year, as required by federal law.

Your elected committee adhered strictly to the mail balloting procedure, Article XIII, Section 6 through 11, and proceeded with due caution in every respect. We can report that the tabulation ran smoothly and was handled in a first-class manner by Pacific Election Services, Inc.

Attached is a copy of the Certificate of Results for the SUP 2015-2016 Election.

Fraternally,
SUP BALLOTING COMMITTEE

Dave Frizzi #225
Anton Seravaseiyar #7521
Tom Wilson #3622

Dave Larsen #19078
Arthur Thanash #3249



The crew from Pacific Election Services, Inc. begins counting the ballots in the library at Headquarters on February 1. Robbin Johnson, from Pacific Election Services, is standing.

Certificate of Accounting of returned mailed ballots

We hereby certify that the following is the complete accounting of the official ballots which were voted and returned to the Post Office Box for this election.

| | |
|------------------------|-----|
| Returned voted ballots | 444 |
| Ballots not counted | 1 |
| Ballots counted | 443 |
| Deceased | 0 |



The SUP Balloting Committee at the Headquarters Library on February 1. From left to right: Arthur Thanash, Dave Larsen, Dave Frizzi, Tom Wilson and Anton Seravaseiyar.

U.S. Navy commander pleads guilty to bribery charges

A U.S. Navy commander charged with accepting paid travel, prostitutes and Lady Gaga concert tickets from a Malaysian defense contractor in exchange for classified information pleaded guilty last month to federal corruption charges.

Commander Michael Vannak Khem Misiewicz appeared in U.S. District Court in San Diego to answer to charges of conspiracy to commit bribery and bribery of a public official stemming from his involvement in a scandal surrounding a contractor who serviced ships in the Navy’s Pacific Fleet. Misiewicz admitted to providing Malaysian businessman Leonard Francis, known to friends as “Fat Leonard,” classified information worth millions of dollars. Misiewicz was born in Cambodia during the Vietnam War and gained media attention for his rise to captain of a U.S. Navy destroyer.

The information he gave to Francis included ship movements and helping arrange visits by U.S. Navy vessels to ports where Francis’ company, the Singapore-based Glenn Davis Marine Asia Ltd, had contracts to provide tugboats, security, fuel, waste removal and other services, prosecutors said. According to an affidavit filed by a federal agent, Misiewicz sometimes worked to redirect ships to ports controlled by Glenn Defense Marine. In September 2011, for instance, the aircraft carrier *USS John C. Stennis* extended its stay at a Malaysian port run by Glenn Defense Marine, enabling the firm to bill the Navy an extra \$250,000.

In exchange for such information and arrangements,

Francis furnished Misiewicz with such gifts as travel, entertainment, luxury hotel stays and five tickets to a Lady Gaga concert in Thailand in May 2012, the complaint said. “In exchange for luxury vacations, gifts and other expenses, Commander Misiewicz betrayed his oath, the men and women of the U.S. Navy, and American taxpayers by directing lucrative government contracts to his financial patron,” Assistant Attorney General Leslie Caldwell said in a statement.

Francis pleaded guilty to bribery in January 2015 and agreed to forfeit \$35 million in ill-gotten gains. According to that plea agreement, Francis paid about \$500,000 in bribes to Navy officials.

The complaint against Misiewicz described the two men as developing a close friendship in which Misiewicz referred to Francis by such terms as “Big Brother,” “Big Bro” or “BB” and the defense contractor called him “Little Brother,” “Little Bro” or “LB.”

Misiewicz was formerly a deputy operations officer for the U.S. commander of the Seventh Fleet, which oversees operations over some 48 million square miles extending from Japan to Diego Garcia in the Indian Ocean and from Vladivostok, Russia, to Australia. He had been commanding officer of the *USS Mustin*, a forward-deployed guided-missile destroyer, before that assignment.

According to a 2010 U.S. Navy release, Misiewicz grew up near Phnom Penh during the Vietnam War and was adopted by an American woman shortly before the Khmer Rouge came to power in 1975.

Hawai’i governor floats proposal to bring back island ferry service

Hawai’i Governor David Ige’s administration is moving ahead with a proposal to revive inter-island ferry service in Hawai’i, a potentially controversial effort that could even involve the same catamaran vessels that were deployed in the ill-fated “Superferry” initiative that shut down in 2009.

State Department of Transportation Director Ford Fuchigami told lawmakers his office is managing the initiative, which will take a step forward later this year when the state seeks proposals for a feasibility study for a ferry system.

Fuchigami cautioned lawmakers that putting a ferry back into service would take years, and told senators that “we need to do it right this time.” He also said he has inquired about the two vessels that were purchased by the military after the Hawai’i Superferry initiative failed, and said he was told the vessels are not being used.

Senate Transportation and Energy Committee Chairwoman Lorraine Inouye, (D-Kapulehu-Waimea-North Hilo) said this month that she supports the effort, and plans to travel with Fuchigami to Washington, D.C, in March to learn more about the status of the former Superferry vessels.

The state Department of Transportation (DOT) played a key role in the original effort to launch the privately owned Superferry project during former Governor Linda Lingle’s administration.

The state contributed about \$40 million in harbor improvements to accommodate the service, and the department in 2005 made a crucial decision to exempt the project from some environmental review requirements, including an environmental impact statement.

The first vessel put into service was a 349-foot catamaran able to travel between islands at up to 40 mph, and capable of carrying up to 866 passengers and 282 cars.

The Superferry system launched on August 24, 2007, but was blocked two days later by protesting swimmers and surfers at Kauai’s Nawiliwili Harbor. On August 27, protesters who were blocking the harbor forced the ferry to turn back without docking, prompting the service to suspend its Kauai trips.

Days later the Hawai’i Supreme Court ruled the DOT should have required additional environmental reviews for the Superferry project. Lingle then called lawmakers into a special session to pass a law to allow the Superferry to continue to operate while an environmental impact statement was performed.

The Superferry resumed service to Kahului in December, but in March 2009 the state Supreme Court ruled that the law passed by the Legislature during the 2007 special session was unconstitutional. That decision forced the Superferry to halt operations again, and the company entered bankruptcy on May 30,2009.

Worldwide piracy levels remain stable

Piracy and armed robbery on the high seas around the world equaled levels close to those in 2014, despite reductions in the number of ships hijacked and crew captured, according to an annual piracy report produced by the International Maritime Bureau (IMB).

IMB’s Piracy Reporting Center (IMB PRC) recorded 246 incidents in 2015, one more than in 2014. The number of vessels boarded rose 11% to 203, one ship was fired at, and a further 27 attacks were thwarted. Pirates armed with guns and knives killed one seafarer and injured at least 14 while the number of kidnapping more than doubled from nine in 2014 to 19 in 2015, all the result of five attacks off Nigeria.

A total of 15 vessels were hijacked in 2015, down from 21 in 2014, while 271 hostages were held on their ships, compared with 442 in 2014. No hijackings were reported in the last quarter of 2015. IMB says one key factor in this recent global reduction was the drop in attacks against small tankers around South East Asia’s coasts, the last of which occurred in August 2015.

