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As business owner, labor pick chafed at worker protections

By Jodi Kantor and Jennifer Medina

At first, Andrew F. Puzder's California story sounds like one of the state's sunny dreams come true: Midwestern lawyer stumbles into burger business, nurses storied chain back to health, wins industry plaudits and record profits. But Mr. Puzder became an outspoken critic of his adopted state because of its vigorous workplace regulations. The mandatory rest breaks required by California made no sense, he felt, leaving restaurants understaffed when a rush of customers came in. His company paid millions of dollars to settle class-action lawsuits that accused it of cheating workers.

He spoke out against labor laws intended to benefit hourly workers like the ones who serve shakes and mop floors at Carl's Jr. and Hardee's, the chains he runs. "California has gone really from being this golden state, the state of opportunity, to being a kind of nanny state," he said in 2009. "You can't be a capitalist in this state."

In the months before California passed a law last year raising the minimum wage to \$15 by 2022, many business leaders kept their objections discreet, but Mr. Puzder was blunt: "How do you pay somebody \$15 an hour to scoop ice cream? How good could you be at scooping ice cream?" he asked.

Now Mr. Puzder is relocating his corporate headquarters to Tennessee – and planning his own move to Washington, to become President-elect Donald J. Trump's labor secretary. His nomination is moving slowly, with confirmation hearings pushed back indefinitely, allowing Democrats and labor advocates to prepare a drumbeat of questions: Can the head of a company accused of shortchanging workers serve as their champion? Does Mr. Puzder want to lead the Labor Department, or dismantle it? Will he enforce rules his company has been accused of violating? How will Mr. Trump make good on his vision of capitalism that is unfettered by regulations, yet also helps those left behind?

Guadalupe Urrustieta said that when he was a manager at two Carl's Jr. locations north of Los Angeles, he was routinely asked by supervisors to make his employees work through unpaid meal breaks without compensation, so that labor costs would not go up. He said he also had to work several hours a week without pay. "I left the company because I didn't agree with a lot of the things that were happening," Mr. Urrustieta said. To him, Mr. Puzder is an improbable labor secretary, "not the one to protect workers."

The company headed by Mr. Puzder, CKE Restaurants, says its practices follow the law. "We have a very strict policy of compliance with California wage and hour laws and cannot comment on unsubstantiated allegations of current or former employees," said Charles A. Seigel III, the vice president and general counsel.

Mr. Puzder, who declined to be interviewed for this article,

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Trump nominee for Transportation Secretary voices strong support for Jones Act and U.S. Merchant Marine

United States Secretary of Transportation-designee Elaine Chao reaffirmed her longtime support for the U.S.-flag maritime industry during her confirmation hearing before the Senate Commerce, Science and Transportation Committee on January 11.

"The national security of the merchant marine fleet is part of the way that we are able to be effective overseas and protect this country," said Chao during the confirmation hearing. "So, I am a great proponent of the U.S.-flag Merchant Marine fleet."

Chao served as the Deputy Secretary of Transportation

during the George H.W. Bush administration. She also has been the Deputy U.S. Maritime Administrator and the Chair of the Federal Maritime Commission. In addition, she became the first woman of Asian descent to be in a presidential cabinet when she was Secretary of Labor for George W. Bush.

"The Jones Act is a very important program that secures national security. We have seen two wars now in the last 25 years ... If we did not have the merchant marine assets to assist the gray hulls (U.S. Navy vessels) on these campaigns, our country would not have been

able to supply our troops, bring the necessary equipment," Chao told the committee during the hearing. "All that is not done on the gray bottoms, but rather the merchant marine bottoms."

The Jones Act received more support during the hearing from committee members on both sides of the aisle.

Senator Roger Wicker (R-Mississippi) called the Jones Act "a vitally important part of our maritime industry," while Senator Brian Schatz (D-Hawaii) noted the Jones Act is "the foundation of the domestic U.S.-flag maritime industry and it is also essential to our national security."

U.S. aviation workers sue DOT to reverse flag-of-convenience airline decision

Organizations representing more than 100,000 aviation workers filed a petition on January 12, in the U.S. Court of Appeals for the District of Columbia Circuit as a first step in a drive to overturn the Obama Administration's decision to permit Norwegian Air International (NAI) to fly to and from the United States under a business plan that runs counter to U.S. Open Skies agreements and threatens U.S. jobs.

Filed by the AFL-CIO, the Air Line Pilots Association, International, the Association of Flight Attendants-Communication Workers of America (CWA), the Transportation Trades Department (TTD), AFL-CIO, and the Allied Pilots Association, the petition calls for review of the U.S. Department of Transportation's (DOT) determination late last year that approving the NAI foreign air carrier permit was consistent with U.S. aviation statutes and the U.S.-EU Air Transport Agreement (ATA).

U.S. aviation workers and others have been clear that the NAI

application and business model, which is designed to undermine labor standards, run counter to the ATA and that the airline should not gain the access to U.S. markets that the agreement provides. While the legal action is focused on the Obama administration's failure to uphold the labor provisions of the ATA, U.S. aviation workers pledge to continue the fight against NAI and its business model until the decision is reversed or the business model is changed.

"The Administration's decision to allow Norwegian Air International to operate in the U.S. is disappointing and undercuts key protections in place for working men and women," said AFL-CIO President Richard Trumka. **"The labor movement is united and ready to fight to overturn the decision."**

"U.S. aviation workers need a U.S. administration that enforces our nation's trade agreements and safeguards fair competition for U.S. companies and their workers," said Captain Tim

Canoll, President of the Air Line Pilots Association, International. "Since the Obama Administration didn't enforce the U.S.-European Union agreement, working men and women in the aviation industry have no choice but to take legal action to safeguard our jobs against unfair foreign competition."

"The DOT NAI decision is green lighting outsourcing of aviation jobs to nations with the lowest labor standards. This is a violation of a contract with American workers and the millions of travelers, communities and businesses who depend upon a strong U.S. aviation industry," said Sara Nelson, President of the Association of Flight Attendants-CWA. "We will hold the Obama Administration accountable and enforce the agreement that is predicated on maintaining good jobs in the United States and the European Union. Yes, we can have vigorous competition and good jobs!"

"The DOT's wrongheaded decision on NAI's permit appli-

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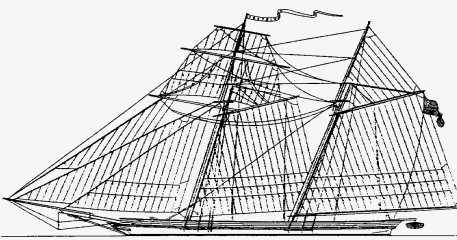
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Hannu Kurppa	Book #3162	Arthur Thanash	Book #3249
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Eight fishermen killed by pirates off Mindanao

On January 9, eight fishermen were shot and killed by pirates in the vicinity of Sironon Island, near Zamboanga City. According to survivors, armed men in speedboats boarded the fishing boat and ordered the crew to move towards the bow. The attackers opened fire, killing eight and forcing five others into the water. Police photos show that the deceased were bound together in a manner indicating execution.

Zamboanga, on the southwestern tip of Mindanao, is in an area plagued by pirate attacks by the Islamist militant group Abu Sayyaf. The violence of the attack, however, differs from recent Abu Sayyaf incidents, which have uniformly involved the kidnapping of crewmembers for ransom. Police suspect extortion or an inter-group rivalry as the motive behind the current assault.

“We consider this a piracy attack. If these were Islamist militants, they would have been taken captive and held for ransom,” said Coast Guard spokesman Commander Armand Balilo, speaking to Reuters.

Membership and Ratings Committee

The Committee met on January 5, 2017, and found the following members eligible for advancement in seniority and rating stamps in the various departments:

Name and Membership Number	Seatime	Rating	Seniority
John Ross 19481	1 Year	A.B.	B
Graham Gault 19482	1 Year	A.B.	B
Dave Minard 19483	1 Year	A.B.	B
Brad Cain 19484	1 Year	O.S.	B
Rodolfo Bautista 19485	1 Year	A.B.	B
Alcides Camacho C-2644	30 Days	O.S.	C
Robert Jenkins C-2645	30 Days	O.S.	C
Jade Lyon C-2646	30 Days	O.S.	C
Christopher Rubio C-2647	30 Days	O.S.	C
Robert Bell C-2648	30 Days	A.B.	C
Bosun Stamp - None			

Membership and Ratings Committee’s Report: M/S to concur in the Committee’s report. Carried unanimously. Membership and Ratings Committee: Paul Fuentes #2239, Alan Peightal #3863, and David Larsen #19078.



Aboard the SS Maui on December 15, at sea. SUP Pensioner Art Thanash and his son George Thanash 1st Assistant Engineer.

King’s Point reinstates Sea Year

This month, the Department of Transportation announced that it will fully reinstate the United States Merchant Marine Academy’s (USMMA) Sea Year training program aboard commercial vessels.

The department suspended Sea Year last June, alleging a pattern of shipboard sexual assault, sexual harassment and intimidation. The suspension drew emphatic protests from alumni, students and parents, many of whom viewed the suspension as a threat to the academy’s continued existence. With leadership from the school’s alumni foundation, these stakeholders called for the full reinstatement of Sea Year, and on January 3, outgoing secretary of transportation Anthony Foxx acknowledged their concerns.

“Sea Year is of vital importance to each of you,” he wrote in a letter to the USMMA community. “I believe that with the strong support of industry and the specific recommendations from [an external study], participation in Sea Year can continue to be an important and unique part of the USMMA curriculum for years to come.”

Foxx authorized academy superintendent James Helis to phase in Sea Year on commercial ships on a company by company basis, adding operators back to the program as each receives clearance from the Maritime Administration. The authorization did not lay out a specific timeline.

The decision to fully reinstate Sea Year comes alongside a new plan to combat sexual assault and sexual harassment (SA/SH) on campus, with actions based on the results of a new external study. Like previous reviews of USMMA’s management challenges, the plan recommends filling vacancies in key positions and strengthening the academy’s leadership. In addition, it calls for new victim-protection policies to reduce retaliation and reprisal, and for a renewed emphasis on USMMA’s core values of strength, self-sacrifice, discipline and teamwork.

Whether the plan is implemented under the incoming Trump administration remains to be seen. Trump has selected Elaine Chao, former Secretary of Labor under George W. Bush, to replace Foxx; critics allege that under Chao, the Department of Labor shifted its emphasis away from advocacy for victims, a charge she strongly denies

Final Departures

Peter Foti, Book No. 2070. Born in New Jersey in 1929. Joined SUP in 1944. Died in Ledgewood, New Jersey, December 16, 2016. (Pensioner)

Dustin Grobschmit, Book No. 3037. Born in Washington in 1980. Joined SUP in 2002. Died in Los Angeles, California, aboard the *R.J. Pfeiffer*, December 21, 2016.

Rory Swank, Permit No. 19454. Born in California in 1987. Joined SUP in 2014. Died in Cape Canaveral, Florida, December 16, 2016.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2017:

	Hdq. Branch	
February	Tues. 14	Tues. 21
March	13	20
April	10	17
May	8	15
June	Tues. 13	19
July	10	17
August	14	21
September	11	18
October	Tues. 10	16
November	Tues. 14	20
December	11	18

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Port of Los Angeles posts busiest year in its history

The Port of Los Angeles announced this month that cargo volumes there reached 8,856,782 TEUs during 2016, marking the busiest year ever for a Western Hemisphere port. The previous record was set in 2006, when the Port of Los Angeles handled 8,469,853 TEUs.