“IMB particularly commends the robust actions taken by the Indonesian and Malaysian authorities in the arrest and prosecution of two gangs that hijacked tankers. We also applaud the subsequent arrest of some of the alleged masterminds,” said Pottengal Mukundan, Director of IMB, which has monitored world piracy since 1991.

South East Asia still accounts for most of the world’s incidents. Almost 55% of the region’s attacks were against vessels underway compared to 37% in 2014. Most of the attacks were aimed at low level theft, according to the report.

Off the eastern coast of Africa, the report cited that there were no Somali based attacks reported in 2015. However, IMB continues to warns vessels transiting the Gulf of Aden and Indian Ocean to stay particularly vigilant.

“Somalia remains a fragile state, and the potential for an attack remains high. It will only take one successful hijacking to undo all that has been done, and rekindle this criminal activity,” Mukundan explained.

Elsewhere around the world, the number of incidents in Vietnam surged from seven in 2014 to 27 in 2015. The main cause of the increase according to the report was low level theft against vessels anchored in Vietnam, with 15 reports from around the port of Vung Tau alone.

In China, four incidents were recorded in December 2015, the first in a long time. These include three thefts of bunker diesel oil from large bulk carriers off Tianjin, and one failed attempt to do the same. Meanwhile, low level incidents in Bangladesh dropped to 11 in 2015, from 21 in 2014.

Patriot Contract Services

LMSR wage and benefit rates

USNS Gordon, USNS Gilliland, USNS Shughart, USNS Yano

Effective January 27, 2016

| Full Operating Status (FOS) | | | | | | | | |
|-----------------------------|-------------------|-----------------|----------------------|-------------------------|----------------------|-------------------------|-----------------------|---------------------------|
| | Monthly Base Wage | Daily Base Wage | Hourly Overtime Rate | Vacation Days Per Month | Monthly Benefit Base | Monthly Supple. Benefit | Daily Supple. Benefit | Daily Money Purchase Plan |
| Bosun | 7,611.72 | 253.73 | 26.89 | 16.32 | 5,569.33 | 2,970.31 | 99.01 | 11.26 |
| AB | 5,387.69 | 179.58 | 18.78 | 16.32 | 3,960.31 | 2,112.18 | 70.40 | 11.26 |
| OS | 4,353.62 | 145.13 | 17.33 | 16.32 | 3,036.59 | 1,619.51 | 53.99 | 11.26 |

| Reduced Operating Status (ROS) | | | | | | | | |
|--------------------------------|------------------|-----------------|----------------------|-------------------------|----------------------|-------------------------|-----------------------|---------------------------|
| | Weekly Base Wage | Daily Base Wage | Hourly Overtime Rate | Vacation Days Per Month | Monthly Benefit Base | Monthly Supple. Benefit | Daily Supple. Benefit | Daily Money Purchase Plan |
| Bosun | 1,338.34 | 191.19 | 26.89 | 6.12 | 5,596.33 | 1,113.86 | 37.13 | 11.26 |
| AB | 947.62 | 135.36 | 18.78 | 6.12 | 3,960.31 | 792.06 | 26.41 | 11.26 |
| OS | 725.16 | 103.58 | 17.33 | 6.12 | 3,036.59 | 607.32 | 20.24 | 11.26 |

S.S. United States may sail again

The *S.S. United States* has just been tossed a life preserver.

In its 1950s heyday, the historic ship –the world’s fastest luxury liner– dashed across the Atlantic carrying royalty and immigrants alike to American shores. But for nearly a half century now the “Big U,” as the ship is known, has been docked, collecting barnacles and rust after jet travel lured away all the customers.

Now, however, there is a chance the *S.S. United States* may sail again, after Crystal Cruises, a luxury travel company, signed a purchase option for the ship. Just months earlier, preservationists almost had to scrap the *Titanic*-size vessel as their funds dwindled.

For Crystal it would be the latest addition to an ambitious and sometimes unconventional collection of luxury travel offerings – including excursions by personal submarine, and plans for a “cruising in the sky” luxury jumbo jet. It could also be among the most difficult.

A makeover of the ship could cost from \$700 million to \$800 million, according to Crystal’s chief executive, Edie Rodriguez, potentially a little less than building something similar from scratch. Under terms of the agreement, the company will cover the approximately \$60,000-a-month cost of caring for the ship for nine months while it does a feasibility study.

“It’s not going to be easy,” Ms. Rodriguez said of the project. But while one could argue against it “from an opportunity cost perspective,” she noted, “some things are iconic.”

Crystal will need to figure out how to renovate a ship built for a bygone era. A technological marvel of its age, the ship entered service in 1952 and sailed with three orchestras on board. It was also specially designed to be a fast troop carrier if needed.

The 2,000-passenger Big U, about as long as the Chrysler Building is tall, still holds the record for the fastest crossing of the Atlantic, which it set on its 1952 inaugural round trip between New York and Europe. Its top speed of 38 plus knots, remained a secret for decades during the Cold War.

More recently, the vessel has struggled to find a purpose. With a gift from a Philadelphia philanthropist, a conservancy bought the ship a few years ago from the cruise operator Norwegian Cruise Lines (NCL), which was close to scrapping it. But fund-raising has been a struggle, and late last year the preservationists themselves had to think seriously about scrapping their prize.

“The prospect of the ship’s return to seagoing service was a dream we’d basically given up on because of the technological challenges,” said Susan

L. Gibbs, executive director of the *S.S. United States* Conservancy, the group that owns the vessel.

But Crystal, which is expanding its lineup of vessels, saw potential, Ms. Rodriguez said. She and the company’s chairman, Tan Sri Lim Kok Thay, decided that it would be a “crime” if the ship were melted down.

Crystal is owned by Genting Hong Kong, which holds a stake in NCL, the ship’s former owner. Mr. Lim is also Genting’s chief executive, which makes this his second experience with the *S.S. United States*.

Crystal said it planned to turn the ship into an 800-passenger luxury liner that will travel the world and perhaps even resume occasional service between New York and Europe, the classic route it served along with ships like the *R.M.S. Queen Mary*, the *S.S. France* and other great liners of the mid-20th century.

The *Queen Mary* is now a floating hotel in Long Beach. The *France* was renamed the *S.S. Norway*, then was scrapped.

A concept rendering of the *S.S. United States* makeover shows a ship with its signature twin red, white and blue stacks and the same number of decks, a spokesman said, in contrast with the top-heavy silhouette of some modern cruise liners.

The decks, however, are extended and expanded to accommodate rooms with balconies, something the original design never had.

Crystal’s interest in refitting the ship, while quixotic, is not entirely without business logic.

If the ship proves to be sound, it provides the head start of a hull in place, a potential cost advantage. The ship also happens to be the rare ocean liner that was built and flagged in America, which can make it easier to service some American routes where foreign-flagged vessels can face limitations.

Still, there are big challenges. It is a steam engine ship and the geriatric equipment would have to be swapped out. The last time the ship moved under its own power was more than 40 years ago.