The Port finished the year strong, with December volumes of 796,536 TEUs, a 27% increase compared to the same period last year. It was the Port's busiest December and fourth quarter in its 110-year history. Overall for the 2016 calendar year, cargo increased 8.5% compared to 2015.

"I salute our industry stakeholders and thank Mayor Garcetti and the policymakers and agencies at the state and federal level that have supported our various Supply Chain Optimization initiatives over the past year," said Port of Los Angeles Executive Director Gene Seroka. "To handle this much volume with minimal issues is an extraordinary accomplishment and demonstrates our capability-building efforts here in the San Pedro Bay complex."

"We're proud to be the backbone that makes the San Pedro Bay port one of the world's leading trade gateways," said Bobby Olvera Jr., President of the International Longshore and Warehouse Union (ILWU) Local 13. "Longshore workers played a critical role in this milestone and we look forward to doing our part to process more cargo through the port complex in 2017."

Imports coming into the Port of Los Angeles increased 22.6% during the month of December to 394,217 TEUs while exports jumped 25.6% to 164,900 TEUs. The number of empty containers leaving the Port to be refilled overseas grew 23.5% on a year over year basis.

"The Port of Los Angeles is a critical partner in the retail supply chain," said Jonathan Gold, vice president for supply chain and customs policy at the National Retail Federation. "The port continues to lead the way in stakeholder engagement to address issues that impact the movement of goods. This commitment and focus on supply chain optimization is essential as the maritime industry changes and evolves."

Across the San Pedro Bay at the Port of Long Beach, overall cargo volume declined 5.8% during 2016 on a year over year basis, as the Port was impacted by new ocean carrier alliances and the bankruptcy of South Korean based Hanjin Shipping. The Port noted that despite the decline, it still moved almost 6.8 million containers, its fifth busiest year ever.

The Port of Long Beach Harbor Commission has approved an agreement for a subsidiary of Mediterranean Shipping Co. (MSC) to take sole control of the long-term lease at Pier T.

"As the new year starts, we're grateful to be able to put the Hanjin bankruptcy behind us," said Port of Long Beach Interim Chief Executive Duane Kenagy. "At the same time, MSC's quick interest in Pier T once it became available shows the facility's value to the industry. We're looking forward to a mutually beneficial partnership with MSC and the 2M Alliance."

Volume at the Port of Long Beach declined eight% during the month of December, compared to the same month a year ago. The number of imports coming into the Port fell 8.2% year over year to 271,599 TEUs, while exports declined 2.5% to 122,933 TEUs and empties dropped 11.4% to 154,397 TEUs.

Aviation workers sue DOT to reverse flag-of-convenience airline decision

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cation rewards a rogue airline for bad behavior," said Edward Wytkind, President of the Transportation Trades Department, AFL-CIO. "When our government permits foreign airlines to game our trade rules and refuses to enforce worker protections it negotiates into trade agreements, not only are good jobs and a vital industry at risk, but the public interest is in harm's way."

"Norwegian Air International is a blatant flag-of-convenience scheme that, left unchecked, will destroy a huge number of middle-class American jobs," said Captain Dan Carey, president of the Allied Pilots Association. "While we are disappointed that the Obama administration has thus far not enforced the U.S.-EU agreement, we are optimistic that we will succeed in protecting the interests of the many hard-working men and women who keep our nation's airlines flying."

Founded in 1931, the Air Line Pilots Association, International (ALPA), is the world's largest pilot Union, representing more than 54,000 pilots at 31 airlines in the United States and Canada.

The Association of Flight Attendants is the Flight Attendant Union. Focused 100% on Flight Attendant issues, AFA has been the leader in advancing the Flight Attendant profession for 71 years. Serving as the voice for Flight Attendants in the workplace, in the aviation industry, in the media and on Capitol Hill, AFA has transformed the Flight Attendant profession by raising wages, benefits and working conditions. Nearly 50,000 Flight Attendants come together to form AFA, part of the 700,000-member strong Communications Workers of America (CWA), AFL-CIO.

The Transportation Trades Department, AFL-CIO (TTD), provides a bold voice for workers in every mode of transportation and is devoted to protecting middle-class jobs, expanding collective bargaining and ensuring modern, safe and secure transportation operations and infrastructure. The SUP is a TTD affiliate.

Founded in 1963, the Allied Pilots Association is headquartered in Fort Worth, Texas. APA represents the 15,000 pilots of American Airlines, including several hundred pilots on full-time military leave of absence serving in the armed forces.



Sailors from the Seattle Branch shifted Matson Navigation Company's Lurline this month: From left front with head bandanna, Mike Shimojo, Ray Ramirez, Brian McCarthy, Norm Christianson, Rhonda Benoit, Danny Ycoy, Zenon Labudda, and Joe Ginez.

ILA to oppose fully automated terminals

International Longshoremen's Association (ILA) President Harold J. Daggett has written a letter to the ILA membership, stating that the group will oppose fully automated container terminals during its upcoming contract talks. The ILA is set to begin discussions with management leaders from the United States Maritime Alliance (USMX), which represents ILA employers on "coast-wide" issues, on February 13.

The ILA's current six-year master contract does not expire until September 30, 2018, thus giving the Union 20 months to negotiate a new master contract or to extend the current agreement.

In his letter, Daggett predicted that the issue of automation at ports along the East and Gulf Coasts will dominate the master contract talks.

Daggett cited a *New York Times* article which noted that from 1962 to 2005, the United Steel Workers lost 400,000 jobs, or around 75% of its workers due to automation.

"The ILA will not allow automation to rip apart our livelihoods and destroy our jobs and families. Right from the outset, the ILA intends to let management know that we are totally opposed to fully-automated terminals," Daggett wrote. "The ILA has no problem with semi-automated terminals. We know that we cannot stop progress and many forms of new technology help our workers do their jobs more-efficiently, more safely, but without the threat of job elimination," Daggett continued. "We will continue to press for training and retraining for our ILA members. The ILA enters these informal talks more united and stronger than ever. We look to work with our management partners, keeping our industry strong and vibrant, but will not submit to agreeing on anything that eliminates jobs."

In addition, the ILA intends to put more emphasis on local contract bargaining. "The last time around, several ILA local ports had failed to reach agreement on their local contracts before the master contract was ratified in April 2013," Daggett said. "Major ports like Baltimore, Hampton Roads and Charleston were without local agreements for months and even years after the master contract took effect. The ILA will make certain that ILA members at all ports are satisfied with their local agreements before we ask them to ratify the entire contract package."

The talks with the USMX, which are not formal wage scale meetings, will give both sides a chance to address issues relating to their collective bargaining agreement, Daggett explained. He said ILA Locals will receive a notice sometime in the future as to when the formal wage scale meetings will begin, and at that time, ILA Locals will be instructed to hold elections for ILA wage scale delegates and submit a list of demands.

Matson settles with EPA over molasses spill in Honolulu Harbor

The U.S. Environmental Protection Agency announced a settlement on January 20, with Matson Terminals Inc. for the company's 1,400-ton molasses spill in Honolulu Harbor in 2013. The federal agency said in a statement that Matson Terminals will pay a civil penalty of \$725,000. The molasses leaked from a section of pipe that had been flagged by the state a year before the spill.

"Dockside facilities must ensure their operations do not pollute nearshore waters," said Alexis Strauss, EPA's Acting Regional Administrator for the Pacific Southwest, in the statement. "The Honolulu Harbor spill affected marine life, coral reefs and kept residents and visitors from enjoying the city's incomparable coastal environment."

The spill killed more than 26,000 fish and other marine life. Enough molasses to fill about seven rail cars oozed out from a section of pipe Matson thought had been sealed, suffocating marine life and discoloring the water as the sticky substance sunk to the bottom of the harbor.

The spill, in an industrial area about five miles west of Waikiki's hotels and beaches, shut down much of Honolulu Harbor for nearly two weeks.

The civil settlement follows a criminal case against Matson in which the company paid \$1 million in fines and restitution, which was split between the Waikiki Aquarium for coral reef research and Sustainable Coastlines Hawaii for beach cleanups.

The company also reached a settlement with the state to stop transporting molasses through the harbor and paid for cleanup and coral restoration.

Top 10 container shipping companies in the world

10. Yang Ming Marine Transport Corporation

Yang Ming Marine Transport Corporation is an ocean shipping company based in Keelung, Taiwan. This shipping line was founded in 1972, but has historical links in merger with the China Merchants Steam Navigation Company, which dates back to the Qing Dynasty (1872–1995). Yang Ming currently operates 84 container ships up to 8,250 twenty-foot equivalent units (TEU) and 17 bulk carriers).

As of mid-2012, Yang Ming operates a fleet of 85 vessels with a 4.2-million-D.W.T / operating capacity 346 thousand TEUS, of which container ships are the mains service force.

TEU Capacity: 538,912 NO. OF SHIPS: 102

9. MOL

MOL (Mitsui O.S.K. Lines, Ltd.) is a Japanese transport company headquartered in Toranomon, Minato, Tokyo, Japan. The company's main area of operations is international shipping. Its alligator logo can be seen on containers in ports around the world.

Founded as a key part of the Mitsui zaibatsu (family-owned conglomerate) during the early industrialization of Japan, the company is now independent of the zaibatsu, but remains part of the Mitsui keiretsu (group of aligned companies).

TEU Capacity: 554,425 NO. OF SHIPS: 98

8. OOCL

Orient Overseas Container Line (OOCL) is a Hong Kong-based container shipping and logistics service company. OOCL is one of the world's largest integrated international container transportation, logistics and terminal companies with more than 320 offices in 70 countries around the world, providing 78 services covering international trading markets with a fleet of more than 300 ships, including Grand Alliance member line vessels, feeder and OOCL-owned and operated vessels. OOCL has vessels of different classes with capacity varying from 2,500 TEU to 13,000 TEU, and ice-class vessels for extreme weather conditions.

TEU Capacity: 561,522 NO. OF SHIPS: 104

7. Hamburg Süd

Hamburg Süd is a shipping line on the North-South ocean trade routes. Until 2016 it was part of the Oetker Group, a family-owned German conglomerate. On December 1, 2016 it was announced that A.P. Moller-Maersk Group's shipping division Maersk Line had signed an agreement to take over the company.

TEU Capacity: 645,889 NO. OF SHIPS: 136

6. Hapag-Lloyd

Hapag-Lloyd is a German transportation company comprising a cargo container shipping line, Hapag-Lloyd AG, which in turn owned other subsidiaries such as Hapag-Lloyd Cruises.

Hapag-Lloyd AG is the world's fifth largest container carrier in terms of vessel capacity. The company was formed in 1970 as a merger of two 19th-century companies, Hapag, which dated from 1847, and Norddeutscher Lloyd (NDL) or North German Lloyd (NGL), which was formed in 1856. Hapag-Lloyd was acquired in 1998 by TUI AG (Hanover) and became its fully owned subsidiary in 2002. In 2009, TUI sold a majority stake to a group of private investors and the City of Hamburg, the so-called Albert Ballin Consortium. The main founders of Hapag and Lloyd in the 19th century were Berenberg Bank, Fritz Albert Haas, and H. J. Merck & Co.. In February 2012 the German company TUI sold more shares of the German owned company Hapag-Lloyd to the City of Hamburg which is the largest share holder with approx. 37% followed by Kuehne Maritime with 28% and TUI AG with 22%. The other shareholders are Hamburg-based banks and insurances.

TEU Capacity: 930,398 NO. OF SHIPS: 174

5. Evergreen Marine

Evergreen Marine Corporation is a Taiwanese container transportation and shipping company. Headquartered in Luzhu District, Taoyuan City, Taiwan, is a global containerized-freight shipping company. Its principal trading routes are: the Far East to North America, Central America and the Caribbean; the Far east to northern Europe and the east Mediterranean; Europe to the east coast of North America; the Far East to Australia, Mauritius, South Africa and South America; and an intra Asia service linking ports in Asia to the Middle East, Persian Gulf and the Red Sea. With over 150 container ships it is part of the Evergreen Group conglomerate of transportation firms and associated companies. Evergreen calls on 240 ports worldwide in about 80 countries, and is the fourth largest company of its type, ranked behind Maersk, Mediterranean Shipping Company, and CMA CGM (in order).

TEU Capacity: 931,860 NO. OF SHIPS: 200

4. COSCO

China COSCO Shipping Corporation Limited, also referred to as the China COSCO Shipping Group or China COSCO Shipping, is a Chinese business conglomerate and state-owned enterprise headquartered in Shanghai. The group is engaged in a variety of business sectors, with a focus on integrated logistics, shipping, finance services, and equipment manufacturing. The company was formed by the merger of the COSCO Group and the China Shipping Group in January 2016. The merger was precipitated by an ongoing downturn in the containerized-ocean-freight and break bulk shipping industries that stymied the profits of both groups and motivated them to unite and endure the decline together. The merged entity is composed of several business clusters each of which is managed by one or more subsidiaries. Its core business cluster is container, dry-bulk, and oil shipping services.

TEU Capacity: 1,554,862 NO. OF SHIPS: 296

3. CMA CGM

CMA CGM S.A. is a French container transportation and shipping company, headed by Jacques Saadé. It is the third largest container company in the world, using 170 shipping routes between 400 ports in 150 different countries. Its headquarters are in Marseille, and its North American headquarters are in Norfolk, Virginia.

TEU Capacity: 2,354,358 NO. OF SHIPS: 546

2. Mediterranean Shipping Company

Mediterranean Shipping Company S.A. (MSC) is the world's second-largest shipping line in terms of container vessel capacity. As a private Swiss company it has no obligation to publish annual reports certified by independent parties; as a consequence, the data MSC releases about itself is not verifiable. As of the end of December 2014, MSC was operating 471 container vessels with an intake capacity of 2,435,000 twenty-foot equivalent units (TEU).

TEU Capacity: 2,678,779 NO. OF SHIPS: 496

1. A.P. Moller-Maersk Group

A.P. Møller – Maersk Group is based in Copenhagen, Denmark, with subsidiaries and offices in more than 135 countries worldwide and around 89,000 employees. It ranked 148 on the Forbes Global 2000 list for 2015.

A.P. Moller-Maersk Group also known as Maersk, is a Danish business conglomerate. A.P. Møller – Maersk Group has activities in a variety of business sectors, primarily within the transportation and energy sectors. It has been the largest container ship operator and supply vessel operator in the world since 1996. As of September 2016 the company is in the process of splitting its shipping and energy interests into separate divisions.

TEU Capacity: 2,996,188 NO. OF SHIPS: 585

Move to scrap beloved U.S. Navy job titles tossed overboard

The U.S. Navy is keeping its yeomen, boatswain's mates and masters-at-arms. The quartermasters and legal men will stick around too, not to mention the hospital corpsmen.

After months of withering criticism from the rank and file, officials last month announced a course reversal from an earlier decision to scrap the storied tradition of calling enlisted sailors by their naval occupations.

The contentious move in September was supposed to unite sailors under a simple ranking structure to remove the baffling array of titles—known as ratings—and make various job names sound less gendered.

Whereas other troops in the military have relatively easy-to-recognize ranks, such as private, corporal or sergeant, the Navy had stuck to its own system dating back centuries.

It currently has 89 different ratings, many going back to America's youngest days. For instance, boatswain's mate and gunner's mate formally started in 1794, though the titles are borrowed from Britain's far older Royal Navy. More modern titles include cryptologic technician and aircrew survival equipment man.

When Navy Secretary Ray Mabus first announced the changes, he said it was to help expand sailors' opportunities so they weren't pigeon-holed by rating titles. He also argued sailors leaving the Navy would find it easier to explain to land-lubber civilian bosses what their rank and responsibilities were.

Reaction could hardly have been more negative.

Sailors take pride in their ratings and were aghast at the thought of losing them. Many complained the move was political correctness gone mad—because women now can serve in any job in the U.S. military, services have been looking for gender-neutral titles.

“If the Navy would not have bowed to the Political Correct BS. This would not have happened,” wrote Facebook user Richard Fauble, who said he was a proud former naval air-traffic controller. **“The military is not a social experiment, it is a fighting force. It is also not a touchy feely humanitarian effort.”**

Chief of Naval Operations Admiral John Richardson acknowledged protests had been a dominant theme of conversations with sailors, and had become a distraction.

While ratings titles will remain—at least for now—officials stressed the Navy would forge ahead with broader modernizations to its personnel systems and make career paths more flexible. But Richardson did not rule out revisiting ratings titles in the future.

In a Christmas message announcing the reversal on December 21, Richardson said the move reflected a willingness to learn from enlisted sailors of all stripes (and ratings). “I guess the bottom line is we are going to preserve all the good, we are going to throw all the distractions overboard and we are going to move on, stay on course,” Richardson said in a videotaped message to sailors.



The SUP gang in the APL Saipan. from left: Bosun Manny Rezada-AB Day Elston Wong-AB Day Dave Kaupiko- AB Watch Will Williamson-AB Watch Kanoa Wilson, holding the life ring: AB Watch Herbert Oquendo.

Five years after *Costa Concordia*: assessing the safety legacy

Five years ago this month, Captain Francesco Schettino, on the bridge of *Costa Concordia* with a ‘female friend’ at his side, ordered his ship to make a close pass along the Italian island of Giglio – a sail-by ‘salute’ – with the aim of impressing his passengers and honoring a retired captain who lived there and the ship’s head waiter, a Giglio native.

What followed on the night of January 13, 2012, has been described by Royal Caribbean President Adam Goldstein as “the defining moment in the history of the modern cruise industry”. *Costa Concordia*, with 4,229 people aboard (3,206 passengers and 1,023 crew) barreled into a rock just off Giglio at a speed of 15.5 kt, ripping a 53 m gash in the hull that spanned multiple watertight compartments.

Twenty-seven passengers and five crew were killed, and 157 others were injured, but the toll could have been dramatically higher if not for sheer luck. After hitting the rock, the ship lost propulsion and began sinking rapidly, its rudder jammed in the full-starboard position. The rudder’s angle, together with the direction of the wind and current, grounded the vessel in the island’s shallows, just yards offshore. Had fate steered the ship on any other course – 98 feet from where the ship came to rest, the depth dropped to 230 feet – the loss of life could have been enormous.

It was the worst disaster in the modern cruise era, but it was a ‘near miss’ in *Titanic* terms, and like a heart attack survivor scared into a healthier lifestyle, the cruise industry embarked on a full-scale reassessment and overhaul of its operations in the months and years that followed.

The industry strategy that emerged after the casualty was to make swift changes via self-regulation – either at association or individual owner level – then push for those changes to be enacted globally through the International Maritime Organization (IMO). Changes in procedure that could be implemented quickly (‘software’ changes) were done within the first year, while changes in technical systems, layout, and design that would take longer and be more costly (‘hardware’ changes) were tackled later.

“We felt very strongly that we could not and would not wait for the regulators to tell us how to step up and do the things we should be doing, and that goes not just for operational safety but for design. We know we are doing the right things and we are going to do them with or without the IMO,” said Darr.

Essential to cruising’s self-regulation strategy – both in the wake of the *Costa Concordia* incident and the high-profile engine-room fires and power blackouts in the years that followed – was the industry’s ability to unify under the Cruise Line International Association (CLIA). Although CLIA began as a largely North American trade group, it morphed into a truly global organization encompassing lines in Europe and Asia less than a year after the *Costa Concordia* incident. Because almost all of the world’s cruise tonnage is now owned by CLIA members, the group’s ability to implement policies that are mandatory for members allows cruising to credibly self-regulate in a way that is impossible for a highly fragmented sector such as bulk shipping.

Asked whether the global unification under CLIA was the direct result of the *Costa Concordia* incident, as the timing

suggests, Bud Darr, Senior Vice President of Technical and Regulatory Affairs for CLIA, replied, “I would put it this way: I believe it was a galvanizing event that led to the entire industry coming together. It was a catalyst that helped bring us all together under CLIA. I think a very positive effect of that is continuity and consistency and shared best practices that now extend to 90–95% of oceangoing cruise capacity worldwide. Whether we’re talking about safety, the environment, or anything else, the footprint of the organization is now so much bigger and the unity of the industry is now so much broader.”

In terms of specific safety changes precipitated by *Costa Concordia*, the first involved the role and effective power of the cruise-ship master. No longer can a cruise-ship captain decide, on a personal whim, to do a scenic sail-by, as Schettino (and other masters) did, nor can a master bring a guest to the bridge at an inappropriate time. Within months of the accident, CLIA implemented mandatory member-line policies on passage planning, bridge procedures, and bridge access. In addition, individual lines put in place new technical systems that allowed real-time monitoring of ship movements from shore to guarantee captains didn’t deviate from their course.

Other operational changes enacted in the first year after the accident focused on passenger protection, most notably involving lifeboat drills. Formerly, lifeboat drills were conducted within 24 hours of departure. When *Costa Concordia* capsized, 696 passengers who had just embarked in Civitavecchia, Italy, had yet to conduct their lifeboat drill. Less than a month after the accident, CLIA and the European Cruise Council (ECC) made lifeboat drills mandatory prior to vessel departure; the IMO eventually adopted the rule and made it mandatory as of 1 January 2015.

Beyond policies self-enforced by CLIA and ECC in 2012, multiple cruise industry proposals were submitted to the IMO Maritime Safety Committee (MSC) in the following years. These included a proposal on procedures for evacuation analysis (which is soon to be adopted by the IMO), an initiative to enhance damage stability training (which is already being implemented by cruise lines), and a plan to redesign the layout of cruise newbuildings to minimize the time when watertight doors are open (such layouts are already in existence on the latest newbuildings).

The most significant design and structural change inspired by the *Costa Concordia* accident was not proposed by the cruise industry, but by the European Maritime Safety Agency (EMSA). It involves the enhancement of the damage stability of a cruise newbuilding by the increase of the ‘required subdivision index R’, a design measure detailing the probability of vessel survival. An EMSA study on this controversial issue began in November 2013 and concluded in January 2016.

In an interview with *IHS Fairplay* in 2014, Darr warned that an overly aggressive regulatory decision on the increase of the ‘R’ design measure could represent an existential threat to the cruise industry. “That potential is certainly there,” he conceded. “If they come up with criteria that just can’t be met and we can’t build ships, that’s probably not what people intended. It’s about something that can actually be done in a manner that economics justify new construction.”