Furthermore, some engineering areas contain toxic PCBs. It is a common problem for ships of the period, but one that means the Environmental Protection Agency will take an interest.

Asked what might kill the deal, Ms. Rodriguez cited environmental obstacles that could be raised by the E.P.A. and gave an example familiar to any homeowner. A budget of \$100,000 for an addition, she said, can balloon to \$200,000 “because you couldn’t get permits, because of the foundation.” That, she said, would be a “showstopper.”

Another aspirin protection?

Taking a daily low dose aspirin has been shown to reduce the risk of heart attack and stroke, and possibly the risk for certain cancers. Now researchers have found another possible benefit: protection against dying from a *Staphylococcus aureus* blood infection.

Swiss scientists followed 838 cases of *S. aureus* infection from 2001 though 2013. From the group, they selected 157 who were taking aspirin and matched them with 157 controls, similar in age, severity of infection, treatments undergone and various other health and behavioral characteristics, but who were not taking low-dose aspirin. The study is in *Critical Care Medicine*.

At the end of 30 days, 27.4% of the controls had died, but only 12.1% of those on aspirin had died. After controlling for other factors, taking low-dose aspirin was associated with a 42% lower risk of death.

The authors did a similar analysis with 134 aspirin users with *E. coli* infection and 134 controls, but found no effect.

“This is a retrospective study that finds an association, not causality,” said the lead author, Dr. Michael Osthoff, an infectious disease specialist at the university of Basel. “It’s too early to tell everyone with *S. aureus* infection to take aspirin. There are downsides to taking aspirin, too.”

Welfare Notes

February 2016

Enrollment in Medical and Dental Plans for Active Participants

When you become eligible for benefits, you must enroll in a Plan to have medical and dental coverage. Please contact the SUP Welfare Plan if you need enrollment forms or have any questions about the plans.

If you live outside of an HMO area, a payment is required of the member to help with the cost of the premium for the Health Net PPO medical plans. Since our contracts have a live-in-the-area or work-in-the-area provision, you can enroll in an HMO medical plan and use the union hall as the address when enrolling in the plan. Enrollments in the HMO medical plans do not require any payment from the members.

You can use the HMO Plan when you are in port. Only emergency medical treatment is covered outside of the HMO area.

Be sure to complete the enrollment forms with the correct information and mail copies of marriage certificates to enroll a spouse and copies of birth certificates for any dependent children you are enrolling.

Ex-spouses cannot be enrolled with the medical and dental plans. Send copies of the final divorce decree to the SUP Welfare Plan as soon as possible so we can comply with federal COBRA laws and inform the pension department of your change in marriage status.

Check the information you have indicated to make sure birth dates and social security numbers are correct and the names listed are the names you want to appear on the Plan records and any ID cards that are issued. Please call the SUP Welfare Plan if you have any questions about completing the enrollment forms.

Enrollments are often delayed because the form does not have the required signature. Also note you can enroll in only one medical and one dental plan. California residents have a choice of Kaiser or Health Net HMO or PPO medical plans and Delta Care or United Health Care/Pacific Union Dental plans. Submitting enrollments for multiple plans will delay your enrollment in any plan until your choice is verified.

Please inform the SUP Welfare of dependent changes including death and divorce and address changes.

Michelle Chang, Administrator mcsupsiupd@sbcglobal.net
Patty Martin MPP & 401(k) Plans, Death Benefits martinpatty59@sbcglobal.net
Virginia Briggs Claims vbriggs80@sbcglobal.net
Michael Jacyna Eligibility mjacyna67@sbcglobal.net
Training Representative Berit Eriksson 206-551-1870 berittrainrep@sbcglobal.net
Phone Numbers: 415-778-5490 or 1-800-796-8003 Fax: 415-778-5495
SIU-PD Pension 415-764-4987 & SIU-PD Supplemental Benefits 415-764-4991
Seafarers Medical Center 415-392-3611



Volunteers in the Liberty Ship SS Jeremiah O'Brien take a photo break while splicing mooring line last month. From the left: Cori Abelow, Dave Larsen (Bosun) Greg Adams, and Warren Cohen. Larsen is the instructor of the Andrew Furuseth School of Seamanship. The O'Brien is berthed at Pier 45 (Fisherman's Wharf) in San Francisco. Photo Arthur Thanash

Membership and Ratings Committee

The committee met on February 4, and found the following members eligible for advancement in seniority and rating stamps in the various departments:

| Name and Membership Number | Seatime | Rating | Seniority |
|--|---------|--------|-----------|
| Matthey Dulay #19438 | 1 Year | O.S. | B |
| Ean Anderson #19439 | 1 Year | A.B. | B |
| Alex Glosenger #19440 | 1 Year | O.S. | B |
| Arthur Brosnan, Jr. C-2575 | 30 Days | A.B. | C |
| Shane McCullough C-2576 | 30 Days | O.S. | C |
| Kevin Craigie C-2577 | 30 Days | A.B. | C |
| Rating Stamps - None | | | |
| Membership and Ratings Committee's Report: M/S to concur in the Committee's report. Carried unanimously. Membership and Ratings Committee: Raul A. Guillen #19213, Anthonio Ymas #256 and Faith Mattas #19399. | | | |

American Maritime Partnership responds to multiple errors in Jones Act report

The American Maritime Partnership (AMP), the voice of the domestic maritime industry, has released a statement pointing to “the sheer number of factual errors” in a recently published report entitled “The Jones Act: Protectionism v. Global Trade,” and produced by the Alliance for Innovation and Infrastructure (Aii).

“The publication is littered with fabrications intended to mislead policymakers and we demand a retraction of the report,” said Tom Allegretti, Chairman of AMP. “It is shocking that a nonprofit organization led by former senior members of the U.S. military would produce such a factually inaccurate report and take such a myopic view of an important national security issue. They have failed to even acknowledge the fact that the U.S. Coast Guard Commandant, multiple 4-star generals leading USTRANSCOM, the Vice Chairman of the Joint Chiefs, the Secretary of Transportation, national security experts in the Congress, and many others have all stressed how critical the Jones Act is to national security.”