This threat appears to have passed. The damage stability rules likely to be finalized at the next IMO MSC meeting in June will be acceptable to the cruise industry. “From our perspective, the solution that has been presented is a well-balanced compromise that will enhance safety levels, which is one of our two goals, and the most important one, and is also pragmatic in its approach, where we believe that ship design and construction can continue,” said Darr.

The new damage stability rules would require larger cruise ships to be “a little bit wider, with the freeboard a little higher. It will change the ship structure and make for more complex calculations,” said Darr. For smaller cruise ships, “it would be very challenging to build a ship under the current proposal with one compartment subdivision. Most likely, you would have to have two compartment subdivisions,” he explained.

Darr said the cost impact of the proposed damage stability rules on larger cruise ships “would be modest for new designs. It would be manageable.” The rule will probably be put in place for cruise newbuildings contracted as of 2020 and for ships with a delivery date of 2024.

Asked by *IHS Fairplay* to sum up his view on the industry response to the *Costa Concordia* casualty, Darr said, “I think our response should be remembered because it was swift, it was ongoing, it was serious, and it was comprehensive. We did not shy away from the very real tragedy that occurred. We embraced what could be learned from it and it was a catalyst for a renewed focus on safety that I think will lay an even better foundation for a stronger, safer, more sustainable industry in the future.

“I think we’ve come a very long way over the past five years, but we’ll never get to the final solution on safety, because you can never get to the final solution on safety. You just have to continue to strive to become safer and safer, and that is true for both operational aspects and design and construction aspects, and we’ll continue to work on that every single day.”

TIMELINE: CONSEQUENCES OF COSTA CONCORDIA

January 13, 2012 – *Costa Concordia* capsizes off Giglio, Italy; 32 are killed

January 27, 2012 – Cruise Lines International Association (CLIA) begins operational safety review

February 9, 2012 – CLIA, Passenger Shipping Association (PSA) and European Cruise Council (ECC) announce mandatory policy for member lines: passengers must muster for safety drill prior to departure (not within 24 hours)

April 19, 2012 – CLIA appoints independent panel to vet its operational safety review

April 24, 2012 – CLIA and ECC announce three new policies: (1) passage planning enhanced and all bridge team members briefed on passage plan; (2) bridge access restricted to those with operational functions during certain periods; (3) additional lifejackets placed on board beyond statutory requirements

May 8, 2012 – *Costa* implements new safety initiatives, including system that allows vessel movements to be monitored in real time from shore

June 13, 2012 – MSC Cruises implements system to allow vessel movements to be monitored in real time from shore

June 26, 2012 – CLIA and ECC announce two new policies: (1) nationality of each passenger recorded and made available to search and rescue personnel; (2) 12 common elements communicated during lifeboat drill

September 20, 2012 – CLIA and ECC announce new policy: lifeboats must be full during bi-annual lifeboat crew training

November 19, 2012 – CLIA and ECC announce three new policies: (1) lifejackets on newly constructed ships stowed near muster stations or lifeboat embarkation points; (2) heavy objects secured whenever not in use and during severe weather; (3) bridge procedures across brands within the same holding company harmonized

December 17, 2012 – CLIA, ECC, PSA, Asia Cruise Association, AFCC, ABREMAR, Northwest and Canada Cruise Association, Alaska Cruise Association, and International Cruise Council Australasia merge under common association umbrella structure, branded CLIA

December 19, 2012 – CLIA announces that independent panel will continue its service even after operational safety review concludes (the panel currently remains in place)

February 25, 2013 – Italian prosecutors seek indictment of *Costa Concordia* captain Francesco Schettino and five other *Costa* employees (four crew, one shoreside)

May 24, 2013 – Italy releases full accident report on *Costa Concordia* casualty

July 21, 2013 – Five *Costa* employees convicted under plea-bargaining agreements

September 17, 2013 – Salvage company rights *Costa Concordia* and stabilizes it with underwater platforms

November 1, 2013 – European Maritime Safety Agency (EMSA) begins damage stability study to guide IMO decisions on future cruise newbuilding designs

May 14, 2014 – At IMO Maritime Safety Committee meeting, CLIA proposes: (1) interior layouts be designed to minimize the need to keep watertight doors open to facilitate crew movements, on a voluntary basis for newbuildings ordered after 2015; (2) damage stability training be enhanced, combined with shipboard damage control plans and related drills; and (3) further work be conducted on harmonizing evacuation analysis programs

July 23, 2014 – *Costa Concordia* is floated and tugged to Genoa for scrapping

February 11, 2015 – Schettino is convicted of manslaughter and other charges and sentenced to 16 years in prison; he remains free during appeals process

January 21, 2016 – EMSA damage stability study completed; IMO decision on new cruise newbuilding rules expected in June 2017.

In Memoriam

Final Departures of SUP members reported in 2016

Gordon Abbott, Book No. 3785. Born in North Dakota in 1929. Joined SUP in 1963. Died in California, March 11, 2016. (Pensioner)

Ruben Aguilar, Book No. 3790. Born in Texas in 1926. Joined SUP in 1968. Died in McAllen, Texas, December 10, 2015. (Pensioner)

Melvin Armon, Book No. 3577. Born in California in 1928. Joined SUP in 1953. Died in Vancouver, Washington, November 5, 2016. (Pensioner)

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

Carmelo Carbone, Book No. 4697. Born in New York in 1928. Joined SUP in 1948. Died in Staten Island, New York, July 7, 2016. (Pensioner)

John Cook, Book No. 3668. Born in Ohio in 1925. Joined SUP in 1943. Died in Paradise, California, April 18, 2016. (Pensioner)

James Crandall, Book No. 4611. Born in New York in 1927. Joined SUP in 1951. Died April 10, 2016. (Pensioner)

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

Robert Darcy, Permit No. 18274. Born in Rhode Island in 1939. Joined SUP in 1994. Died in Mililani, Hawaii, March 6, 2016. (Pensioner)

James Eggleston, Book No. 1845. Born in California in 1927. Joined SUP in 1945. Died in Lodi, California, June 15, 2016. (Pensioner)

Mohamed Elmobdy, Book No. 1866. Born in Egypt in 1929. Joined SUP in 1951. Died in Olympia, Washington, November 1, 2016. (Pensioner)

William Fairchild, Book No. 2158. Born in Kentucky in 1928. Joined SUP in 1945. Died in Tennessee, November 5, 2016. (Pensioner)

George Gonzalez, Book No. 2906. Born in California in 1926. Joined SUP in 1944. Died in Livermore, California, March 4, 2016. (Pensioner)

Alfred Griffin, Book No. 2911. Born in Oklahoma in 1929. Joined SUP in 1962. Died in Lincoln, California, December 2, 2016. (Pensioner)

John Higdon, Book No. 5685. Born in Tennessee in 1929. Joined SUP in 1951. Died in Tucson, Arizona, November 16, 2016. (Pensioner)

Egon Jorgensen, Book No. 4055. Born in Denmark in 1924. Joined SUP in 1944. Died November 11, 2016. (Pensioner)

Jon Justice, Book No. 4307. Born in Oklahoma in 1938. Joined SUP in 1956. Died in Portland, Oregon, October 22, 2016. (Pensioner)

Woo Kay Keong, Book No. 3107. Born in California in 1930. Joined SUP in 1950. Died in San Francisco, California July 18, 2016. (Pensioner)

Armando Marriott, Book No. 6271. Born in Ecuador in 1923. Joined SUP in 1944. Died in Daly City, California, September 21, 2016. (Pensioner)

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

James Minster, Permit No. 18055. Born in Washington in 1931. Joined SUP in 1990. Died in Seattle, Washington, December 29, 2015. (Pensioner)

Joseph Moniz, Book No. 6444. Born in the Philippines in 1937. Joined SUP in 1960. Died in Manila, Philippines, June 2, 2016. (Pensioner)

Harry Naeole, Book No. 2461. Born in Hawai'i in 1932. Joined SUP in 1959. Died in Lawndale, California, September 27, 2016. (Pensioner)

Peter Nekeferoff, Book No. 2460. Born in Alaska in 1941. Joined SUP in 1966. Died in Port Angeles, Washington, October 9, 2016. (Pensioner)

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

Angelo Rossano, Book No. 3061. Born in New York in 1928. Joined SUP in 1945. Died March 12, 2016. (Pensioner)

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

Dean Smith, Book No. 7449. Born in Oregon in 1939. Joined SUP in 1966. Died in Dayton, Nevada, March 20, 2016. (Pensioner)

Dennis Sparta, Book No. 7412. Born in New York in 1934. Joined SUP in 1955. Died in Palm Beach, Florida, July 2, 2016. (Pensioner)

John Srbic, Book No. 7246. Born in Ohio in 1916. Joined SUP in 1947. Died in South San Francisco, California, March 25, 2016. (Pensioner)

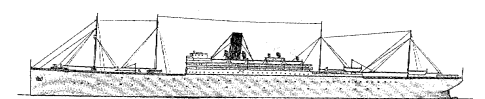
Inti Sternbach, Book No. 7509. Born in Ecuador in 1938. Joined SUP in 1985. Died February 22, 2016. (Pensioner)

Edmund Stone, Book No. 7468. Born in California in 1931. Joined SUP in 1970. Died in Woodland, California, February 20, 2016. (Pensioner)

Ted Swanson, Book No. 7465. Born in Oregon in 1945. Joined SUP in 1967. Died in Honolulu, Hawai'i, June 16, 2016. (Pensioner)

John Thompson, Book No. 3056. Born in California in 1927. Joined SUP in 1946. Died in California, September 21, 2016. (Pensioner)

Malcolm Turner, Book No. 3129. Born in Washington in 1925. Joined SUP in 1944. Died in Seattle, Washington, October 8, 2016. (Pensioner)



To fight piracy, Indonesia turns to seaweed farming

The Indonesian Navy has come up with a novel way to fight recidivism among ex-pirates in the Riau Islands: seaweed farming. Commander S. Irawan of the naval base in Tanjung Pinang told *The Jakarta Post* last month that the Navy has trained up 15 former pirates to farm seaweed, a more sustainable alternative to maritime crime. Irawan suggested that the participants had been important figures in local piracy.

An aggressive enforcement campaign has sharply reduced the rate of pirate attacks in the Straits of Malacca, but recidivism is still a serious problem, as illustrated by recent arrests. Three of six men detained for piracy at the Tanjung Pinang base, were "old players," former convicts well known to the authorities, Commander Irawan said. One had served four years in prison for the 2012 attack on the Malaysian-flag tanker *Zafrah*. One was arrested in connection with the 2013 attack on the Indonesian-flag bulk carrier *Lautan Promise*, and one was detained last year on suspicion of criminal activity in Malaysian waters.

To combat the tendency for ex-pirates to return to crime, the Navy's seaweed farming program aims to give them another means of earning a living. Seaweed farming has become an essential source of income for coastal villages across the region, which have suffered as local fisheries continue their long decline. With fewer fish to catch, many villagers are growing *Eucheuma* seaweed instead. They place ropes laced with starts just offshore, tethered to makeshift floats and anchors, and every six weeks the seaweed is ready to be pulled in. Brokers buy the dried product and resell it abroad for the extraction of carrageenan – an important thickening ingredient in processed ice cream, fire-fighting foam, shoe polish and shampoo, among many other products. The UN Food and Agriculture Organization estimates that after expenses, Indonesian family farms – or former pirates – can earn \$600 per ton of dried seaweed.