The AMP Chairman also suggested that the Alliance for Innovation and Infrastructure should do a better job of checking basic facts before issuing its publications. AMP seeks to set the record straight by correcting more than a dozen factual errors presented in the Aii report:

CLAIM: *There are “about six dozen Jones Act-qualified vessels” in operation.*

FACT: **There are approximately 40,000 vessels in the Jones Act fleet.**

CLAIM: *According to the report, the U.S. International Trade Commission (ITC) has estimated that the Jones Act costs the nation \$656 million annually.*

FACT: **In truth, the ITC has completely backed away from that estimate (made in 2002) and now says it cannot calculate the cost of the Jones Act, if any. The ITC changed its position after the U.S. Government Accountability Office (GAO) reviewed the ITC’s findings and called them “uncertain,” “undeterminable,” “incomplete,” and “unverifiable.”**

CLAIM: *The report asserts the GAO has found that “the price per gallon of gasoline [in Puerto Rico] is 15 cents per gallon higher ... than it would be in the absence of Jones Act requirements.”*

FACT: **Actually, the GAO found there was no way to estimate a “cost” of the Jones Act, if any, because it was impossible to know which American domestic commerce laws would be applied to foreign shipping companies if the Jones Act were repealed. The 15 cent figure cited by Aii exists nowhere in the GAO report.**

CLAIM: *Aii says “foreign ships must avoid [non-contiguous states and territories] if the continental U.S. is their ultimate destination.”*

FACT: **This claim is flatly wrong. The Jones Act only pertains to the movement of domestic cargo between domestic ports. A foreign ship coming from a foreign port may drop off foreign origin cargo at non-contiguous states and territories even if the continental United States is the ultimate destination.**

CLAIM: *Aii reports it costs many more times to crew an American ship than a foreign ship.*

FACT: **This argument is deceptive, comparing apples to oranges. Foreign ships are not required to meet U.S. wage standards and can pay their crews third world wages and benefits**

(and frequently do). (A recent *New York Times* story described waiters on a foreign cruise vessel as “paid \$50 a month plus tips and no benefits.”) Of course, American shipping companies pay more for their American crews just as any American domestic industry pays higher labor costs than their competitors in third world industries.

CLAIM: *The report says the Jones Act requires foreign shippers to bring their goods to the mainland U.S. “where products are then offloaded and reloaded onto expensive vessels to be transported to [places like Hawai’i and Puerto Rico] at substantially higher cost to consumers.”*

FACT: **This claim is completely wrong. There is no requirement under the Jones Act, or anywhere else, that foreign shippers bypass the islands and reload their cargo on mainland vessels. Foreign shipping companies can deliver foreign origin cargo directly to Hawai’i and Puerto Rico and they do so regularly. In fact, nearly two-thirds of the vessels calling on Puerto Rico are foreign.**

CLAIM: *Aii asserts “imported oil must be carried on a U.S. flag ship if it makes more than one stop along the U.S. coast. Consequently, it becomes cheaper to export and more expensive to import...”*

FACT: **Wrong again. A foreign tanker can make as many stops in the United States to deliver foreign cargo as it desires.**

CLAIM: *The report states “it is not uncommon for foreign vessels to travel between Alaska and California, making a quick stop in British Columbia... This allows a vessel that does not meet Jones Act standards to avoid a waiver and still transport goods between U.S. ports.”*

FACT: **Incorrect. Such a movement would be illegal. It is false that it commonly occurs or that the Jones Act (or any other law) encourages such a move.**

CLAIM: *Aii describes the Jones Act shipping industry as “unchallenged by competition with no incentive to innovate.”*

FACT: **The domestic maritime industry faces intense competition among itself, foreign shipping companies, railroads, pipelines, trucks, and airlines. The result is a highly innovative fleet that, with 40,000 vessels and an estimated 500,000 related jobs, is the envy of the world. The domestic fleet is a world leader in innovation, from the invention of the shipping container—called the invention that “made the boom in global trade possible”—to the recent construction of the world’s first LNG-powered containerships.**

CLAIM: *The report quotes a “Patrick Holland” for the fact that Virgin Islands was exempted from the Jones Act in 1992 and “predictably the costs of shipping goods to the Virgin Islands from the mainland is now nearly half that of shipping to Puerto Rico.”*

FACT: **The report does not provide any basis for these statements, and there does not appear to be any study or information of any kind backing up the data. (The report does not even explain who Patrick Holland is.) The statement that the Virgin Islands’ shipping costs is half as much is simply not true. Also, the Virgin Islands were exempted in 1936, when Franklin D. Roosevelt was president, not 1992.**

CLAIM: *Aii claims that as result of the Jones Act and the lack of competition, “the [U.S.] cargo fleet has slowly deteriorated.”*

FACT: **The American domestic fleet is 40,000 vessels strong and is the envy of the world. Over the last several years, the fleet has enjoyed a shipbuilding renaissance—the most significant in a generation. It is also highly innovative, e.g., creating the first self-unloading bulk carriers and the first LNG-powered containerships. This error probably represents confusion by the report writers with the U.S. flag international fleet, which has decreased over the years for a number of reasons that have nothing to do with the Jones Act.**

CLAIM: *The report’s mistaken premise is that the Jones Act is a hindrance to global free trade.*

FACT: **What the report appears to miss is that the Jones Act does not involve global trade. By definition, the Jones Act is limited to 100% U.S. domestic commerce—transportation between two points in the United States. The report recommends allowing foreign crews to engage in 100% domestic commerce outside of American laws, which is not allowed in any U.S. industry; there is no reason it should be allowed in shipping. It would certainly save costs to allow foreign shipping crews to operate in U.S. domestic commerce at third world wages—as**

it would in refining or any other U.S. industry—but no Congress is likely to allow that any time soon.

CLAIM: *The report cites as fact a 2010 University of Puerto Rico study “which concluded that the island economy loses approximately \$537 million annually as a result of the Jones Act.”*

FACT: **The report did not mention that a 2013 GAO study—by all accounts the most detailed study of the Jones Act ever conducted in Puerto Rico or anywhere else—directly contradicted this by saying such an estimate was not possible.**

CLAIM: *Aii takes the novel position that “the complexity of the issue alone should encourage revision [of the Jones Act].”*

FACT: **The Jones Act is not complex. Life without the Jones Act would be far more complex, as the Lexington Institute’s Dr. Daniel Goure noted, saying that were “the Jones Act not in existence, DHS would be confronted with the difficult and very costly task of monitoring, regulating, and overseeing all foreign-controlled, foreign-crewed vessels in internal U.S. waters.” That would undoubtedly be complex.**

The SUP is a member of the American Maritime Partnership.

Potential “black box” changes in wake of *El Faro*

Stricter standards governing the use of voyage data recorders (VDRs) on commercial vessels may be necessary based on what is so far known in the investigation into the sinking of the *El Faro*, according to the U.S. Coast Guard.

The TOTE Maritime-operated ro-ro vessel, which went missing on October 1, during Hurricane Joaquin, was located a month later in 15,000 feet of water in the Bahamas. All 28 U.S. crew members and five Polish contract workers were killed.

An effort led by the U.S. National Transportation Safety Board (NTSB) to recover the vessel’s voyage data recorder was unsuccessful, leaving some in the industry wondering whether regulators will consider tightening vessel safety rules.

“I think it’s a very likely consequence,” said Admiral Paul Zukunft, Commandant of the U.S. Coast Guard (USCG). “The fact that it’s sitting in over 15,000 feet of water, the pressure that’s involved, and the fact that the main cabin is separated from the rest of the ship in the debris field made it very difficult to attempt to recover the VDR in this particular case, which is unfortunate. But certainly that will be an issue that would be addressed in any investigation.”