On the mess deck of USNS Gordon during a December activation is AB Travis Johnson, AB Allen Gonzalez, and Bosun Dale Linquist.

ESU Office Assignments

For the month of February, John Straley will be in the Seabrook office.



JANUARY 2017

Official Publication of the Exxon Seamen's Union

ExxonMobil Seminar dates for 2017

(Late Career Pre-Retirement Planning Course)

If you are eligible, or soon to be eligible to retire from the Company, you should consider attending a pre-retirement planning seminar that is offered by ExxonMobil. Eligibility normally means within three years of the minimum age to retire for the unlicensed group (50) with a minimum 15 years of service at the time you elect to retire. The classes tend to fill up quickly, some may be filled up by the time we go to print. If you are interested in attending and know the session you wish to attend, you should then notify Helen Wright at 832-624-7759 for enrollment. Limited space is available per each class so plan ahead. Below are the dates for 2017 and registration will start in February, 2017. **The location for the seminar is at Houston Campus, Texas, (Catalyst Building).**

Date	Date
March 15-16	August 22-23
March 21-22	August 30-31
March 29-30	September 12-13
April 5-6	September 18-17
April 11-12	September 20-21
April 19-20	September 26-27
May 3-4	September 28-29
May 10-11	October 3-4
May 16-17	October 5-6
June 6-7	October 11-12
June 21-22	October 18-19
June 27-28	October 19-20
July 26-27	October 24-25
August 2-3	November 1-2
August 8-9	November 7-8
August 16-17	November 15-16
	November 28-29

2017 PPE reminder

Personal protective equipment packets with clothing order instructions and eye glass cards are running a little late this year due a change with the company vendor that supplies the clothing. Last year there were quality and delivery issues with the previous supplier so a change was necessary. The packets should be mailed to fleet personnel from the Sea River Safety Department around the first of March.

Employees are eligible to order six articles of clothing per year (six pair of coveralls, or six shirts and six pants or a combination of the aforementioned), in 2016 the stewards department also started to have different options.

The maximum reimbursement for safety glasses is \$150 and will be reimbursed

through company payroll after you submit your receipt. Safety glasses frames and lenses must meet Z87.1 standard and needs to be specified on the receipt.

The Safety Shoe Program was changed during 2011 bargaining and is now a cash subsidy amount of \$200 and will be paid on a non-taxable basis through payroll by February 15, 2017.

The Winter (Arctic) Clothing allowance, was paid in 2015 and is not due to be paid again until February 15, 2018. Under this program, employees are allowed to purchase winter clothing from any vendor they choose and receive a tax assisted payment of \$400 dollars in mid February once every three years.

Ship reports

S/R American Progress

ESU Board officer Leo DeCastro visited the vessel at ExxonMobil Refinery in Beaumont, TX on December 26. The vessel was loading gasoline and diesel cargoes for discharge at Tampa and Port Everglades, FL. Tentatively, the next load port is scheduled to be Phillips 66 in New Orleans, LA. Larry Miles still filling in with the Ship Rep. duties and reports everything going well. The vessel will continue the same run for the near future.

Eagle Bay

Leo DeCastro visited the vessel in Long Beach, CA on January 4, at anchor while waiting for the dock to be available. The next trip the vessel will load in Valdez to discharge in Hawai'i. AB Billy Wayne filling in as temporary ship representative, and reports everything is going okay. The two new MS are assimilating well to the routine and workload of an oil tanker.

Liberty Bay

Vessel was southbound to Long Beach, CA at the time of print where it will be discharging a partial cargo before heading to the San Francisco Bay area to discharge the rest. It looks like the next trip south is slated for the Puget Sound for a split discharge. Regular Ship Rep. Joe Buffington on board and reports all is well.

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

Two more ESU members retire



Mallory Thomas retirement party aboard the Eagle Bay.

During the month of December 2016, the ESU has been informed that two more longtime ESU members have elected to retire from SeaRiver Maritime. Unlicensed retirements at the end of the 2016 reached a total of 14. Able Seaman Mallory Thomas retired on December 21, 2016, with over 23 years of Company service. Mallory began his service with Exxon Shipping Company in July, 1993, with his first assignment as Maintenance Seamen aboard the *Exxon Baytown*. In June 1995, he transferred to the San Francisco Tug Fleet, but due to the downsize of that fleet, he returned to the Ocean Fleet in October 1996, and was promoted to the AB position a few months later in May 1997.

During his career, Mallory was a staunch union supporter and served several times as temporary ship representative. His last assignment was the *Eagle Bay* where the crew honored his accomplishments and contributions with a traditional shipboard retirement ceremony. Mallory plans on enjoying retirement and catching up with a few projects at his home in the San Diego area.

QMED Eric Bush retired on December 15, 2016, with over 16 years of Company service. Eric began his service with Exxon Shipping Company in November 2000, with his first assignment as Maintenance Seamen aboard the *Exxon Long Beach*. Eric quickly chose the engine room as his career department and was promoted to the position of QMED in March of 2008. His last vessel assignment was on the *S/R American Progress* where the crew honored his accomplishments and contributions with a traditional shipboard retirement ceremony.



Temporary Ship Rep AB Larry Miles on the left and Eric Bush on the right, aboard the American Progress.

On behalf of the membership, the ESU wishes Mallory and Eric fair winds and following seas and the best of luck in their retirement years. We thank them for their many contributions and support of the ESU and wish all the very best as they begin a new chapter in their lives.

Don't forget to vote!

As previously announced in last month's news (2016 Election Results) for the first time ever in the ESU history we had a tie during the regular election cycle for the position Ship Representative of the *American Progress*. Therefore as per the ESU Constitution and By-Laws we must conduct a runoff election between the candidates, which started on December 15, 2016, and will end on February 13, 2017.

You should have received your ballots by now, there is still time to cast your ballot if you have not yet done so but everyone needs to be aware that the voting period for this election will end on February 13, at 10:00 A.M. Results will be announced later that afternoon.

If you need a ballot, let the Union office know and we will send you another or see your Ship Representative if you are on the ship. Please remember to exercise your right as an ESU member and VOTE!

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Vice President/Treasurer Leo DeCastro

Board Member at Large Don Picou

Board Member at Large Ein Cooley

Deck Trustee Jeffrey Harris

Engine Trustee William Ackley

Steward Trustee Joel Mitchell

Fire helped doom the *Titanic*, new theory says

Ever since the *Titanic* sank on April 15, 1912, killing more than 1,500 men, women and children, mystery has swirled around the tragedy.

No one doubts that the ship collided at high speed with an iceberg off the coast of Newfoundland.

But a new documentary posits that the sinking of the ship – hailed at the time as the largest ever built, and praised for its professed unsinkability – may have been accelerated by a giant coal fire in its hull that appeared to have started as long as three weeks before it set off on its fateful voyage to New York from Southampton, England.

In the documentary, which was broadcast on Channel 4 in Britain on New Year's Day, Senan Molony, an Irish journalist who has spent more than 30 years researching the *Titanic*, contends that the fire, in a three-story-high bunker next to one of the ship's boiler rooms, damaged its hull, helping to seal its fate long before it slammed into the iceberg.

"It's a perfect storm of extraordinary factors coming together: fire, ice and criminal negligence," he argues in the documentary, "*Titanic: The New Evidence*." "The fire was known about, but it was played down. She should never have been put to sea."

Molony's potential breakthrough can be traced to an attic in Wiltshire, in southwest England, where a previously unpublished album of photographs chronicling the ship's construction and the preparations for its maiden voyage had been gathering dust for more than a century.

The photographs were discovered by a descendant of a director of the Belfast-based company, Harland and Wolff, that built the *Titanic*. About four years ago, a collaborator of Molony's, acquired the rare photographs of the ship, meticulously taken by Harland and Wolff's engineering chief before it left a Belfast shipyard.

When the two men looked closely at the images, Molony said, they were shocked to discover a 30-foot-long diagonal black mark on the hull's front star-board side, close to where the ship was pierced by the iceberg. An analysis by engineers at Imperial College London subsequently revealed that the mark was most likely caused by a fire in a coal bunker of the ship.

Molony called the photographs "the *Titanic* equivalent of Tutankhamen's tomb," because of the richness of historical detail they conveyed, including the mark highlighting the extent of the damage.

Experts said the theory was compelling but were divided over how important a role the fire may have played.

In an interview, Richard deKerbrech, a marine engineer based on the Isle of Wight who has written two books on the *Titanic* disaster, said that the fire would have damaged the ship's bulkhead, a wall of steel within the ship's hull, and made it more vulnerable after it was pierced by an iceberg. An official British inquiry, in 1912, mentioned the fire, but the judge who presided over it, whom critics saw as sympathetic to shipping interests, played it down.

Molony contends that the ship's owners knew about the fire but chose to let it go, since delaying the ship's journey would have been financially ruinous. At the time of departure, the ship was berthed

so that the marks caused by the fire were facing outboard, away from the dock, and therefore concealed from passengers.

The *Titanic* disaster has long fanned conspiracy theories, among them that it was not the *Titanic* that sank on April 15, 1912, but, rather the *Olympic*, its sister ship; that the *Titanic* was torpedoed by a German U-boat; or that the ship was brought down by a sarcophagus containing an Egyptian priestess's mummy. Popularized by Hollywood, the story of the *Titanic* continues to exert a hold on popular culture. Construction of a full-size replica recently began at a theme park in China. (See last month's *West Coast Sailors*.)

Now the political editor at *The Irish Daily Mail*, Molony, who has also written a book called "The Irish Aboard *Titanic*," was also drawn to the social divisions reflected on the ship, where first-class cabins hosted millionaires while hundreds of working-class passengers, many of them Irish, stayed below.

Molony said he believed the fire had been played down, in part because death by iceberg was a more dramatic explanation. "The ship was seen as a heroic unsinkable ship and, as a result, people focused on explanations that fed that narrative," he said.

Not everyone is convinced. David Hill, a former honorary secretary of the British *Titanic* Society, who has been studying the cause of the sinking since the 1950s, argued that, while the damage caused by the fire to the steel walls protecting the hull may have hastened the disaster, the blaze was not the decisive factor.

"When the *Titanic* hit the iceberg close to midnight on April 14, 1912, it created a 300-foot-long line of damage on the starboard section of the hull, including punctures and gashes, that opened up too many compartments to the sea, so that the weight of the water dragged the bow down so low that the ship eventually sank," he said. "A fire may have accelerated this. But in my view, the *Titanic* would have sunk anyways."

Aussie outfit fined for the death of a wharfie

An Australian court has fined Toll Transport \$720,000 following the death of a worker on board one of its two commercial ro-ro vessels that sail between the Australian ports of Melbourne and Burnie.

Dock worker Anthony Attard was run over by a trailer loaded with shipping containers on board *Tasmanian Achiever* at Webb Dock, Melbourne, on May 20, 2014. At the time of his death, Attard was working on the deck with his back to the trailer. A fellow worker yelled out to the driver to stop, but he could not hear her and or see Attard as the containers blocked his view. "When we looked around, he (Attard) was on the ground, face first," one witness testified, saying he heard him screaming in pain.

The driver stopped, got out, saw what had happened then collapsed. Paramedics attended the injured dock worker but his left leg had been severed and he suffered extensive injuries to the pelvic area. Attard died at the scene in the arms of a workmate.

A subsequent investigation by the workplace safety watchdog found a key safety procedure – having a fellow stevedore on deck to assist – was not followed.

Welfare Notes January 2017

Death and Burial Benefits for Active Participants

For eligible Employees who have one day of seagoing employment with a participating employer in the 365 days immediately preceding the date of death, The SUP Welfare Plan will pay a Death Benefit totaling \$25,000 to a beneficiary, or beneficiaries, as designated by the Employee on a properly executed Authorized Beneficiary Form. In the event that a beneficiary has not been designated by the Employee on an Authorized Beneficiary Form, no Death Benefit will be paid by the Plan.

A Burial Benefit of up to a maximum of \$500 is available to claimants of deceased Employees who had at least 1,000 days of covered employment at the time of death and had maintained shipping rights under the collective bargaining agreement.

For complete details of the Death and Burial Benefits for Active Participants, please see pages 14, 28 & 29 in the Summary Plan Description booklet.

In the next few weeks, a form entitled "Authorized Beneficiary Form for Active Members – Death Benefit" will be mailed to all participants at the address on file with the Plan Office. Please complete the form and return it to the SUP Welfare Plan even if you believe that a Death Benefit Beneficiary Form is already on file, as we would like to ensure we have your most recent choice of beneficiary. If you do not receive a form, please contact our office.

Pensioner Burial and Widow's Benefits

The SUP Welfare Plan does not provide a Death Benefit for Pensioners; however, Burial and Widow's Benefits are available subject to Plan rules.

The Burial allowance will be prorated according to the Pensioner's qualifying pension contributions subject to a \$1,000 maximum.

Eligible Widow's will receive a monthly benefit equal to the SIU Pacific District Pension Plan pensioner's benefit amount that the Pensioner would have received. The benefit is payable for 12 months or, if sooner, until death.

For more details, please see pages 15, 39 & 41 of the Summary Plan Description booklet.

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SUP Welfare Plan 730 Harrison Street, #415, San Francisco, CA 94107

Phone Numbers: 415-778-5490 or 1-800-796-8003 Fax: 415-778-5495

SIU-PD Pension Plan 415-764-4987

SIU-PD Supplemental Benefits Fund 415-764-4991

Seafarers' Medical Center 415-392-3611

DEFEND THE JONES ACT SUPPORT THE SUP POLITICAL FUND

Toll Transport PL pleaded guilty to a single charge of failing to provide and maintain a safe working environment. In handing down her decision Judge Gabrielle Cannon said the company deserved strong punishment in a bid to deter other employers. Judge Cannon noted workers on a ship's deck were "highly vulnerable in the vicinity of these monster vehicles" without supervision.

The trailers carry up to four TEU containers or two FEU containers and weigh up to 90 tons. The driver of the tractor pushes the trailer onto the deck facing the shipping containers, severely restricting his view.

Attard's job was to supervise and ensure the rubber mats were in place to stop the trailer sliding as the vessel moved. A second dock worker was to position the mats but was elsewhere at the time, leaving Attard to do both jobs.

"Some of its procedures were inadequate and the most critical part of all – having a second pair of eyes on the deck – was not enforced," safety authority WorkSafe Victoria's Executive Director of Health and Safety, Marnie Williams, said.

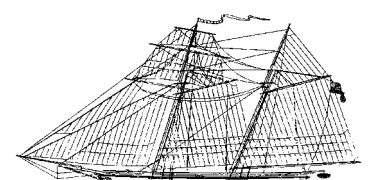
Since the fatality Toll requires work to

stop if both dock workers are not present. Crew must be given the 'all clear' to lash or attend reefers and no work is to be undertaken on deck at the same time as cargo operations. Both dock workers and crew members must have radio contact at all times.

The fine comes after the judge noted the company's seven prior convictions for safety breaches resulting in injury since 1999. Also noted was management's early decision to plead guilty, its co-operation, and remorse.

The one million Australia dollar fine is the largest ever handed down by a court in Victoria for a single offence under occupational health and safety laws.

An analysis of national statistics by the Maritime Union of Australia has calculated the death rate per 100,000 dock workers to be equal to 14.3 per year, more than 10 times higher than in any other Australian workplace.



Sugar ship's long final sail into history

by Carl Nolte

An hour after midnight on a cold and rainy Thursday, the old motor vessel *Moku Pahu* pulled slowly away from a berth on the Richmond harbor, bound on a last voyage into history.

The *Moku Pahu* was headed on a short run up the bay to the big refinery at Crockett, carrying the final cargo of pure cane sugar from Hawai'i. The ship had sailed from Kahului Harbor on Maui, and then the last sugar mill in Hawai'i shut down—on the last Friday of the old year—ending 145 years of Hawaiian sugar trade.

Sugar production used to be one of the economic mainstays of the islands, but it has been fading for years. Prices were to blame, and bad weather, and environmental problems, a ton of factors. The Hawaiian Commercial and Sugar Co., which ran the last mill, lost \$30 million in its last full year of production.

"We all knew it was coming," said Captain Christian Johnsen, who was in command for the final voyage Thursday. "But it's certainly very sad. I'd say it's like the death of a grandparent. We knew it had to happen, but it's still hard to believe."

Sugar was also important on San Francisco Bay, dating back to the 1850s, when commercial trade with the islands began. At one time, the C&H Crockett plant refined close to a million tons of sugar a year, mostly from Hawai'i.

The refinery will remain open, but the sugar will come from foreign and domestic cane fields other than Hawai'i.

The last, long sugar voyage began in mid-December, when the ship sailed from Maui. Everyone at the port stopped to see the ship go; people lined the shore, all the vessels in the harbor and all the trucks onshore blew a salute.

"I was very sad, and very proud, too," said Captain Lou Terramorse, *Moku Pahu's* veteran skipper.

He brought the ship across the Pacific and into the Golden Gate on December 27. The *Moku Pahu* is not a fast ship, and there's no hurry in the sugar business.

Johnsen, the chief mate, took over as skipper in the bay. There was a wait until the refinery was ready, and then a nighttime voyage up to Crockett. Now timing was important as the ship was deeply laden with almost 32,000 tons of sugar and 2,000 tons of molasses, and there are big tides and strong currents this time of the year. Everything was done slowly and carefully.

It was quiet on the bridge as the ship turned around and made its way out the Richmond channel and up the bay. The pilot, Captain Eric Johnson, set the courses for the seaman at the helm and gave

small changes: right 10, midship, left 10. The helmsman repeated the orders, and the 648-foot-long ship moved through the dark waters at a sedate 9 knots.

Johnson was pleased that he had drawn the assignment. He had sailed on the *Moku Pahu* for 11 years, working his way up from third mate to captain at the age of 31. So it was like old times.

The *Moku Pahu* was built 32 years ago, making it old for a merchant ship. "This ship is a classic," said Kip Carlson, another pilot, who was along for the ride.

The ship has done more than sugar runs. "She's had a lot of real adventures over the years," Johnsen said.

The *Moku Pahu* made a couple of trips to North Korea, carrying grain, once docking there on an icy Christmas Eve. It has carried cargo to Vladivostok in the Russian Far East, and to Pakistan, Bangladesh and the Philippines, and it spent more than a month in Djibouti, on the Horn of Africa. "That was interesting," Johnson said, dryly.

But the homeport has always been Hawai'i. "I got to know all the longshoremen, the port people, the workers," Johnsen said. "This ship has a very strong *ohana* feeling," he said, using the Hawaiian word for family.

It is more than just family. On its bridge, the *Moku Pahu* has a statue of Kanaloa, the Hawaiian god of the sea. It is carved of koa wood and has mother-of-pearl eyes that look directly at one of the radar sets. Sometimes, Johnsen said, Hawaiians would leave little gifts for Kanaloa — candy, maybe, a can of Spam, the island favorite. One sailor ate the candy, another wondered what an idol was doing on an American ship. Something bad happened to both of them. "I'm not superstitious," Johnsen said, "but ..."

The *Moku Pahu* slid under the Carquinez Bridge at 3:30 in the morning and tied up for good at the refinery dock an hour later.

Johnsen invited the pilot to his cabin afterward.

"On this occasion, I'd offer a bit of Champagne, or maybe scotch," he said. "But that was in the old days." Instead, he broke out a container full of pure cane sugar from Hawai'i and offered a taste.

"Have some," he said. "There won't be any more. This is history."

Carl Nolte is a San Francisco Chronicle columnist. His column appears every Sunday. Email: cnolte@sfchronicle.com Twitter: @carlnoltesf. This article was published in the January 15, 2017 edition of the San Francisco Chronicle.



18 degrees and shoveling snow off the ramp of the USNS Gilliland in Newport News, Virginia. The Large, Medium-Speed Roll-on/Roll-off (LMSR) vessel is operated by SUP-contracted Patriot Contract Services for the Military Sealift Command. Gilliland crew from lower left: Reynaldo Simon (in mask), Chris Halburt, Allen Gonzalez, Editho Burranca, and Robert Richard.

Philippine coast guard thwarts pirate attack

This month, suspected pirates launched an attack on the Antigua & Barbuda-flag geared bulker *Ocean Kingdom* off of Zamboanga, Mindanao. A spokesman for the Philippine Coast Guard told Inquirer.net that two speedboats approached the *Kingdom* and opened fire at her bridge. Coast Guard assets arrived on scene and engaged the pirates, and after a firefight, the attackers retreated. No casualties were reported.

Seafarer Jefry Abales said in a social media post that his vessel had received a mayday call reporting a piracy attack near Sibago Island. At the time, Abales' vessel was only three nautical miles from the *Ocean Kingdom*, and he gave thanks that his vessel had not been attacked as well.

This was the second attack on a merchant vessel near Basilan Island in two months. On November 11, ten gunmen in a speedboat attacked the Vietnam-flag freighter *Royal 16* off of Basilan, boarding her and abducting six Vietnamese crewmembers. One additional seafarer was injured in the exchange.

The Philippines, Malaysia and Indonesia are actively fighting Abu Sayyaf kidnappings and piracy in the waters of the Sulu and Celebes Sea. The three nations' maritime boundaries intersect in this area, and in the past, pirates have taken advantage of territorial seas demarcations to flee the authorities. Manila recently granted its island neighbors the right to conduct hot-pursuit chases of pirates into Philippine waters, a measure that is expected to improve the law enforcement response to attacks off of Sabah and Tawi-Tawi. In addition, the Philippine military has stepped up its shore-side counterinsurgency operations on the islands of Basilan and Sulu in an attempt to eliminate Abu Sayyaf's bases.

Separately, the Armed Forces of the Philippines updated its count of Abu Sayyaf hostages, removing two individuals who are suspected of joining the group and three more whose status had not been updated for some time. The update brings the military's list of Abu Sayyaf hostages down to 27 people, most of them seafarers from Malaysia, Vietnam, Indonesia and the Philippines.

Man fined and jailed for laser strike on Washington State ferry

A Washington state man has been fined \$9,500 by the Coast Guard and ordered to serve 15 days in jail for shining a high-powered laser at the wheelhouse of a Washington State Ferry in October.