The Coast Guard announced on January 26, that it would be conducting a public Marine Board Investigation hearing on the *El Faro* accident. The hearing, which will be held in Jacksonville, Florida, was scheduled to start on February 16, and end on February 26. “We’re now talking to members of the industry that may have knowledge (of the accident), coupled with other information that we still have embargoed in terms of what may have happened that led to the sinking of the ship,” Zukunft said.

The USCG’s hearing will focus on pre-accident events, the regulatory compliance record of the ship, crewmember duties and qualifications, past operations of the vessel, and the search-and-rescue effort, according to the agency. A later hearing will examine the accident voyage itself, including cargo loading, weather conditions, and navigation.

The NTSB and USCG investigations would have benefited significantly from information captured in the VDR - the maritime sector’s ‘black box’.

Since July 2014, the International Maritime Organization (IMO) has required that, in addition to a fixed casing attached to the bridge, VDR information must also be recorded in a float-free capsule that can detach and float to the surface when exposed to salt water. But vessels are allowed to conform to the previous standards until their VDRs needs replacing. The lifespan of a typical VDR is about 10 years. In addition to the float-free requirement, the 2014 rule change stipulates that data stored in newly installed VDRs must be recorded for a minimum of 48 hours. Only 12 hours was required in a fixed capsule under the old rules.

The IMO, or a flag state such as the United States, could require, for example, that float-free VDRs with longer recording times be installed on all vessels by a certain date. Some vessel operators have installed VDR systems that go beyond the 2014 changes. Maersk Line last year began retrofitting 100 of its vessels with VDRs that allow shore offices to download VDR information remotely, so that data can be transmitted immediately during an accident.

The NTSB has not ruled out another shot at recovering the *El Faro*’s VDR. NTSB spokesman Peter Knudson said on January 12 his agency will decide “in the next few months” whether to take on such an effort. “We are evaluating the feasibility and cost of a new search mission, availability of search and salvage assets, the probability of success in finding the VDR capsule, the likely impact on the accident investigation schedule, and if the information contained in the VDR recording is critical to the investigation, among other factors.”



SUP President's Report

February 8, 2016

READY RESERVE FORCE

On January 22, the Department of Transportation announced that SUP-contracted Matson Navigation Company and Patriot Contract Services and five other companies had been awarded contracts to operate and maintain 48 Ready Reserve Force (RRF) vessels through January 2024.

Matson was awarded three vessels: *Cape Henry*, homeported in Alameda; *Cape Horn* and *Cape Hudson*, homeported in San Francisco.

Patriot was awarded seven vessels: *Admiral William Callaghan* and *Cape Orlando*, both homeported in Alameda plus *Cape Taylor*, *Cape Texas*, *Cape Trinity*, *Cape Victory* and *Cape Vincent* all homeported in Beaumont, Texas.

The combined 10 vessels of Matson and Patriot will bring 30 jobs to the SUP in Reduced Operating Status (ROS) and 90 in Full Operating Status (FOS). Each vessel in ROS will have one Bosun, one General Vessel Assistant and one General Utility Deck/Engine. The latter two ratings will be dispatched as Ordinary Seaman. In FOS the manning is one Bosun, five ABs and three OSs.

The weekly wage in ROS for the Bosun is \$1544.41, for the ABs \$1,174.56 and for the Ordinary Seamen \$948.32. It should be noted that the wages are for a seven-day week, but the working hours are Monday through Friday. Full wage, overtime and benefit rates will be published in this month's *West Coast Sailors*.

During the last week of January, the Union began dispatching sailors to all vessels, except for the *Admiral Callaghan*, *Cape Orlando* and *Cape Henry* which had SUP sailors aboard.

The Wilmington Branch dispatched sailors to the *Cape Victory* and *Cape Vincent* while the Seattle Branch began filling the jobs for the *Cape Taylor*, *Cape Texas* and *Cape Trinity*.

However, on February 3, Crowley Technical Management Inc., which previously operated the Taylor, Texas and Trinity filed a protest with the Government Accountability Office (GAO) which created an automatic "stay" for Patriot's contracts for those ships. On February 4, the Maritime Administration and Crowley, with the approval of the Court of Federal Claims in Washington, D.C., agreed that until the protest is resolved, Crowley will continue management of the three vessels.

In practical terms what this meant was that SUP and MFOW members as well as MEBA and MM&P members had to get off the *Cape Taylor* on February 5. The Patriot crew in the *Cape Texas* will stay onboard until February 15. For the *Cape Trinity*, the Seattle Branch had dispatched sailors, but with the protest in effect, they were never flown to Beaumont as the Crowley gang was still onboard.

Will keep a weather eye on this turn of events and keep the membership fully informed. It is not known how long the protest process will take.

AMERICAN PRESIDENT LINES

As reported last month, the SUP, MFOW, MEBA and MM&P wrote to Maritime Administrator Paul Jaenichen on January 8, demanding that MarAd disclose whether the agency had received any further applications from APL to transfer Maritime Security Program (MSP) operating agreements from APL Marine Services to APL Maritime Ltd. This request came in the wake of MarAd's decision to approve APL's application to transfer the MSP operating agreement of the *APL Cyprine* to the *APL Guam*, a vessel operated by APL Maritime with Agreements with the SIU-A&G and the AMO.

APL's action precipitated arbitration over the issue which was held last year. (See the December 2015 *West Coast Sailors*).

On January 19, Administrator Jaenichen responded to the Union letter via conference call. Jaenichen stated that

the determining factor in the transfer of the operating agreement was military usefulness of the *APL Guam* versus the *APL Cyprine*. Jaenichen further stated he did not ask who would crew the *Guam* as a result of the transfer – an assertion the Unions found doubtful. The Unions charged that the transfer was veiled in secrecy and that a transparent process – with stakeholder input – should have occurred in the *APL Guam* application as well as in future applications. Jaenichen did not commit himself but seemed to agree, adding that APL had not submitted any additional applications for MSP operating agreement transfers.

On February 2, the Unions were notified by Arbitrator Margaret Brogan that her decision on the *APL Guam* would be rendered in a week. As of today's meeting the decision has not been received.

MATSON NAVIGATION COMPANY

As reported in November, the SUP and MFOW filed petitions with the National Labor Relations Board (NLRB) seeking bargaining unit clarification regarding the unlicensed deck and engine jobs in Matson's Alaska service vessels.

This action stems from Matson's refusal to recognize the Unions in that service. (See the May 2015 *West Coast Sailors*.) It is Matson's contention that it is honoring Horizon Lines collective bargaining agreements - an outfit which it bought outright in 2014.

As the membership knows, it is the position of both Unions that the Agreement between Matson and the SUP, MFOW and SIU-Marine Cooks which comprise the SIU-Pacific District "covers the unlicensed employees represented by the Pacific District employed on ocean-going U.S.-flag vessels, owned, operated or bareboat chartered by the Company... or any of its subsidiaries or affiliates as an owner, agent, operator or bareboat charterer."

On January 20, the NLRB notified the Unions that the agency had conducted a preliminary investigation and issued an Order to Show Cause as to why the bargaining units represented by the SUP and MFOW should not be clarified to exclude the current unlicensed deck and engine personnel represented by the SIU-A&G. Referring to case law, the NLRB ordered the SUP and MFOW to provide evidence of "interchange and regular contact between employees" working in Matson's Alaska and Hawai'i services and to provide evidence of "common, direct day-to-day supervision" in the two services. In short, this means do the SIU-A&G members work in the deck and engine department of Matson's Hawai'i vessels and do SUP and MFOW members work in Matson's Alaska vessels? The answer to both questions is a "no", unless they are dual members.

In the Order, the NLRB acknowledged, but disregarded, the specific language in the Pacific District-Matson General Rules and the SUP and MFOW Work Rules regarding Union recognition, vessels covered and jurisdiction. Instead of dismissing the Union petitions, the NLRB further stated that if the SUP and MFOW did not provide evidence of "interchange," the agency would clarify the bargaining units for the Alaska service to exclude the SUP and MFOW.

By this outrageous, vindictive and interventionist stance, the NLRB was prepared to rubber stamp Matson's double-breasted operation!

On January 28, the SUP and MFOW met with legal counsel from the Leonard Carder law firm to discuss the Order to show Cause and to formulate strategy moving forward. Since it was apparent that the game was rigged, the Unions requested the unit clarification petitions be withdrawn – to which the NLRB agreed.

While this battle was lost, the SUP and MFOW will continue to explore all options to gain the work in Matson's Alaska vessels.

FOSS MARITIME COMPANY

After caucusing with members employed by Foss on January 20, and January 27, bargaining with the company began on February 2, and continued on February 4.

The SUP Negotiating Committee is comprised of

Mike Higa, Sterling Jones, Joe Plant, Jason Reymel, Carl Turner, Tom Tynan, Eric Weintraub, Vice President Dave Connolly and your secretary. Foss is represented by Mike O'Conner, Director of Labor Relations; Bob Gregory, Regional Operations Manager; Laura Rosenberg, Marine Personnel Manager; and Matt Barrett, Tank Barge Supervisor.

At the two bargaining sessions, the parties exchanged proposals but no progress of significance was made.

Bargaining resumes on February 24. The current Agreement expires on February 29.

PATRIOT CONTRACT SERVICES

In accordance with the Memorandum of Understanding covering the "surge" Large, Medium-Speed, Roll-on/Roll-off (LMSR) vessels –*USNS Gilliland*, *USNS Gordon*, *USNS Shughart* and *USNS Yano* – operated by Patriot for the Military Sealift Command, there was a 2% Total Labor Cost increase effective January 27.

New wage scales will be published in this month's *West Coast Sailors*.

SUP ELECTION

The two-month, secret mail triennial balloting for Union officers concluded on February 1, with the tallying of the ballots and the certification of the election by the Impartial Balloting Agent (Pacific Election Services, Inc.) selected by the membership at the November 2015 Union meetings. In accordance with the Constitution, the results were sent to all SUP halls and posted. Full election results will be published in this month's *West Coast Sailors*.

It should be noted that voter turnout was lousy at 50% of those eligible to cast ballots. For our Union's democracy to flourish, participation is required, by attending Union meetings and voting. It should also be noted that the cost of the election was \$8,196.93.

Vice President Dave Connolly, Seattle Branch Agent Vince O'Halloran and Honolulu Branch Agent Mike Dirksen bested challengers and were re-elected.

Elected to the SUP Building Corporation were rank-and-file members Norm Christianson and Paul Fuentes, Dave Connolly, Roy Tufono and your secretary.

In Wilmington, Branch Agent Mark Hurley desired to return to sea and did not seek re-election. His relief is Bob Burns who ran unopposed.

Special mention must be made of Brother Hurley's service and dedication to the SUP. After Wilmington Branch Agent Wayne Burgess was removed from office by the membership in October of 2000, Bill Berger was appointed and confirmed by the membership to relieve Burgess. It was Bill's desire to hold the job on a temporary basis and recommended that Mark relieve him in March of 2001. The membership concurred and Mark served out the remainder of the 2000-2002 term. Mark was then elected in his own right for the 2003-2005 term of office. At the completion of that term, he returned to sea.

Brother Hurley again answered the Union's call in September of 2011 when Wilmington Branch Agent Vern Johansen resigned for personal reasons. The membership again ratified his appointment and served out the remainder of Johansen's term. Mark was elected in 2013 and will finish out his term at the end of this month.

Brother Hurley has served the membership with distinction, whether running the day-to-day business of the Wilmington Branch, handling shipboard beefs and representing the Union at various activities in the Los Angeles area.

As he resumes his seagoing career, we wish him fair winds and following seas and thank him for a job well done.

BANKING COMMITTEE

In accordance with Article XVII of the SUP Consti-

continued on next page

SUP President’s Report continued

tution, a Banking Committee shall be elected at today’s Headquarters meeting.

The duty of the Banking Committee in accordance with Article XVII, “...shall be to receive and receipt for any money ordered withdrawn from any savings account of the Union... for the payment of authorized current bills.”

As your secretary is a member of the Banking Committee in accordance with the Constitution, recommend that the balance of the Committee be comprised of Dave Connolly, Roy Tufono, Terry Lane and Leo Moore.

The new Banking Committee will relieve last term’s Committee on March 1.

HOLIDAYS

Lincoln’s Birthday: All SUP halls will be closed Friday, February 12, in accordance with the agreements with APL, Chevron, Matson and the San Francisco Bar Pilots.

Presidents’ Day: All SUP halls will be closed Monday, February 15, in accordance with the agreements with APL, Foss, Matson and Patriot Contract Services. Due to the holiday, Branch meetings will be held Tuesday, February 16.

Washington’s Birthday: This holiday is observed under the Chevron agreement on February 22, and for all marine employees and dispatchers employed by the San Francisco Bar Pilots.

ACTION TAKEN

M/S to elect nominees Dave Connolly, Roy Tufono, Terry Lane, and Leo Moore to the new Banking Committee. Carried unanimously.

M/S to concur with the balance of the President’s report. Carried unanimously.

Gunnar Lundeberg

Vice President’s Report

February 2016

APL Guam: After our arbitration win (see page 1), APL will call for an SUP gang to take the deck of this ship at end of February in Korea. The decision was a profound confirmation of the applicability of the MSP clause of our Agreement across any of the company’s operating units and it proves that bargaining history, intent, and past practice have substance, but especially that –despite the cynical disregard of management– our contract language has enforceable power through the grievance procedure. It is also evidence of the skill and foresight of SUP President Gunnar Lundeberg who made that language a negotiating priority over the last twenty years of bargaining. And because of his unique knowledge of the MSP program from its inception to today, Gunnar’s testimony at the hearing was of pivotal importance. At a time when shipping companies seek to escape obligations and reduce costs through shape-shifting business entities, and with the probability of further job erosion had the Company prevailed, the elimination of this existential threat to the SUP was an historic triumph.

APL Thailand: Kim Hoogendam, bosun. Clarification on tile work: considered carpenter’s work it is payable at the low cargo rate on straight time hours and overtime on overtime hours, as per Section 34e in the Work Rules.