According to the Coast Guard, Mark Raden of Freeland, Washington, was aboard the *WSF Kitsap* transiting between Mukilteo and Clinton on October 22, when he pointed the laser at the *WSF Tokitae*, with 106 passengers on board, and struck the vessel's master and chief mate in the eyes.

Raden, who has a history of lasering incidents, was assessed a \$9,500 civil penalty by the Coast Guard Hearing Officer for interfering with the safe operation of the vessel. He also plead guilty to reckless endangerment in Island County Superior Court for his conduct and was ordered to serve 15 days in jail, perform 240 hours of community service, and pay \$3,740.89 in restitution to the master and chief mate. He will also serve 24 months on probation.

"Interfering with the safe operation of a vessel, particularly a large passenger vessel, endangers all of those on board and can also result in significant environmental impacts," said Commander Darwin Jensen, Coast Guard Sector Puget Sound Chief of Prevention. "This one person's irresponsible action could have had a much more tragic outcome for the passengers of the *Tokitae* as the vessel was preparing to arrive in Clinton. The Coast Guard will pursue appropriate criminal or civil enforcement actions against anyone who interferes with the safe operation of vessels."





SUP President's Report

January 9, 2017

GOVERNMENT VESSELS

Ready Reserve Fleet (RRF) vessels:

In accordance with the Memoranda of Understanding between the SUP, Matson and Patriot Contract Services covering the *Cape Henry*, *Cape Horn*, *Cape Hudson* (managed by Matson) and the *Cape Taylor*, *Cape Texas*, *Cape Trinity* and *Cape Victory* (managed by Patriot), there shall be a 2% increase in Reduced Operating Status (ROS) wages and wage-related items (overtime, vacation pay) effective January 22.

In addition there shall be an increase of 2.5% in wages and wage-related items in RRF vessels in Full Operating Status (FOS) effective January 22.

Surge LMSRs:

In accordance with the Memorandum of Understanding between the SUP and Patriot covering the Large, Medium-Speed, Roll-On/Roll-Off (LMSR) vessels in surge status (*Gilliland*, *Gordon*, *Shughart* and *Yano*), there shall be a 2% increase in Total Labor Costs (wages, overtime, Supplemental Benefits, contributions to the various plans) effective January 27.

New wage rates for the RRF and the Surge LMSRs will be published in this month's *West Coast Sailors*.

MATSON NAVIGATION COMPANY

China Service

Last month, Matson announced it was going to start calling Naha, Okinawa as part of its expedited China-Long Beach (CLX) service. The new weekly service will make its first call at Naha on February 18.

Matson operates the CLX service with five U.S.-flag vessels: *Manukai*, *Manulani*, *Maunawili*, *Manunalei*, and *R.J. Pfeiffer*, all crewed on deck by the SUP.

Naha will replace Xiamen, China in the CLX service. The new port rotation will be Long Beach, Guam, Naha, Ningbo, Shanghai and back to Long Beach in 10 days.

Matson will maintain its office in Xiamen to continue serving customers with transshipment via Shanghai. The last direct call at Xiamen from Guam will be on February 5.

Lurline

The *Lurline* (built in 1973) definitely appears headed to the scrapyard. The company has been cannibalizing the vessel for parts that can be used in her sistership *Matsonia* and earlier this month sailors were dispatched from the Seattle Branch to paint out the "M" on the stack and Matson on the hull. However, this won't be the last of the *Lurline* name. In August (see the September *West Coast Sailors*), the company announced that the sixth vessel bearing the *Lurline* name will be built in San Diego by General Dynamics NASSCO with delivery scheduled for the end of 2019. This Kanaloa-Class combined container and roll-on/roll-off (Con-Ro) will join her new sistership *Matsonia*, which will be delivered in mid-2020, in the Hawai'i trade.

QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2 of the SUP Constitution, a Quarterly Finance Committee shall be elected at today's meeting to review the finances of the Union for the fourth quarter of 2016, and report back to the membership at the February Union meetings. In the event the Committee cannot be filled today, or is short-handed when it convenes, recommend that committee members be shipped off the hiring hall deck as per past practice.

The Quarterly Finance Committee will meet at Headquarters at 8:00 A.M. on Tuesday, February 14.

HOLIDAYS

Martin Luther King, Jr.'s Birthday: All SUP halls will be closed Monday, January 16. This is a holiday under all SUP contracts except Foss Maritime Company. Due to the holiday, the Branch meetings will be held on Tuesday, January 17.

Lincoln's Birthday: Since this holiday falls on a Sunday, it will be observed on Monday, February 13, in accordance the agreements with APL, Chevron, Matson and the San Francisco Bar Pilots. Due to the holiday, the Headquarters meeting will be held on Tuesday, February 14.

Presidents' Day: All SUP halls will be closed Monday, February 20, in accordance with the Agreements

with APL, Foss, Matson and Patriot Contract Services. Due to the holiday, Branch meetings will be held Tuesday, February 21.

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 the Quarterly Finance Committee. Elected: Diane Ferrari, Izzy Idris, Mike Koller, Mike Worth, Sam Worth. Carried.

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

Gunnar Lundeberg

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

Effective January 22, 2017

*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	\$1,575.30	\$225.01	\$38.56	\$15.00
GUDE (OS)	\$967.29	\$138.18	\$19.68	\$15.00
GVA (OS)	\$967.29	\$138.18	\$19.68	\$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	\$5,051.92	\$168.40	\$2,525.96	\$38.75	\$21.98	\$15.00
AB	\$4,020.63	\$134.02	\$2,010.32	\$33.08	\$16.82	\$15.00
OS	\$2,767.96	\$92.27	\$1,383.99	\$19.77	\$13.33	\$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.

Patriot Contract Services

LMSR wage and benefit rates

USNS *Gordon*, USNS *Gilliland*, USNS *Shughart*, USNS *Yano*

Effective January 27, 2017

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	7,763.95	258.80	27.43	16.32	5,680.72	3,029.72	100.99	11.49
AB	5,495.44	183.17	19.16	16.32	4,039.52	2,154.42	71.81	11.49
OS	4,440.69	148.03	17.68	16.32	3,097.32	1,651.90	55.07	11.49

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	1,365.11	195.01	27.43	6.12	5,680.72	1,136.14	37.87	11.49
AB	966.57	138.07	19.16	6.12	4,039.52	807.90	26.93	11.49
OS	739.66	105.65	17.68	6.12	3,097.32	619.47	20.64	11.49

Labor pick chafed at worker protections

continued from page 1

argues that his efforts to reward workers in more entrepreneurial ways were stymied by rigid California laws. He has said that he may support smaller minimum wage increases, but that over all, the free market is better than the government is at helping people.

But Mr. Puzder's appointment, already inspiring protests, could set off a national clash. In recent years, a resurgent workers' rights movement has helped win an employer mandate for health insurance and stronger enforcement of overtime rules nationwide, and paid sick and family leave at the local and state levels. Mr. Puzder, opposed to some of those policies, could lead a backlash by business owners saying the new rules have gone too far.

If employers are required to do too much, he told Business Insider recently, they may replace some workers with machines. "They're always polite, they always upsell, they never take a vacation, they never show up late, there's never a slip-and-fall, or an age, sex, or race discrimination case" he said.

Mr. Puzder entered the fast-food world almost by chance. A lawyer with a canny, strategic streak, practicing commercial trial law in St. Louis, he had a sideline in anti-abortion activism, writing a legal argument that helped inspire a 1986 state law that declared that life began at conception and prohibited the use of state money for abortions. A challenge to the law rose all the way to the United States Supreme Court, leading to a 1989 decision narrowing the scope of *Roe v. Wade*.

Around the same time, Mr. Puzder took a legal assignment from Carl Karcher, who started with a single hot dog cart and expanded it into the Carl's Jr. chain, with hundreds of restaurants in California, their drive-ins emblazoned with smiling yellow stars. Mr. Karcher was in legal and financial trouble, and as his new lawyer worked to bail him out, the two became close. Mr. Puzder helped Mr. Karcher avoid bankruptcy; Mr. Karcher taught Mr. Puzder the restaurant business. By 2000, Mr. Puzder, who later referred to Mr. Karcher as "a second father" was chief executive.

In Mr. Puzder's version, the following years were triumphant. His franchise restaurants outside California grew exponentially. His associates had acquired the Hardee's chain, a move that initially fell flat, until Mr. Puzder revived the brand. ("No more people behind the counter unless they have all their teeth," he recounted years later.) Other fast-food brands aimed for the broadest appeal, sometimes losing focus, but Mr. Puzder concentrated on one market: young men delighted to pay \$6 for calorie-laden burgers dripping with sauce. In television ads that were somewhere between racy and pornographic, bikini-clad models suggestively crunched and licked their way through burgers.

The conservative Parents Television Council criticized the ads, and more recently, Democrats have said they prove a lack of respect for women. But Mr. Puzder has defended them. "I like beautiful women eating burgers in bikinis" he told *Entrepreneur* magazine. "I think it's very American. I used to hear brands take on the personality of the CEO and I rarely thought that was true, but I think this one, in this case, it kind of did take on my personality."

A CKE representative said that about 70,000 employees now work in 3,600 restaurants, 95% of them franchises, generating more than \$13 billion in revenue. The representative said the company had no control over how employees are treated in franchised locations, but labor groups tend to dismiss that logic, saying the chains use it to avoid responsibility. In nearly two dozen interviews across California, some current and former employees at Carl's Jr. restaurants described a workplace that was "basically fair," as Tony Moua, a former cook from Merced, put it. "We were always paid on time and had to take our breaks," he said.

But most offered a different version: restaurants so understaffed they could barely keep up; having their hours cut so their employer would not be required to provide insurance under the Affordable Care Act; and being sent home mid-shift if the crowds thinned.

"If it was a slow day, I wouldn't even work for four hours," said Cristo Delgado, who worked at a Carl's Jr. in Bakersfield in 2010. "They would lose money if we stayed. I never complained," he said. "I didn't know I could complain."

In interviews and lawsuits, workers have made a graver charge: that the restaurants often broke the law by cheating them on their wages. Some said they were expected to arrive early for their shifts to clean

but not allowed to clock in until later.

Others said they would often work through their breaks, even though those rest periods, required by California law, were unpaid. When Tracy Bradshaw, who worked in a Carl's Jr. in Bakersfield for two years, would take her 30-minute lunch break, she was often called back into the kitchen to help with a sudden rush. "I need you back here now, I know you are on your break" she said her manager would say. If she refused, the manager was more likely to send her home early, she said, which often meant fewer hours the next week, leaving her short on money.

After several months, Ms. Bradshaw said, she complained. Soon after that, she brought in paperwork showing that her pregnancy would prevent her from doing certain tasks. A week later, she was let go, she said. A CKE representative said the company is opposed to all forms of discrimination, including pregnancy-related.

During Mr. Puzder's tenure, the company has paid millions of dollars to settle class-action lawsuits alleging that it failed to pay managers fairly, by misclassifying them in a way that skirted over-time rules. CKE has also faced other class-action lawsuits, some settled and others ongoing, alleging that it routinely forced workers to skip breaks, altered its time records in a way that left workers paid less, or placed caps on what managers could make, meaning they worked for more hours than they were compensated for.

Mr. Urrustieta, the former manager near Los Angeles, who is part of a current lawsuit, said he would often work 60 hours a week, dealing with early-morning and late-night emergencies, and problems that cropped up on his day off. But he and other managers said Carl's Jr. had rules against paying them for more than 47.5 hours a week. His district manager refused to pay him for all of the time he worked, he said.