APL Coral: Jonnell Hodges, delegate. Email from the delegate indicates things running smooth in the Asian loop. New bosun and two AB reliefs coming soon at the eastbound Singapore port call. New delegate to be elected at sea.

APL Agate: Cody Clark, delegate. Investigation of restriction in Chinese yard ongoing but probably no good: slightly abbreviated launch schedule allows for shore leave.

California Voyager: Thor Erikson, bosun. In at Richmond with another one-man watch violation of the Agreement: arbitration decision still pending. Ship headed back to the eastern Gulf Coast on the Pascagoula to Pt. Everglades run.

USNS Sisler: Devionnce Griffin, delegate. Clarification on holidays, reliefs. Running smooth with soon to be relieved Chris Cupan as bosun.

SNLC Pax: Pat Meagher, delegate. Reliefs for all three AB’s in final clearance stages. Crew hanging tough in this hard-working tanker; new crew will probably join in Okinawa.

Moku Pahu: Rocky Casazza, delegate. Clarification on sanitary duties and times. Section 17 of the SUP Work Rules sets the sanitary times, not Section 15. If the Company wants to formally restore the Quartermaster position, then Section 15 would apply.

Dave Connolly

Oakland cargo volumes recover from 2014-15 port congestion

The Port of Oakland handled 191,155 TEUs of containerized cargo in January, 38.5% more than in January 2014 when West Coast ports were in the grips of a congestion crisis that developed during contract negotiations between the International Longshore and Warehouse Union and employers.

Compared to last January, imports moving through the port were up 75.8% to 77,637 TEUs.

The port also handled about 5,000 more TEUs than were imported in January 2014, when labor issues weren’t constricting volume.

Exports were up 16.8% from January 2015 to 67,272 TEUs, with the remaining volumes consisting of empty containers being either loaded or discharged from ships. In addition to the distortion caused by last year’s labor talks, the port said the increase in volume may reflect “U.S. importers stocking shelves ahead of Lunar New

Year factory shutdowns in Asia.”

John Driscoll, the port’s maritime director said the increase shows “we have recaptured the cargo that moved temporarily away from the West Coast a year ago.”

“A number of importers diverted containerized cargo to gateways outside the West Coast a year ago in January,” the port said. “It was a work-around for slowdowns and congestion that hampered ports from San Diego to Seattle. Since a new waterfront labor contract was signed last spring, shippers have been re-establishing western supply routes.”

In addition, many ships were delayed in berthing ships. As a second port of call, Oakland was particularly hard hit since many ships were delayed in Los Angeles or Long Beach before transiting to Oakland where there were also ships at anchor waiting to berth. Some cargo was discharged in Southern California ports instead of Oakland.

Ready Reserve Force Wage Rates for Matson Navigation Company* and Patriot Contract Services

Effective January 22, 2016

Cape Henry*, Cape Horn*, Cape Hudson*, Admiral William Callaghan, Cape Orlando, Cape Taylor, Cape Texas, Cape Trinity, Cape Victory, Cape Vincent

Reduced Operating Status (ROS)

| Rating | Weekly Wage | Daily Wage | Overtime Rate | Daily Money Purchase Plan |
|-----------|-------------|------------|---------------|---------------------------|
| Bosun | \$1,544.41 | \$220.60 | \$37.80 | \$15.00 |
| GUDE (OS) | \$948.32 | \$135.47 | \$19.29 | \$15.00 |
| GVA (OS) | \$948.32 | \$135.47 | \$19.29 | \$15.00 |

Weekly wages shall be divided by seven when determining daily wages for unlicensed crew who work less than a full week, provided, however, that no unlicensed crewmember shall be paid less than the weekly wage listed above when employed Monday through Friday and the vessel remains in Reduced Operating Status throughout the subsequent weekend.

The overtime rates specified above shall apply to all work performed in excess of eight (8) hours, Monday through Friday and for all hours worked on Saturdays, Sundays and holidays.

All ratings shall earn two (2) days of vacation leave for each thirty (3) days employed in ROS.

Full Operating Status (FOS)

| Rating | Monthly Wage | Daily Wage | Monthly Supple. Benefit | Overtime Rate | Penalty Time | Daily Money Purchase Plan |
|--------|--------------|------------|-------------------------|---------------|--------------|---------------------------|
| Bosun | \$4,928.70 | \$164.29 | \$2,464.35 | \$37.80 | \$21.44 | \$15.00 |
| AB | \$3,922.57 | \$130.75 | \$1,961.29 | \$32.27 | \$16.41 | \$15.00 |
| OS | \$2,700.45 | \$90.02 | \$1,350.23 | \$19.29 | \$13.00 | \$15.00 |

The overtime rates specified above shall apply to all work performed in excess of eight (8) hours, Monday through Friday and for all hours worked on Saturdays, Sundays and holidays.

Study: coffee and irregular heartbeats

People with irregular heartbeats are often advised to give up caffeine, but a new study suggests they may not have to forgo coffee.

Researchers had 1,388 people record their intake of coffee, tea and chocolate for a year, and used Holter monitors to get 24-hour electrocardiograms.

More than 60% of the participants reported consuming one or more caffeine-containing foods daily. But the electrocardiograms revealed no differences in premature beats or episodes of accelerated heart rate between caffeine users and abstainers. The study is in *The Journal of the American Heart Association*.

“There’s no clear evidence that drinking more caffeine increases the risk for early beats,” said the senior author, Dr. Gregory M. Marcus, an associate professor of medicine at the University of California, San Francisco. Other studies suggest caffeine may even be linked to decreased rates of cardiovascular problems.

“I tell patients that it is very likely that for some people, caffeine is an important trigger” of irregular heartbeats, Dr. Marcus said. “I generally tell them that it’s fine for them to experiment and weigh the pros and cons of caffeine to see how it influences their quality of life. The majority of arrhythmias are not life threatening.”

SUP Branch Reports

Seattle

January 19, 2016

Shipped: 1 Boatswain to a Navy bot-
tom shipped and filled with a B member;
2 Able Seaman jobs shipped and filled
with 2 A-cards returns; 1 OS to a Navy
bottom filled with a D registrant; and 10
standbys to 8 A-cards and 1 B card and
1 D registrant.

Registered: 6 A cards for a total of 18;
4 B cards for a total of 29; 2 C cards for
a total of 19.

Ships Checked

Matson vessels *MV Manoa* and *SS Maui*
called twice in Seattle with little or no
problems. Patriot called for a Boatswain
to the *USNS Shughart*. Shipping was slow
last month in the Northwest.

I represented the SUP at the following
meetings: the King County Labor Council
Executive Board and Delegates meetings;
the King County Economic Forecast
Summit.

Along with King County Building
Trades President Monty Anderson and
Puget Sound Metal Trades President
Todd Mitchel, we attended a small Energy
and Gas Industry forum where Senator
Lisa Murkowski (R-Alaska) was the key
speaker. Senator Murkowski is known
to work with Labor and is a supporter of
the Jones Act.