Federal and state regulators have made similar findings, citing Carl's Jr. and Hardee's for wage violations in dozens of both corporate-owned and franchise stores, and requiring tens of thousands of dollars in back pay. (Many chains have records that are worse.)

David Weil, head of the agency's Wage and Hour Division, declined to speak about the investigations of CKE in an interview. But the core mission of the Labor Department is "a fair day's pay for a fair day's work," he said.

Mr. Puzder has contended that the California rules defy business logic. The mandatory breaks, for example, meant workers were sometimes unavailable when they were needed most. "Have you ever been to a fast-food restaurant and the employees are sitting and you wonder, 'Why are they sitting?'" he asked in a 2009 interview, conducted by Allison Varzally, a history professor at California State University, Fullerton. Even if a bus pulls up filled with hungry customers, an employee on a break cannot assist, he said.

For several years, managers and assistant managers were given bonuses based on sales in their stores, giving top performers a share of the profit, said Bill Foley, a former CKE chairman, but in light of California rules over who could be considered a manager and required overtime pay, the company scrapped the practice.

In Mr. Puzder's view of the lawsuits, his corporation was the victim. "Lawyers support state politicians out of profits from class-action lawsuits, and once they're elected, lobby those politicians to pass more restrictive laws that they can use in their next raid on the California business community," he said in a 2014 speech. Mr. Puzder, exasperated, found himself more interested in politics. He made appearances at conservative events and wrote opinion pieces for *The Wall Street Journal* arguing that excessive regulation was stifling economic growth and forcing stores to close locations. In the 2016 presidential race, he and his wife gave over \$170,000 in support of Mr. Trump's campaign, most of it right as he secured the nomination.

With Republicans controlling the Senate, Mr. Puzder's chances for confirmation remain high. Some chief executives have celebrated the appointment, confident Mr. Puzder will run a very different Labor Department from his predecessors. "There are so many regulations imposed by politicians who have never run a business" said David Newton, an entrepreneurship professor who co-wrote a 2010 book with Mr. Puzder, "Job Creation: How It Really Works and Why Government Doesn't Understand It." Once Mr. Puzder steps into his new role, Mr. Newton said, business leaders will know "there's someone who is like us and understands what we're up against."

This article was published in the January 16, issue of The New York Times.

Vice President's Report

January 2017

In addition to the routine duties of the front office I participated in the ongoing negotiations with Chevron Shipping Company and checked the following ships:

Maunawili: Jim Stelpstra, bosun. Investigating problem of transportation through the container yard in Guam. Delayed sailing investigation and clarification.

APL Saipan: Dave Kaupiko, delegate. Honolulu gang is pulling together to get it done under serang Manny Rezada. Text from the ship indicates the typical problems for a flagged-in ship; things are broken but upgrades are underway. New washers recently installed. Overtime penalty for sanitary in a common laundry no good. Oil cleanup rate payable on straight time hours as per Section 11(1) of the SUP Work Rules.

California Voyager: Jonah Cross, delegate. Ship scheduled to return to U.S. West Coast from the Gulf. Discussion on proposals for bargaining. New member Dan Briggs will sign up in Richmond. Welcome aboard. Future deployment plans include three tankers

APL China: Janan Johair, delegate. After initial claim and argument was made by MFOW President Anthony Poplawski, the SUP made the same claim, and management eventually agreed to pay the explosives cargo bonus in Section 22 of the General Rules.

USNS Gilliland: Jonathan Beeman, delegate. Completed yard period and crewed up for successful sea trials before returning to Baltimore.

USNS Yano: Allen Gonzalez, delegate. Activated for sea trials in Louisiana. Full-blown mission to follow. Investigating reports of stateroom deficiencies.

USNS Watson: Tom Cook, bosun. Completed yard period in Philadelphia and crewed up for sea trials and return to ROS in Newport News, VA. Assisted member detained by local police.

Dave Connolly

Nautical terms in everyday speech

Take Down a Peg or Two ... (to bumble)

This well-worn metaphor is thought to have its origins in post-Armada England. In the aftermath of the stunning victory in 1588 over the reputedly invincible Spanish Armada, England's naval pride, as well as her pride in personal achievement, soared. During this period flags and pennants began to play an all-important role in indicating the official rank and personal status of the ship's commander. Flags were hoisted on halyards (small ropes or lines) and secured to one of a series of small pegs arranged vertically on the mast. The higher the flag was flown from the mast, the higher the honor. When a commander handed over the ship to a subordinate officer, or one of inferior personal status, the new commander's flag would be flown lower down the mast. According to tradition, the flag had to be taken down a peg or two. It was noted in the court and times of Charles I (1625): "the Bishop of Chester that bore himself so high, should be hoisted a peg higher."

SUP Branch Reports

Seattle

December 19, 2016

Shipping: 2 Boatswains jobs shipped and filled by B seniority members; 7 Able Seaman jobs dispatched to 5 B cards and 2 C-cards; 9 standbys to 6 A card and 3 B cards.

Registration: 8 A cards for a total of 17; 5 B cards for a total of 26; 4 C cards for a total of 16.

Ships Checked

Matson vessels *MV Manoa* and *MV Mahimahi* called twice in Seattle with little or no problems. The *APL Saipan*; and the Patriot Contracting vessels: *USNS Soderman*; *USNS Watson*; *USNS Watkins*; *USNS Dahl*; *USNS Gordon* all called for crew replacements.

I represented the SUP/MFOW at the following meetings: the King County Labor Council Executive Board meeting; the Port of Seattle workforce meeting.

The MFOW sponsored the annual SUP/MFOW Holiday Benefit Luncheon this year. This was well attended and we had to send our members down the gangway at knockoff because nobody was leaving. We want to thank all that helped and those that brought holiday dishes. The Tony Jones family for providing the smoked salmon, the David Purganan family, the Romy Dalit family, Danny Ycoy, and those whose names I am leaving off. The Rebecca Fisk crew for helping with the cleanup, and Norm and Vanessa Christianson for hosting the bar. A Good Time Was Had by All!

Vince O'Halloran, Branch Agent

Wilmington

December 19, 2016

Shipping for the period: Bosun: 2, AB: 12, AB Maint: 4, STOS: 2, and 51 standbys, for a total of 71 jobs shipped.

Registration: A: 32; B: 24; C: 9; D: 18

Ships Checked

APL Singapore (Denny Silva-delegate, Paul Farillas-Bosun), *Manulani* (Reggie Clark-delegate), *Maunalei* (Dave O'Neill-delegate), *Mokihana*, *APL Korea*, *Matsonia*, *Maunawili*, *APL Thailand*, *APL Philippines*, *APL China*, *Matsonia*, *R.J. Pfeiffer* and *APL Korea*. Food beef on *APL Singapore* squared away aboard ship. Little or no beefs on the rest of the ships.

Sad to report the passing of both Rory Swank, who was stationed on the *USNS Waters* in Florida, and Dustin Grobschmits, Bosun aboard the *R.J. Pfeiffer*. They were both good sailors, and shipmates, and left us while they were young. Deepest condolences to their wives, and families.

Very busy at the hall, so save the sea stories, as it's been business bell to bell.

Leon Gandy, Branch Agent

Honolulu

December 19, 2016

Shipped the following jobs in the month of December: 1 Bosun, 4 AB Day steady, 1 AB Day relief, 1 AB Day return, 3 AB Watch steady, 1 AB Watch return, 1 OS Watch, and 1 AB Maint. The shipping jobs were filled by 4 A cards, 7 B cards,

and 2 C cards. Also shipped 40 standby jobs. The standby jobs were filled by 15 A cards, 15 B cards, 4 C cards, and 6 D cards.

Registered in December: 3 A cards, 9 B cards, 1 C card, and 1 D card. Total registered: 15 A cards, 15 B cards, 9 C cards, and 7 D cards.

Ships checked

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

I represented the SUP at the AFL-CIO executive board meeting, and the Hawai'i Maritime Port Council meeting.

Shipping out of Hawai'i has been typical this last month. The A-cards are taking the Bosun and AB Day jobs, the B-cards are taking the AB Watch jobs, and the C-cards taking whatever is left over.

Remember to check your documents, it could be the difference between making a job or being refused by the company if they are not up to date. Mahalo,

Michael Dirksen, Branch Agent

Dispatcher's Report

Headquarters-Dec. 2016

Deck	
Bosun.....	4
Carpenter.....	0
MM.....	7
AB.....	16
OS.....	5
Standby.....	19
Total Deck Jobs Shipped.....	51
Total Deck B, C, D Shipped.....	44
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.....	51
Total B, C, D Shipped-All Depts.....	44
Total Registered "A".....	32
Total Registered "B".....	39
Total Registered "C".....	21
Total Registered "D".....	42

Business Agent's Report

January 9, 2017

Maui- On a steady run Oakland, Honolulu. Bosun Robin Colonas took her trips off. No qualified men in the hall, reverted to promoting Dave Frizzi with a bosun stamp for three trips. Called an AB relief in his place. Ship sailed with no beefs.

Kauai- In at Oakland #62. Stores crane back in operation after over six months it's up and running. Bosun Robert Reed on a trip off. Running smoothly with relief Bosun Quentin Brown, Mike O'Boyle as delegate.

Mahimahi- On a steady northwest run, ship bypassed Oakland for one trip. Should fall back on schedule this week.

Running smoothly with Has Idris as Bosun, Robert Morgan as delegate.

Manoa- In and out of Oakland #62. Ship's on a steady Northwest run. The gang was able to drop in on the Christmas party in Honolulu; good to see all the old timers. Rumors have this ship going to the shipyard in February; subject to change. Marc Calario, Bosun, Garry Marshall delegate.

Matsonia- Still running out of L.A. Matson schedule has her returning in late February. Rolando Mendoza as Bosun, Mick McHenry as delegate.

APL Thailand- In and out of Oakland #58. Bosun Chris Bunheirao on a trip off, promoted James Buster no qualified men in the hall. Bill Debenedictis as delegate.

APL Belgium- Called the crew back on the *Belgium* flew out the gang last week. Nick Hoodgendam as Bosun, Dennis Sumague as delegate.

APL Philippines- APL China- APL Korea- Checked in with these ship with no beefs.

Cape Orlando- To all new members these RRF ships are a stepping run in the industry last week of our new members was terminated. To be fired on these Patriot ships while on RRF status increases your chances of not able to sail with this company.

Cape Henry- In good shape with Gabriel Moreno Sr. as Bosun.

Admiral Callaghan- Running smoothly with Phil Coulter as Bosun.

Worked in the front office and dispatched. Roy Tufono

Seattle and Honolulu holiday party

Left Seattle Branch holiday party goes and clean-up gang, from left: Mike Weber, Sandy Earle, Anthony Jones, Wayne Turner, Ray Ramirez, Norm Christianson and Rebecca Fisk.

Below: SUP and MFOW holiday luncheon group. Honolulu Branch Agent, Mike Dirksen, in center.



SUP members join pension ranks

The following SUP members joined the rank of pensioner, bringing the total number of SUP members to 198:

Steve Messenger, 64, Book No. 6487, joined SUP in 1973, 36 years seetime.

Harold Presswood, 66, Book No. 3833, joined SUP in 1969, 40 years seetime.