I represented the SUP/MFOW in front
of the *Seattle Times* Editorial Board
regarding the Trans-Pacific Partnership
(TPP) and labors deep concerns with this
secret agreement. Once I started talking
about how this issue could negatively
impacting our fishing grounds and ship/
boat building within Washington and
Alaska they sat up a little straighter in
their chairs.

Mark Hurley
Branch Agent

Wilmington

January 19, 2016

Only meeting attended was the MTD
meeting on January 14. Missed the AM-
MVMC because I was just too busy at
the hall.

Duane Nash and Bob Burns are on the
binnacle list. Duane is recovering from
gall bladder surgery. Bob and his young-
est son are recovering from getting his car
rear ended and totaled by a drunk driver.
All three are now doing well.

As my term is coming to an end, I
cannot overestimate the help that Gary
Gelfgren has been to me and to the Wilm-
ington membership. Gary is not only the
APL Standby Bosun, but also a voice of
reason for me and for all of us.

Shipping: Bosun: 1, AB: 16, AB Maint:
4; Standby: 62. Total Jobs Shipped: 83.

Registrations: A: 33 B: 24 C: 11 D: 19

Ships Checked

APL Singapore (Dave Schulman taking
over sheets from time up Paul Harsany.),
Maunalei (Jim Kenny- Delegate), *APL
Thailand* (Lourdes Macias-Delegate),
R.J. Pfeiffer (Larry Gately-Delegate),
APL Philippines (Denny Silva-Delegate,
food beefs settled by Capt. Burns), *Ma-
himahi*, *Manukai* (Mike Pfleegor-De-
legate, *APL China* (Chris Go-Delegate,
Mokihana.

The membership stood one minute in
silence for our departed brothers. Mark
Hurley

Branch Agent

Honolulu

January 19, 2016

Shipped the following jobs in the month
of January: 1 AB Day relief, 2 AB Day
return, 1 AB Watch steady, 1 AB Watch
return, 1 AB Maint steady, 2 OS Watch,
and 1 Stew/Ck. steady. The shipping jobs
were filled by 4 A cards, 4 B cards, and
1 C card. Shipped 32 standby jobs. The
standby jobs were filled by 5 A cards, 21
B cards, and 6 C cards.

Registered in January: 9 A cards, 5 B
cards, 2 C cards and 1 D card.

To date totaled registered: 13 A cards,
17 B cards, 7 C cards and 5 D cards.

Ships checked

I visited the *Manukai*, *Maunalei*, *R.J.
Pfeiffer*, *Maunawili*, *Manulani*, *Manoa*,
Mokihana, *Maui*, *Mahimahi*, *Matsonia*,
and the Paint and Rigging gang. All are
running with few or minor beefs.

I represented the SUP at the Hawai'i
Ports Maritime Council meeting, and
the AFL-CIO Executive Board meeting.

Make sure that your papers are current,
especially the USCG medical certificate.
The SUP will take care of those who do,
and those who don't, what can I say.

Congratulations to everyone that was
elected or re-elected in the recently con-
cluded SUP election.

Mike Dirksen
Branch Agent

Dispatcher's Report

Headquarters—Jan. 2016

| | |
|---------------------------------------|----|
| Deck | |
| Bosun..... | 5 |
| Carpenter..... | 0 |
| MM..... | 2 |
| AB | 9 |
| OS | 10 |
| Standby | 24 |
| Total Deck Jobs Shipped | 50 |
| Total Deck B, C, D Shipped..... | 39 |
| Engine/Steward | |
| QMED | 0 |
| Pumpman..... | 0 |
| Oiler..... | 0 |
| Wiper..... | 0 |
| Steward | 0 |
| Cook | 0 |
| Messman | 0 |
| Total E&S Jobs Shipped..... | 0 |
| Total E&S B, C, D Shipped | 0 |
| Total Jobs Shipped - All Depts. | 50 |
| Total B, C, D Shipped-All Depts. | 39 |
| Total Registered "A" | 26 |
| Total Registered "B" | 41 |
| Total Registered "C" | 20 |
| Total Registered "D" | 34 |

Business Agent's Report

February 8, 2016

Oregon Voyager: In at Richmond Long
Wharf. Ship's been running El Segundo
Richmond Long Wharf but still running
out of stores up and down the coast that
should be an embarrassment to manage-
ment definitely not good for moral. John
McAuliffe as delegate. Donny Cruz as
Bosun.

California Voyager: In at Richmond
Long Wharf; running smoothly with Bo-
sun Thor Erickson and Delegate William
Bloemhof.

Mississippi Voyager: In and out of the
Long Wharf with no beefs.

Matsonia: Alerted by the Bosun last
trip in Oakland. Shore side workers
change out the boat falls Trip prior Monte
and the gang change out the other side.
Delegate Lynn Gabor; Bosun Teo Rojas.

Maui: In and out of Oakland running
steady with no problems. Arsenio Purga-
nan delegate and Noel Itsumaru as Bosun.

Manoa, Mahimahi: Checked in and
out of Oakland with no problems.

APL Korea: In at Oakland met with
the Bosun to go over the clarification on
the sanitary duties. Running smoothly
with John Rose, Bosun, Aaron Wiebe as
delegate.

**APL Belgium, APL Thailand, APL
Philippines:** All checked in few or no
beefs.

**Ready Reserve Fleet: Cape Henry,
Admiral Callaghan, Cape Orlando**
in Alameda with the renewed contract
picked up the **Cape Hudson, Cape Horn**
that is at berth #50 San Francisco.

Keep your documents current or you
can't ship.

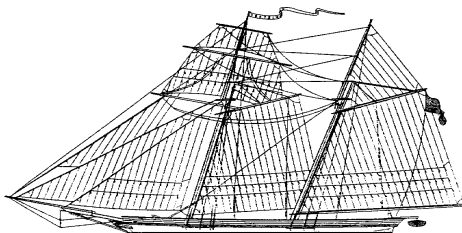
Also dispatched and worked in the
front office

Roy Tufono

SUP member joins pension ranks

The following SUP member joined
the rank of pensioner, bringing the total
number of SUP members to 217:

Tom Wilson, 69, Book No. 3622, joined
SUP in 1968, 29 years seetime.



Old SUP salt wants to make good on a debt

To an unknown SUP sailor from the Seattle waterfront, Sid Fujinari borrowed an amount of money from you in the early to mid 1980s. Sid is singled up fore and aft for his final departure and being an honorable man wants to pay this debt off before last line. Only Sid, you, and I know the amount of that loan. Sid wishes to pay you back, with interest, if he can locate you. All you need do is contact me and tell me how much the original loan amount was, and I will send it to you with 25% interest.

Sincerely J. W. Bert

P.O. Box 294

Deming, WA 98244

or email jeremy.w.bert@gmail.com



This photo from Jon Clark's wedding in Saipan. Pictured from left to right are: AB/Delegate/ Ninong Michael Burpee, AB/groom Jon Clark, lovely bride Merrycris (Mendoza) Clark, and groomsman/Mike ElMobdy.